

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-1

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WESLEY WALDO WINN AND VELMA A. WINN FOR THE PURCHASE OF REAL PROPERTY FOR MUNICIPAL PURPOSES (Improvement of Prescott Road, Briggsmore Avenue and Northern Boulevard)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wesley Waldo Winn and Velma A. Winn for the purchase of real property for municipal purposes (improvement of Prescott Road, Briggsmore Avenue and Northern Boulevard) be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-2

A RESOLUTION ACCEPTING THE BID OF WOLVERINE BUILDING SERVICE, INC. FOR THE CONSTRUCTION OF WADING POOLS AT ROOSEVELT AND WHITMORE PARKS FOR THE TOTAL SUM OF \$12,800

WHEREAS, Resolution No. 62-598, adopted by the Council of the City of Modesto on December 10, 1962, approved the plans and specifications for the construction of wading pools at Roosevelt and Whitmore Parks and authorized the calling for bids, and

WHEREAS, the bids received for the construction of wading pools at Roosevelt and Whitmore Parks were opened at 2:15 P.M., Jan. 2, 1963 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Wolverine Building Service, Inc. for the total sum of \$12,800 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Wolverine Building Service, Inc. be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 62-3

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AT McHENRY AND GRANGER, AND 7TH AND L STREETS, FOR A TOTAL SUM OF \$14,837

WHEREAS, Resolution No. 62-531, adopted by the Council of the City of Modesto on November 13, 1962, approved the plans and specifications for the construction of traffic signals at McHenry and Granger, and 7th and L Streets and authorized the calling for bids, and

WHEREAS, the bids received for the construction of traffic signals at McHenry and Granger, and 7th and L Streets were opened at 2:00 P.M., Dec. 19, 1962, and later tabulated by the ~~ENGINEERING~~ Department for the consideration of the Council, and


WHEREAS, the Director of ~~ENGINEERING~~ <sup>Parking and Traffic</sup> has recommended that the bid of Industrial Electrical Company for a total sum of \$14,837 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Industrial Electrical Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-4

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF SANITARY SEWER AND WATER LINE CARRIER PIPE ACROSS MODESTO FREEWAY AT CLAYTON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for the construction of sanitary sewer and water line carrier pipe across Modesto Freeway at Clayton Avenue copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 22, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-5

A RESOLUTION AUTHORIZING THE RELEASE OF THE GENERAL INSURANCE COMPANY OF AMERICA SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN QUARESMA HOMES UNIT NO. 3 SUBDIVISION

WHEREAS, John and Bernice Quaresma, subdividers of Quaresma Homes Unit No. 3 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the General Insurance Company of America Subdivision Bond No. 354317 in the sum of \$8,000 filed by John and Bernice Quaresma to guarantee the improvements in Quaresma Homes Unit No. 3 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-6

A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND <sup>EAST</sup> ~~MODESTO~~ INDUSTRIAL WASTE COMPANY FOR THE RENTAL OF 40 ACRES OF AIRPORT PROPERTY AT THE MODESTO CITY-COUNTY AIRPORT, COMMENCING JANUARY 1, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto <sup>East</sup> that the lease agreement between the City of Modesto and ~~Modesto~~ Industrial Waste Company for the rental of 40 acres of property at the Modesto City-County Airport, for a period of one year commencing January 1, 1963 at a yearly rental of \$1,000 payable in advance, for general farming purposes or, in an emergency, to use <sup>East</sup> for percolation beds in the event the transmission line to ~~Modesto~~ Industrial Waste Company's industrial waste disposal area should be damaged be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said lease agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-7

A RESOLUTION APPROVING REDUCTION OF THE PERFORMANCE BOND FILED BY PAUL D. McCracken AND CARL MADICK TO GUARANTEE IMPROVEMENTS IN WILLOW ESTATES NO. 1 SUBDIVISION

WHEREAS, Paul D. McCracken and Carl Madick, subdividers of Willow Estates No. 1 Subdivision, posted a performance bond with the City of Modesto to guarantee the improvements in Willow Estates No. 1 Subdivision, and

WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of minor patching and repair to various improvements in the subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the performance bond filed by Paul D. McCracken and Carl Madick to guarantee the improvements in Willow Estates No. 1 Subdivision be reduced to the sum of \$7,000, and that the subdividers be required to file a performance bond with the City of Modesto in the above amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall, Mayor  
Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-8

A RESOLUTION AUTHORIZING FURNISHING OF SEWER  
SERVICES TO THE SYLVAN UNION SCHOOL DISTRICT.

WHEREAS, the Sylvan Union School District has requested the City of Modesto to provide sewer service to its proposed Sherwood School on Rumble Road, and

WHEREAS, said Sherwood School is outside the sewer service limits of the present Modesto system, and

WHEREAS, it has been determined that this school can reasonably be served by the City system on a temporary basis under certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Sylvan Union School District shall be permitted to connect its proposed Sherwood School on Rumble Road to the existing City sewer system with said sewer connection being made entirely at the School's expense and in accordance with plans approved by the City.

SECTION 2. When the proposed north Modesto sanitary trunk sewer is complete and available for use, School District shall immediately disconnect its temporary connection from the existing sewer system and connect to said trunk system. It is contemplated that said connection would be in the vicinity of Rumble Road and Claremont Avenue.

SECTION 3. Sewer service to Sherwood School shall be in accordance with the provisions of the Municipal Code relating to such service.

SECTION 4. In addition to the above, the Sylvan Union School District shall perform the following:

(a) Reimburse the City of Modesto in the sum of Three Hundred Twelve and 38/100ths (\$312.38) Dollars as its share of perimeter street lights on Rumble Road for which advances in the above sum have been made by City.

(b) Dedicate and improve, to City of Modesto standards, streets bordering its property for the Sherwood School.

SECTION 5. This resolution shall become effective upon receipt of a letter from the Sylvan Union School District acknowledging and accepting the conditions contained herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. ~~62~~ 63-9

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURBS AND GUTTERS ALONG CERTAIN STREETS  
IN THE CITY OF MODESTO. (BLOCK 2016, LOT E AND BLOCK  
2016, PORTION LOTS G and H)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets  
and Highways Code of the State of California establishes a procedure  
pursuant to which the construction of curbs and gutters  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and  
Highways Code, the Superintendent of Streets finds that curbs and  
gutters have been constructed in front of the pro-  
perties constituting more than fifty per cent (50%) of the street  
frontage along 119 Wilson Avenue (Block 2016, Lot E) and Wilson  
Avenue at 919 Yosemite Boulevard (Block 2016, Portion of Lots G and H),  
and

WHEREAS, the Council, did, on December 10, 1962,  
adopt its Resolution No. 62-601, directing the Superintendent of  
Streets to give notice requiring the construction of curbs and  
gutters along certain streets in the city of  
Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 7th  
day of January, 1963, at 5:00 o'clock P.M. in the  
Council Chambers, as the time and place for a hearing for the purpose  
of passing upon objections or protests, if any, which may be raised  
by the property owners or other interested persons relating to the  
proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to  
be given as directed by said Resolution No. 62-601, and

WHEREAS, at the time set for hearing the protests and  
objections, if any, to the proposed work, the said Council proceeded  
to hear the same and no protests having been received,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 62-601 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 19 63, by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Johansen, Mitchell, Shastid, Tabbert, ~~Yone~~  
Mayor Hammond  
NOES: VanderWall  
ABSENT: Patton

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-10

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COATES, HERFURTH AND ENGLAND, CONSULTING ACTUARIES, FOR QUADRENNIAL REVALUATION OF STATE EMPLOYEES' RETIREMENT SYSTEM

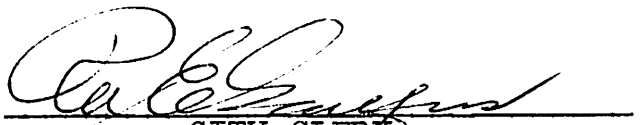
BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Coates, Herfurth and England, Consulting Actuaries for a quadrennial revaluation of State Employees' Retirement System assets and liabilities, as of June 30, 1962 be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Johansen, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-11

A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND S. J. MacDONALD, DBA MacDONALD SIGNS, FOR THE RENTAL OF CITY OWNED PROPERTY AT 607½ 11TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease agreement between the City of Modesto and S. J. MacDonald, dba MacDonald Signs, for the rental of the first floor of the city-owned building located at 607½ Eleventh Street on a month to month tenancy, commencing December 27, 1962, at a rental rate of \$100 per month<sup>be</sup>, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said lease agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-12

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
INTERIM PLANNED DEVELOPMENT ZONE, (I) P-D(12).  
(SPENCER ADDITION)

WHEREAS, on May 15, 1962, the City Planning Commission recommended to the County Planning Commission the rezoning of the area later known as the Spencer Addition for Multiple-Family Zone, R-3, and

WHEREAS, on June 12, 1962, the Commission recommended to the Council the extension of sewer service to this area subject to the annexation of the property to the City and the filing of an application by the developer for an interim Planned-Development Zone, and

WHEREAS, on September 4, 1962, the Commission recommended to the County Planning Commission the granting of a permit for multiple-family development, and by Resolution No. 842 adopted on September 18, 1962, recommended to the Council the commencement of proceedings for the annexation of the Spencer Addition, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North  $34^{\circ} 37'$  East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North  $34^{\circ} 37'$  East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North  $89^{\circ} 57'$  East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South  $0^{\circ} 10'$  West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South  $89^{\circ} 54'$  West, 917.43 feet, to the point of beginning, containing 8.796 Acres, and

WHEREAS, a letter and application have been received from Monighan and Associates requesting interim Planned-Development zoning for the property, and

WHEREAS, after public hearing held on December 4, 1962, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, after a public hearing held on January 7, 1963, the Council found and determined that the application of Monighan and Associates for an interim Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare, and

WHEREAS, the Council has introduced Ordinance No. \_\_\_\_\_-C.S. on the 7th day of January, 1963, rezoning the above-described property to interim Planned-Development Zone, (I) P-D(12),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for interim Planned-Development Zone, (I) P-D(12), is hereby approved in accordance with the plan titled "Proposed Planned Unit Development, a Portion of Lot 13 of the Spencer Colony", dated November 29, 1962, as amended on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That dedication of right of way be provided for the widening of Spencer Avenue and improvements be installed to city collector street standards;

2. That dedication be provided on the north and west sides of the property as shown on the development plan for the future extension of Vine Street when requested by the City of Modesto;

3. That a solid six (6) foot fence be constructed along the north and west property lines to within twenty-five (25) feet of the ultimate Spencer Avenue property line;

4. That a solid six (6) foot fence be constructed along the south property line to within fifteen (15) feet of the ultimate Spencer Avenue property line, and prior to the construction of the first unit;

5. That the interior private road be constructed prior to the construction of the first units;

6. That no access be permitted from the development to Vine Street;

7. That a landscaping plan be presented to the Board of Zoning Adjustment at the time of the consideration of the conditional use permit; and

8. That a cash deposit, savings and loan certificate, forfeiture bond, or corporate surety bond in an amount to be determined by the City Engineer, based on the estimated cost of public improvements, be posted when application is made for the conditional use permit for Phase I, release date of said bond to coincide with the completion date of Phase I.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said interim Planned Development Zone, (I) P-D(12):

(a) The entire construction program shall be accomplished in one phase, construction to begin on or before April 1, 1963, and be completed on or before June 1, 1965.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 7th day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman ManderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-13

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)  
FROM: General Reserve (600) \$1,500  
TO: Insurance and Retirement (65)  
Group Health Insurance (426) \$1,500

PARKING FUND (209)  
FROM: Parking and Traffic (57) \$ 7  
Office Supplies  
TO: Parking and Traffic (57) \$ 7  
Group Health Insurance (426)

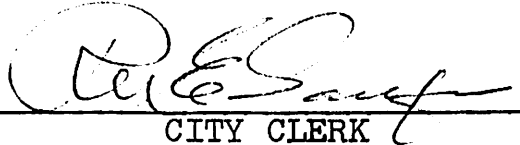
SERVICE WORKING CAPITAL FUND (512)  
FROM: Service (48)  
M & R, Bldgs. & Grounds (224) \$ 22  
TO: Service (48)  
Group Health Insurance (426) \$ 22

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-14

A RESOLUTION ACCEPTING THE BID OF WILLEY PRINTING COMPANY FOR THE PRINTING OF REVISED AND SUPPLEMENTAL CODE PAGES FOR THE CALENDAR YEAR 1963

WHEREAS, Resolution No. 62-618, adopted by the Council of the City of Modesto on December 26, 1962, approved the ~~plans and~~ specifications for the printing of revised and supplemental code pages for the calendar year 1963 and authorized the calling for bids, and

WHEREAS, the bids received for the printing of revised and supplemental code pages for the calendar year 1963 were opened at 2:00 P.M., Jan. 11, 1963, and later tabulated by the ~~Public Works Department~~ City Clerk for the consideration of the Council, and

~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk  
WHEREAS, the ~~XXXXXXXXXXXXXXXXXXXX~~ has recommended that the bid of Willey Printing Company in the amount of \$10.82 per page be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Willey Printing Company in the amount of \$10.82 per page be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-15

A RESOLUTION ACCEPTING THE BID OF RIX COMPANY, INC. FOR ONE PORTABLE ROTARY TYPE COMPRESSOR, LeROI RG2E, FOR THE TOTAL SUM OF \$3,976, INCLUDING TRADE-IN

WHEREAS, Resolution No. 62-603, adopted by the Council of the City of Modesto on December 17, 1962, approved the plans and specifications for the furnishing of one portable rotary type compressor

and authorized the calling for bids, and

WHEREAS, the bids received for the portable rotary type compressor were opened at 2:00 P.M., Jan. 8, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and


WHEREAS, the Director of Public Works has recommended that the bid of Rix Company, Inc. for a LeRoi RG2E portable rotary type compressor for the total sum of \$3,976, including trade-in be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Rix Company, Inc. be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

A RESOLUTION APPROVING SEWER SERVICE TO FIVE (5)  
PARCELS OF PROPERTY ON COFFEE ROAD DUE TO THE  
PROPOSED WIDENING AND IMPROVEMENT OF COFFEE  
ROAD.

WHEREAS, the County of Stanislaus is acquiring rights of way for the widening and improvement of Coffee Road north of Scenic Drive, and

WHEREAS, said project affects the existing sewerage disposal systems of a number of properties involved, and

WHEREAS, the County has reached agreement with the owners of some properties which provides for the County to construct a sewer lateral and connect said properties to the municipal sewer system, and further provides that the owners of said properties agree to the City's regular agreement form for sewer service outside the City limits, except for the sewer rates to be charged therefor, with this exception providing for charges at the inside-city rates, and

WHEREAS, it would be to the County's benefit for the City to provide sewer service on this basis, and

WHEREAS, Section 5-6.103 of the Municipal Code provides: "Anything to the contrary herein stated notwithstanding, the Council shall have the power to establish, by agreement or resolution, the rate or rates to be charged for furnishing sewer services to governmental agencies, and to any person outside the corporate limits of the City, at rates different from those heretofore set forth and on a basis that is fair and equitable to all the parties concerned.",

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the following properties shall be permitted to connect to the City of Modesto sanitary sewer system:

- (a) 447 Coffee Road;
- (b) 446 and 450 Coffee Road;
- (c) 454 Coffee Road;

(d) 432 Coffee Road; and

(e) Property at northwest corner of Scenic Drive and Coffee Road under the ownership of Mabel A. Arata.

SECTION 2. That this permit to connect to the municipal sewerage system is subject to the following conditions:

(a) The property owners agree to annex their properties to the City of Modesto when requested to do so by the City.

(b) Permits will be obtained from the City Building Inspection Official to connect to the sewer lateral system.

(c) All sewer connection and inspection fees as required by the Municipal Code shall be paid.

(d) The property owners will pay sewer rates for service as provided by the Municipal Code for the rate inside the City until the properties are annexed to the City, or failure to annex upon request at which time the regular outside rate would apply.

(e) Comply with City building regulations.

~~SECTION 3. A copy of this resolution shall be furnished to each property owner of the properties described herein. Said owner shall file a written acceptance of this permit and agree to the conditions specified in this resolution and no right shall be conferred hereby until said acceptance is filed.~~

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Johansen, who moved its adoption which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-17

A RESOLUTION APPROVING THE FINAL MAP OF THE  
NORTHLAND ESTATES NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, John H. and Dolores Irene Kirkpatrick, husband and wife are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 12.0 acres, known as the NORTHLAND ESTATES NO. 1 SUBDIVISION, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of June, 1962, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said NORTHLAND ESTATES NO. 1 SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the NORTHLAND ESTATES NO. 1 SUBDIVISION be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Two Thousand, Two Hundred Fifty and 20/100ths (\$2,250.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Fifteen Thousand, Five Hundred and No/100ths (\$15,500.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-18

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. HIRLEMAN, JR. FOR THE CONSTRUCTION OF A SUBTRUNK SEWER TO SERVE BROOKDALE PARK NO. 3 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John E. Hirleman, Jr.

for the construction of a subtrunk sewer to serve Brookdale Park No. 3 Subdivision


be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-19

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO'S NEIGHBORHOOD CHURCH PROTECTING THE EXISTING CITY SEWER  
SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto's  
Neighborhood Church

for the protection of the existing sewer system of the City in  
the event of overloading at any time prior to the construction  
of a permanent sewer system in the area of Woodrow Avenue near  
Tully Road

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 14th day of  
January, 1963, by Councilman VanderWall, who moved its  
adoption, which motion being duly seconded by Councilman Patton,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-20

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO'S NEIGHBORHOOD CHURCH FOR SEWER SERVICE TO A SENIOR  
CITIZENS' DEVELOPMENT AT WOODROW AVENUE AND TULLY ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto's  
Neighborhood Church

for sewer service to a Senior Citizens' Development at Woodrow  
Avenue and Tully Road

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 14th day of  
January, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Johansen,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-21  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND EARLEY ELLERD FOR THE RENTAL OF CITY OWNED PROPERTY (FUTURE CATHERINE EVERETT PARK SITE) FOR THE PERIOD FROM JANUARY 1, 1963 TO DECEMBER 31, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and Earley Ellerd

for the rental of city owned property (future Catherine Everett Park Site) for the period January 1, 1963 to December 31, 1963, for a rental of 20% of the gross proceeds from the crops produced on the property


be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: ~~Johansen~~, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: ~~None~~ Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-22

A RESOLUTION EXPRESSING APPRECIATION TO HERBERT G. FLORCKEN FOR SERVICES RENDERED TO THE COMMUNITY WHILE SERVING AS A MEMBER OF THE BOARD OF LIBRARY TRUSTEES OF THE McHENRY PUBLIC LIBRARY

WHEREAS, Herbert G. Florcken has faithfully served as a member of the Board of Library Trustees of the McHenry Public Library since May 4, 1955,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Mayor Hammond be authorized to write a letter of appreciation to Mr. Florcken for faithful services rendered the community while serving as a member on this Board, and

BE IT FURTHER RESOLVED that a certificate of service be executed by the Mayor and City Clerk and transmitted to Mr. Florcken.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-23

A RESOLUTION OVERRULING THE DECISION OF THE PLANNING COMMISSION DENYING AN APPLICATION FOR AN AMENDMENT TO SECTION 17 OF THE ZONING MAP TO RECLASSIFY FROM ONE-FAMILY ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D, (CORPORATION--FILLES DE JESUS, NOTRE DAME CONVENT), REQUESTING A FURTHER REPORT AND STUDY FROM THE COMMISSION AS REQUIRED BY SECTION 10-2.2114 OF THE MUNICIPAL CODE, AND SUSPENDING THE DECISION OF THE COUNCIL UNTIL SUCH TIME AS THE COMMISSION RENDERS A FURTHER REPORT.

WHEREAS, the Council of the City of Modesto held a public hearing in the Council Chambers, 801 Eleventh Street, Modesto, California, on January 14, 1963, at 8:00 o'clock P.M. for the purpose of considering an appeal filed by Corporation--Filles de Jesus, Notre Dame Convent on December 18, 1962, to the decision of the Modesto City Planning Commission on December 4, 1962, denying its request for an amendment to Section 17 of the Zoning Map to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D, the following described property:

Lot 10 of the Fresno Tract, containing approximately 16 acres, located between Granger Avenue and Modesto Irrigation District Lateral No. 3, and between the Tidewater Southern Railroad Tracks and the Our Lady of Fatima Church property,

and

WHEREAS, the Council, after hearing evidence, both oral and documentary, recommends to the Modesto City Planning Commission that it take into consideration the following:

1. That the Development Schedule provide for proper phasing of the project, that said schedule specify commencement and completion dates for each building comprising the facility and the priority in which they are required to be built, and that said Development Schedule provide that a contract for the construction of each entire building shall be awarded and the construction of the foundation thereof completed before applicant be given a permit for the construction of any additional building, in accordance with the schedule of priorities;

2. That it recommend a suitable Development Schedule and Development Plan to avoid having a large project undertaken and possibly abandoned before completion and which specifies starting and ending dates, and that should development not proceed in accordance and precisely with Development Schedules, no extension will be granted without the approval of the Planning Commission and Council;
3. That the developer of hospital be required to pay for a bridge across Briggsmore-Northern and that proper protections be furnished to protect the general public interest and welfare;
4. That dedication of right of way for Northern Boulevard be required within ninety (90) days following establishment of the Planned Development Zone;
5. That driveway and service access to the allied services building on the west of the property opening onto Granger be reserved for emergency exit and entrance only;
6. That the driveway opening onto Northern Boulevard from the doctors' parking area be eliminated;
7. That the medical research building be oriented so the main entrance is opposite the hospital entrance and not on Northern Boulevard;
8. That a detailed landscaping plan for the entire site be required to be submitted to the Board of Zoning Adjustment for approval when application is made for the conditional use permit for the first building;
9. That no pole, protruding, illuminated or exterior signs be permitted to advertise uses in the development, and all signs proposed be required to be submitted to the Board of Zoning Adjustment for final approval;
10. That the maximum square footage requirements for the different types of commercial services to be provided

in the allied services building be established;

11. That the developer pay cost of constructing and installing traffic signals at the intersection of Briggsmore-Northern and the entrance to the facility when requested if and when needed;
12. That all uses requested be reviewed and that in the phasing of the Development Schedule the units will proceed in order, and that no uses other than those to be specifically provided and indicated in developer's Development Plan be permitted;
13. That developer furnish a cash deposit, savings and loan certificate, forfeiture bond, or corporate surety bond in an amount to be determined by the City Engineer, based on the estimated cost of improvements to Granger and Northern Boulevard which is to be posted when application is made for a conditional use permit for the commencement of Phase I of said development.
14. That the proposed medical center is compatible with the surrounding residential development due to the fact it is separated from adjacent developments by a railroad, a collector street, and a proposed major thoroughfare; and
15. That the feasibility report submitted by the applicants indicates a need for the uses requested.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that:

1. The decision of the Planning Commission denying the application of the Corporation--Filles de Jesus, Notre Dame Convent be reversed;
2. The Planning Commission be asked for a further report and recommendation as required by Section 10-2.2114 of the Modesto Municipal Code; and

3. The decision of the Council overruling the decision of the Planning Commission be suspended until said further report is received as specified in Section 10-2.2114 of the Municipal Code.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall & Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-24

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY  
FROM THE McHENRY-DRY CREEK FIRE PROTECTION  
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF  
MODESTO. (ATHENS NO. 2 ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire  
Protection District was annexed to the City of Modesto by  
Ordinance No. 553 -C.S., adopted on January 7, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on January 9, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and the  
County Assessor of copies of a resolution of the legislative body  
of the city, describing the included portion, and declaring such  
portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and pro-  
vided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the following described territory be with-  
drawn from the boundaries of the McHenry-Dry Creek  
Fire Protection District:

ATHENS NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being the Southeastern corner of said East Floyd Addition; thence along the City Limits and the Eastern line of the East Floyd Addition, North  $0^{\circ} 53'$  West, 245.94 feet to the Southwestern corner of the East Floyd No. 2 Addition as per description filed June 29, 1960, as Instrument 18293, Stanislaus County Records; thence continuing along the City Limits and the Southern line of the East Floyd No. 2 Addition, South  $89^{\circ} 30'$  East, 414.34 feet to the Southeastern corner of the East Floyd No. 2 Addition; thence continuing along the City Limits and the Eastern line of the East Floyd No. 2 Addition, North  $0^{\circ} 53'$  West, 144.00 feet, to the Southwestern corner of the East Floyd No. 3 Addition as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the City Limits and the Southern line of the East Floyd No. 3 Addition, South  $89^{\circ} 30'$  East, 346.00 feet to the Southeastern corner of the East Floyd No. 3 Addition; thence along the Southerly extension of the Eastern line of the East Floyd No. 3 Addition, South  $0^{\circ} 53'$  East, 389.94 feet, to a point on the center line of the Cavil Drain, said point being on the Southern line of property conveyed to Harry G. Russell, Et Ux, as per deed recorded September 6, 1960, as Instrument 25270, Stanislaus County Records; thence along the Southern line of said Russell property and the center line of the Cavil Drain, North  $89^{\circ} 30'$  West, 760.34 feet to the point of beginning, containing 5.437 Acres more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
**NOES:** COUNCILMEN: None  
**ABSENT:** COUNCILMEN: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 25

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY  
FROM THE McHENRY-DRY CREEK FIRE PROTECTION  
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF  
MODESTO. (NORTHLAND ESTATES ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire  
Protection District was annexed to the City of Modesto by  
Ordinance No. 555 -C.S., adopted on January 7, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on January 9, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and the  
County Assessor of copies of a resolution of the legislative body  
of the city, describing the included portion, and declaring such  
portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and pro-  
vided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the following described territory be with-  
drawn from the boundaries of the McHenry-Dry Creek  
Fire Protection District:

NORTHLAND ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, and being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

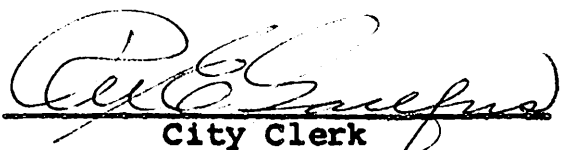
Beginning on the existing City Limits as established by the Northeastern corner of the Neighborhood Church Addition filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Northerly extension of the Eastern line of said Neighborhood Church Addition, North  $1^{\circ} 23'$  West, 40 feet, to a point on the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, South  $89^{\circ} 08'$  East, 914.81 feet to a point on the North-South quarter section line of Section 8; thence along the quarter section line, South  $1^{\circ} 19'$  East, 1.26 feet; thence along the Northern line of Woodrow Avenue South  $89^{\circ} 30'$  East, 590.14 feet to the Southeastern corner of the North Star Estates Subdivision, as per map filed October 4, 1961, Volume 19 of Maps, Page 84, Stanislaus County Records; thence along the Southerly extension of the Eastern line of the North Star Estates Subdivision, South  $1^{\circ} 13'$  East, 40.02 feet, to a point on the Southern line of Woodrow Avenue, thence along the Southern line of Woodrow Avenue, South  $89^{\circ} 30'$  East, 230.59 feet to the Northwestern corner of property conveyed to Stanley B. Dufton as per Deed recorded December 19, 1956, Instrument 34090, Stanislaus County Records; thence along the Western line of Dufton property, South  $1^{\circ} 19'$  East, 641.33 feet, to the Southwestern corner of Dufton property, said point also being on the Northern line of property conveyed to Gertrude Ruddy, as per Deed recorded June 6, 1956, Instrument 15613, Stanislaus County Records; thence along the Northern line of Ruddy property, North  $89^{\circ} 27' 30''$  West, 790.80 feet, to the Northwestern corner of Ruddy property, said point also being on the Eastern line of Tidewater Southern Railroad Right of Way; thence along the Eastern line of Tidewater Southern Railroad Right of Way, North  $1^{\circ} 19'$  West, 640.73 feet, to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North  $89^{\circ} 30'$  West 30.07 feet, to a point on the North-South quarter section line of Section 8; thence along said quarter section line, North  $1^{\circ} 19'$  West, 1.26 feet to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North  $89^{\circ} 08'$  West, 914.65 feet to the point of beginning, containing 13.328 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 19 63, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: COUNCILMEN: None  
ABSENT: COUNCILMEN: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 26

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY  
FROM THE McHENRY-DRY CREEK FIRE PROTECTION  
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF  
MODESTO. (GOULD ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire  
Protection District was annexed to the City of Modesto by  
Ordinance No. 556 -C.S., adopted on January 7, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on January 9, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and the  
County Assessor of copies of a resolution of the legislative body  
of the city, describing the included portion, and declaring such  
portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and pro-  
vided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the following described territory be with-  
drawn from the boundaries of the McHenry-Dry Creek  
Fire Protection District:

GOULD ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and being a portion of the South Half of Lot 30 of the Broughton Colony Tract, as recorded March 19, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Southwestern corner of said Section 22, said point being on the existing City Limits as established by the Downey High School and New John Muir School Site by the Board of Supervisors Resolution 8932, filed August 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the Section line and the City Limits, North  $0^{\circ} 14'$  West, 20.00 feet to the true point of beginning; thence continuing along the Section line and the City Limits, North  $0^{\circ} 14'$  West, 308.35 feet to a point on the intersection of the Section line and the Western extension of the Northern line of the property conveyed to Stanislaus Medical Building Corporation as per Deed recorded April 29, 1954, as Instrument 10859, Stanislaus County Records; thence along the City Limits and the Northern line and its Western extension of said Stanislaus Medical Building Corporation property, South  $89^{\circ} 42'$  East, 683.35 feet to a point on the Eastern line of said Lot 30, said point also being on the Western line of a 20.00 foot County Road known as Sunnyside Avenue as per Road Deed recorded October 11, 1956, as Instrument 27944, Stanislaus County Records; thence along the Eastern line of said Lot 30 and the Western line of Sunnyside Avenue, South  $0^{\circ} 14'$  East, 308.35 feet to a point on the Northern line of a 40 foot Public Road known as Lucern Avenue; thence along the Northern line and its Western extension of Lucern Avenue, North  $89^{\circ} 42'$  West, 683.35 feet to the point of beginning, containing 4.837 Acres.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: COUNCILMEN: None  
ABSENT: COUNCILMEN: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-27

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY  
FROM THE BURBANK-PARADISE COUNTY FIRE PROTECTION  
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF  
MODESTO. (YOUNG ADDITION)

WHEREAS, a portion of the Burbank-Paradise County Fire  
Protection District was annexed to the City of Modesto by  
Ordinance No. 557 -C.S., adopted on January 7, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on January 9, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and the  
County Assessor of copies of a resolution of the legislative body  
of the city, describing the included portion, and declaring such  
portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and pro-  
vided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the following described territory be with-  
drawn from the boundaries of the Burbank-Paradise County  
Fire Protection District:

YOUNG ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 2, 6, 7, 8, 9, 10, 11 and 12 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, at Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Dryden-Durand Addition, as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records, said point being the intersection of the Eastern line of a 40 foot Right of Way known as Colorado Avenue and the Northern line of Lot 2 as they are shown on the map of the Rouse Colony; thence along the existing City Limits the following bearings and distances, South 57° 12' 25" East, 89.46 feet, North 51° 07' 05" East, 432.50 feet, North 35° 28' 35" East, 524.98 feet, North 52° 23' 20" East, 569.45 feet, North 19° 47' East, 215.98 feet, North 84° 13' West, 169.00 feet, North 14° 47' East, 123.00 feet, North 89° 45' West, 123.89 feet, to a point on the existing City Limits as established by the Southern line of the Club House Addition, as per description filed July 29, 1959, as Instrument 21781, Stanislaus County Records; thence along the existing City Limits the following bearings and distances, North 89° 45' West, 309.65 feet, North 0° 15' East, 264.22 feet, South 89° 45' East, 210.00 feet, North 0° 15' East, 175.00 feet, North 89° 45' West, 210.00 feet, North 0° 15' East, 212.20 feet, to the Northwestern corner of the Club House Addition and a point on the Northern line of Lot 11 of said Rouse Colony; thence leaving the existing City Limits and running along the Northern line of Lot 11 and Lot 12, North 89° 58' 30" West, 665.20 feet, to the Eastern line of Colorado Avenue; thence along the Eastern line of Colorado Avenue, South 0° 14' 10" West, 1989.90 feet to the point of beginning containing 34.359 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Shastid

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-28

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY  
FROM THE McHENRY-DRY CREEK FIRE PROTECTION  
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF  
MODESTO. (CRESTVIEW NO. 2 ADDITION)

WHEREAS, a portion of the McHenry-Dry Creek Fire  
Protection District was annexed to the City of Modesto by  
Ordinance No. 554-C.S., adopted on January 7, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on January 9, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and the  
County Assessor of copies of a resolution of the legislative body  
of the city, describing the included portion, and declaring such  
portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and pro-  
vided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the following described territory be with-  
drawn from the boundaries of the McHenry-Dry Creek  
Fire Protection District:

CRESTVIEW NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Downey Park No. 1 as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being the Northwestern corner of said Downey Park No. 1; thence along the Northern line of Downey Park No. 1, East, 395.00 feet, to the Northeastern corner of Lot 4, Block 1102, Downey Park No. 1; thence along the Eastern line of said Lot 4, South 12° 20' 00" West 159.83 feet to the Southeastern corner of said Lot 4; thence South 1° 35' 05" East, 65.86 feet to a point on the existing City Limits as established by the Crestview Addition as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records, said point being the Northeastern corner of Lot 4, Block 1101 of Downey Park No. 1; thence along the City Limits, West, 362.68 feet to a point on the Eastern line of Lorenzen Addition; thence continuing along the City Limits and the Eastern line of Lorenzen Addition North, 222.00 feet to the point of beginning, containing 1.890 Acres more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** COUNCILMEN: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
**NOES:** COUNCILMEN: None  
**ABSENT:** COUNCILMEN: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-29

A RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FILED TO GUARANTEE IMPROVEMENTS IN WILLOW ESTATES NO. 1 SUBDIVISION

WHEREAS, Paul D. McCracken and Carl Madick, subdividers of Willow Estates No. 1 Subdivision, have filed with the City of Modesto a performance bond to guarantee the improvements in the aforesaid subdivision, and

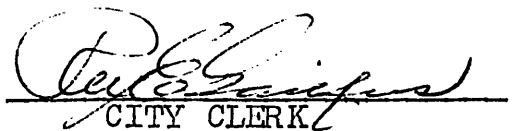
WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the ~~performance bond~~ performance bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the performance bond filed by Paul D. McCracken and Carl Madick to guarantee the improvements in Willow Estates No. 1 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-30

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN MONTGOMERY VILLAGE NO. 3 SUBDIVISION

WHEREAS, Frank J. and Mary J. Francek, subdividers of Montgomery Village No. 3 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Glens Falls Insurance Company Subdivision Bond No. 81-28-26 in the sum of \$48,000 filed by Frank J. and Mary J. Francek to guarantee the improvements in Montgomery Village No. 3 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-31

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SAMUEL VAUGHN DRAGOO FOR THE PURCHASE OF A PARK SITE EAST OF SHERWOOD FOREST SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Samuel Vaughn Dragoo


for the purchase by the City of a park site east of Sherwood Forest Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-32

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT A. AND PHYLLIS J. DUTRO FOR THE RENTAL OF CITY OWNED PROPERTY AT 1801 TULLY ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert A. and Phyllis J. Dutro

for the rental of city owned property at 1801 Tully Road on a month to month tenancy, commencing January 20, 1963, for a rental rate of \$50 per month

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 33

A RESOLUTION EXTENDING THE LIMITS IMPOSED BY THE DEVELOPMENT SCHEDULE APPROVED AS PART OF PLANNED DEVELOPMENT ZONE, P-D(7). (MODESTO'S NEIGHBORHOOD CHURCH)

WHEREAS, by Ordinance No. 500-C.S., effective March 20, 1962, the Council amended Section 8 of the Zoning Map reclassifying property from Single-Family Zone, R-1, to Planned Development Zone, P-D(7), as requested by Modesto's Neighborhood Church, and

WHEREAS, by Resolution No. 62-64, adopted February 12, 1962, the Council approved a development plan and development schedule for Planned Development Zone, P-D(7), and

WHEREAS, by Resolution No. 62-405, adopted August 27, 1962, the Council approved a modified development plan and development schedule for Planned Development Zone, P-D(7), granting an extension of time for start of construction from August 15, 1962, to January 15, 1963, and

WHEREAS, a letter was received by the Planning Department on January 7, 1963, requesting a further extension of the limits imposed by the development schedule for the reason that final approval by the Federal Housing Administration has not as yet been received concerning the agreement for sanitary sewers between the City and the applicant, such final approval being expected some time in January, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after a public hearing held on January 15, 1963, the Planning Commission found and determined that good

cause has been shown by the applicant for his inability to meet the approved development schedule as amended, and

WHEREAS, after said public hearing the Planning Commission, by Resolution No. 881, adopted January 15, 1963, recommended to the Council that the limits imposed by the development schedule approved as part of Planned Development Zone, P-D(7), and as modified by Resolution No. 62-405, be extended to provide that construction begin on or before August 1, 1963, and be completed on or before August 1, 1964,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-64, adopted February 12, 1962, as part of Planned Development Zone, P-D(7), and as modified by Resolution No. 62-405, adopted August 27, 1962, shall be extended as follows:


a. Construction shall begin on or before August 1, 1963, and shall be completed on or before August 1, 1964.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-64 and Resolution No. 62-405 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
City Clerk

(SEAL)

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31 OF THE ZONING MAP TO REZONE A PARCEL SIX ACRES IN SIZE ON THE EAST SIDE OF EMERALD AVENUE FROM P-D (8) TO P-D (13) (MacDannald, Raines, Hassapakis & Ollar)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 15, 1963, in the Council Chamber for the purpose of considering an amendment to Section 31 of the Zoning Map to rezone a parcel six acres in size on the east side of Emerald Avenue from P-D (8) to P-D (13) (MacDannald, Raines, Hassapakis & Ollar)

the following described property:

A portion of Lot 5 of the Spencer Colony lying between Modesto Irrigation District Lateral No. 5 and Emerald Avenue, immediately south of Franklin School,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 878 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:05 P.M., Monday, February 11, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None

ABSENT: Councilmen: Shastid  
ATTEST: [Signature]  
City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP TO RECLASSIFY FROM ONE-FAMILY ZONE, R-1 TO GENERAL COMMERCIAL ZONE, C-2, PROPERTY ON THE EAST SIDE OF McHENRY AVENUE BETWEEN ROSEBURG AND ORANGEBURG AVENUES (Helm Property)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 15, 1963, in the Council Chamber for the purpose of considering an amendment to Section 21 of the Zoning Map to reclassify from one-family zone, R-1, to general commercial zone, C-2

the following described property:

A portion of Lot 15 of the Mensinger Colony, located on the east side of McHenry Avenue between Roseburg and Orangeburg Avenues,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 879 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:10 P.M., Monday, February 11, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None

ABSENT: Councilmen: Shastid  
ATTEST: [Signature]  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-36

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO FURNISH CERTAIN SERVICES, FACILITIES, SUPPLIES AND EQUIPMENT OF THE REGISTRATION AND ELECTION DEPARTMENT OF THE COUNTY CLERK'S OFFICE IN CONNECTION WITH THE CITY'S ABSENTEE BALLOTS FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD APRIL 16, 1963.

WHEREAS, the City of Modesto desires to hold a general municipal election on April 16, 1963, and the City desires to make use of certain services, facilities, supplies and equipment of the Registration and Election Department of the County Clerk's Office of the County of Stanislaus and to pay the County of Stanislaus for the cost thereof pursuant to the provisions of Section 22003 of the Elections Code, and

WHEREAS, City hereby requests from the Board of Supervisors of the County of Stanislaus permission to use those certain services, facilities, supplies and equipment of the Registration and Election Department of the County Clerk's Office of the County of Stanislaus insofar as such services, facilities, supplies and equipment relate to handling of City's absentee ballots,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the Board of Supervisors of the County of Stanislaus be requested to furnish all services, facilities, supplies and equipment of the Registration and Election Department of the County Clerk's Office for the general municipal election to be held on April 16, 1963, insofar as said election relates to the processing and handling of the city's absentee ballots.

2. That the services herein referred to shall consist of everything necessary for the processing of the city's absentee ballots at said election in compliance with Sections 14600 et seq. of the Elections Code, with the exception that the City Clerk of the City of Modesto will appoint a board for the purpose of

canvassing the city's absentee ballots, which canvass shall be conducted after 7 o'clock P.M. on the day of the election and is to be completed that night.

3. That City agrees to pay County for all services, facilities, supplies and equipment furnished by County to City in connection with processing of the above-mentioned absentee ballots for said general municipal election to be held April 16, 1963, except as hereinabove set forth, immediately upon receipt by City of a statement from the County Clerk setting forth the actual cost to County for services, facilities, supplies and equipment so furnished, County to endeavor to keep all expenses at a minimum.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall and Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: Shastid.

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-37

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION  
(John Tatoyan, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of John Tatoyan on the Modesto City Personnel Commission expires on January 1, 1963 ,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Modesto City Personnel Commission for the respective term as indicated:

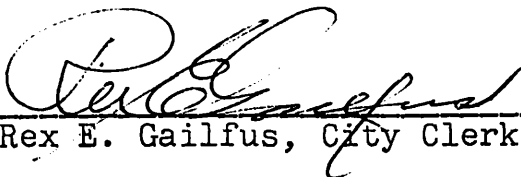
John Tatoyan, for the period January 1, 1963 to January 1, 1967.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-38

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION  
(Hugh P. Barton, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Hugh P. Barton on the Modesto City Personnel Commission expires on January 1, 1963 ,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Personnel Commission for the respective term as indicated:

Hugh P. Barton, for the period January 1, 1963 to January 1, 1967.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-39

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION  
(Alvin H. Turner, for the period January 1, 1963 to January 1, 1966)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Alvin H. Turner on the Modesto City Personnel Commission expires on January 1, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Modesto City Personnel Commission for the respective term as indicated:  
Alvin H. Turner, for the period January 1, 1963 to January 1, 1966,

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Modesto City Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-40

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY PLANNING COMMISSION  
(Dedrick G. Denison, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Dedrick G. Denison on the Modesto City Planning Commission expires on January 1, 1963 ,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Modesto City Planning Commission for the respective term as indicated:

Dedrick G. Denison, for the period January 1, 1963 to January 1, 1967

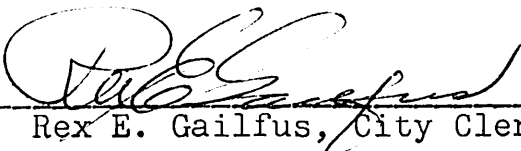
SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Modesto City Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-41

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT (Ben F. Hollinger, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Ben F. Hollinger on the Modesto City Board of Zoning Adjustment expires on January 1, 1963 ,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Board of Zoning Adjustment for the respective term as indicated:

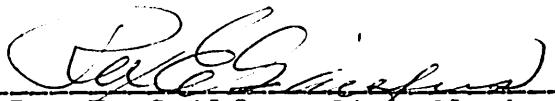
Ben F. Hollinger, for the period January 1, 1963 to January 1, 1967.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January \_\_\_\_\_, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-42

A RESOLUTION REAPPOINTING MEMBER OF THE MODESTO CITY BOARD OF ELECTRICIAN EXAMINERS (Ronald B. Camp, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Ronald B. Camp on the Board of Electrician Examiners expires on January 1, 1963 ,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Board of Electrician Examiners for the respective term as indicated:

Ronald B. Camp, for the period January 1, 1963 to January 1, 1967

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Board of Electrician Examiners and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

A RESOLUTION APPOINTING MEMBER OF THE MODESTO LIBRARY AND CULTURE COMMISSION (Mrs. Anne R. Woolley, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Mrs. Mary L. Johnson on the Modesto Library and Culture Commission expires on January 1, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Library and Culture Commission for the respective term as indicated:

Mrs. Anne R. Woolley, for the period January 1, 1963 to January 1, 1967.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: None  
ABSENT: Shastid

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-44

A RESOLUTION APPOINTING MEMBER OF THE MODESTO LIBRARY AND CULTURE COMMISSION (John Don Hynes, for the period January 1, 1963 to January 1, 1967)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the term of Herbert G. Florcken on the Modesto Library and Culture Commission expires on January 1, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Modesto Library and Culture Commission for the respective term as indicated:

John Don Hynes, for the period January 1, 1963 to January 1, 1967.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: None  
ABSENT: Shastid

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-45

A RESOLUTION EXPRESSING APPRECIATION TO MRS. MARY JOHNSON FOR SERVICES RENDERED TO THE COMMUNITY WHILE SERVING AS A MEMBER OF THE BOARD OF LIBRARY TRUSTEES OF THE McHENRY PUBLIC LIBRARY

WHEREAS, Mrs. Mary Johnson has faithfully served as a member of the Board of Library Trustees of the McHenry Public Library since February 25, 1955,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Mayor Hammond be authorized to write a letter of appreciation to Mrs. Johnson for faithful services rendered the community while serving as a member on this Board, and

BE IT FURTHER RESOLVED that a certificate of service be executed by the Mayor and City Clerk and transmitted to Mrs. Johnson.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-46

A RESOLUTION ACCEPTING THE BID OF NORTH BAY CONSTRUCTION COMPANY FOR CONSTRUCTION OF AERATION FACILITIES AT THE SEWAGE TREATMENT PLANT (Item one only)

WHEREAS, Resolution No. 62-413, adopted by the Council of the City of Modesto on September 4, 1962, approved the plans and specifications for the construction of aeration facilities at the Sewage Treatment Plant and authorized the calling for bids, and

WHEREAS, the bids received for the construction of aeration facilities at the Sewage Treatment Plant were opened at 2:00 P.M., Oct. 2, 1962 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of North Bay Construction Company, for Item 1 only, in the amount of \$101,300 be accepted as the lowest responsible bid.

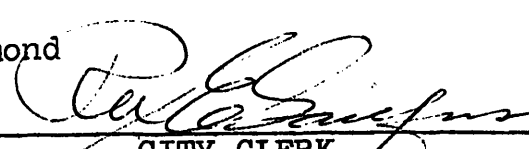
NOW, THEREFORE, BE IT RESOLVED that the bid of North Bay Construction Company for construction of Item 1 only, in the amount of \$101,300

be accepted, ~~and~~ the execution of a contract for the completion of the project by the City's designated officials be authorized, and that all bids for the above project, Item No. 2, be rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Mayor  
pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid, Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-47

A RESOLUTION REJECTING THE CLAIM OF CLARK HOLDER AGAINST THE  
CITY OF MODESTO

WHEREAS, Clark Holder filed a claim for damages against the City of Modesto on January 11, 1963, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim holds the City of Modesto liable in the amount of \$100 for one Brittany Spaniel allegedly lost from the city pound on January 5, 1963, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Clark Holder against the City of Modesto in the amount of \$100 for one Brittany Spaniel allegedly lost from the city pound on January 5, 1963 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of January, 1963 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
REX E. GAILFUS, City Clerk

**A RESOLUTION REVISING THE POSITION CLASSIFICATION  
PLAN FOR THE CITY OF MODESTO.**

WHEREAS, a Position Classification Plan was adopted by Resolution No. 62-9 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the Personnel Commission has recommended to the Council the creation of an additional class of position to be included in the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that major revisions to the classification plan shall be effective upon adoption by resolution of the Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to create a new classification as follows:

**CLASSIFICATION CREATED**

Supervising Tabulating Equipment Operator

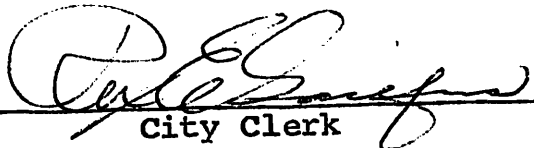
SECTION 2. The specifications for this classification as shown on the attached Exhibit A, which is hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 3. This resolution shall apply retroactively commencing on and after January 1, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
City Clerk

(SEAL)

Definition

Under direction, to supervise tabulating and machine accounting equipment in the production of varied accounting records and reports, and to do related work as required.

Typical Tasks

Supervises and participates in the operation of key punch, reproducing punch, sorter and accounting tabulating machines in the production of a variety of accounting records and reports such as payrolls, billings, inventories and financial statements; wires control panels; makes adjustments to switches, controls and wiring; feeds cards to machines; proofs reports and summaries; maintains financial records and accounts; prepares summary reports; assists in the adaptation of accounting records to mechanical data processing; as assigned, designs and installs procedures for records and statistics.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade and two years of experience in the operation of tabulating equipment, preferably including supervision.

Desirable Qualifications

Knowledge of the uses and operation of tabulating equipment, including key punches, sorters and tabulators; knowledge of office methods and financial record keeping practices; ability to wire control panels and to operate machine accounting equipment; ability to plan and schedule the tabulating equipment services function; ability to train and supervise employees; ability to develop and maintain effective relationships with the public and with other employees.

City of Modesto  
Proposed  
1962

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND  
FIXING THE COMPENSATION FOR POSITIONS IN THE  
CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto  
as follows:

SECTION 1. SALARY RANGES AND RATES. The salary rates, salary ranges and salary steps as set forth in "Exhibit A," entitled "Modesto Schedule of Salary Ranges in the City Service," which is attached hereto and hereby made a part hereof, are hereby established, effective January 1, 1963.

SECTION 2. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in "Exhibit B" entitled, "Chart of Classifications and Salary Ranges," which is attached hereto and hereby made a part hereof, are hereby established, effective January 1, 1963.

SECTION 3. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 4. SALARY BASIS. The salaries hereby established are on a monthly basis unless otherwise designated.

SECTION 5. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council.

SECTION 6. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with applicable provisions of the Personnel Ordinance and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is herein provided, to designate the definite salary rate or salary step at which such person is

appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

SECTION 7. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein.

The City Manager is further authorized, subject to budgetary limitations, to approve salaries for police personnel serving in special assignments made by the Chief of Police as criminal investigators or juvenile officers in the salary range approved for Police Sergeant.

The City Manager is further authorized, subject to budgetary limitations, to approve the special assignment of one Police Captain as executive assistant to the Chief of Police and second-in-command in the department at a salary rate two ranges (approximately ten per cent) above the established rate for Police Captain.

The City Manager is further authorized, subject to budgetary limitations, to approve salaries for not to exceed one-half (1/2) the authorized Patrolman positions, within the upper range indicated on "Exhibit B" for this class.

SECTION 8. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion to the time worked.

SECTION 9. TITLE OF RESOLUTION. This resolution shall be known as "The Salary Resolution" and shall be referred to as such.

SECTION 10. EFFECTIVE DATE. The schedule of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective retroactively

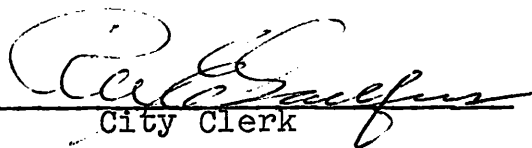
on and after January 1, 1963.

SECTION 11. REPEALS. Resolution No. 62-31, Resolution No. 62-172, and Resolution No. 62-404, are hereby rescinded, effective January 1, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963, by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried, and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: Patton, Shastid  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO SCHEDULE OF SALARY RANGES IN THE CITY SERVICE

<u>RANGE NO.</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>	<u>RANGE NO.</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
8.5	\$237	\$ 249	\$261	\$274	\$288	25.5	\$543	\$570	\$598	\$628	\$660
9	243	255	268	281	295	26	556	584	613	644	676
9.5	249	261	274	288	302	26.5	570	598	628	660	693
10	255	268	281	295	310	27	584	613	644	676	710
10.5	261	274	288	302	317	27.5	598	628	660	693	727
11	268	281	295	310	325	28	613	644	676	710	745
11.5	274	288	302	317	333	28.5	628	660	693	727	763
12	281	295	310	325	341	29	644	676	710	745	782
12.5	288	302	317	333	349	29.5	660	693	727	763	801
13	295	310	325	341	358	30	676	710	745	782	821
13.5	302	317	333	349	367	30.5	693	727	763	801	841
14	310	325	341	358	376	31	710	745	782	821	862
14.5	317	333	349	367	385	31.5	727	763	801	841	883
15	325	341	358	376	395	32	745	782	821	862	905
15.5	333	349	367	385	405	32.5	763	801	841	883	927
16	341	358	376	395	415	33	782	821	862	905	950
16.5	349	367	385	405	425	33.5	801	841	883	927	974
17	358	376	395	415	436	34	821	862	905	950	998
17.5	367	385	405	425	447	34.5	841	883	927	974	1023
18	376	395	415	436	458	35	862	905	950	998	1048
18.5	385	405	425	447	469	35.5	883	927	974	1023	1074
19	395	415	436	458	481	36	905	950	998	1048	1100
19.5	405	425	447	469	493	36.5	927	974	1023	1074	1128
20	415	436	458	481	505	37	950	998	1048	1100	1155
20.5	425	447	469	493	517	37.5	974	1023	1074	1128	1184
21	436	458	481	505	530	38	998	1048	1100	1155	1213
21.5	447	469	493	517	543	38.5	1023	1074	1128	1184	1243
22	458	481	505	530	556	39	1048	1100	1155	1213	1274
22.5	469	493	517	543	570	39.5	1074	1128	1184	1243	1305
23	481	505	530	556	584	40	1100	1155	1213	1274	1338
23.5	493	517	543	570	598	40.5	1128	1184	1243	1305	1370
24	505	530	556	584	613	41	1155	1213	1274	1338	1405
24.5	517	543	570	598	628	41.5	1184	1243	1305	1370	1439
25	530	556	584	613	644	42	1213	1274	1338	1405	1475

(1-1-62)

"Exhibit A"

SALARY RANGES AND RATES  
for  
CLASSES OF POSITIONS IN THE CITY SERVICE  
Exhibit "B"

RANGE 9.5      \$249-261-274-288-302

Jr. Clerk  
Jr. Typist Clerk

RANGE 10.5     \$261-274-288-302-317

Jr. Steno Clerk

RANGE 11.5     \$274-288-302-317-333

Telephone Operator-Receptionist

RANGE 12.5     \$288-302-317-333-349

Int. Clerk  
Int. Typist Clerk

RANGE 14       \$310-325-341-358-376

Janitor

RANGE 14.5     \$317-333-349-367-385

Account Clerk  
Int. Steno Clerk  
Office Machine Operator

RANGE 16       \$341-358-376-395-415

Laborer

RANGE 17       \$358-376-395-415-436

Jr. Engineering Aide  
Jr. Planning Aide  
Pump Operator

RANGE 17.5     \$367-385-405-425-447

Police Property Clerk

RANGE 18       \$376-395-415-436-458

Equipment Service Man  
Parking Enforcement Officer  
Parks Maintenance Man  
Public Works Maintenance Man  
Sewage Plant Operator  
Tree Trainer

RANGE 18.5     \$385-405-425-447-469

Office Machine Supervisor  
Sr. Account Clerk  
Sr. Steno Clerk  
Tab. Equip. Operator

RANGE 19       \$395-415-436-458-481

Building Maintenance Foreman  
Librarian I  
Maintenance Mechanic  
Nurseryman

RANGE 19.5     \$405-425-447-469-493

Stores and Equipment Clerk

RANGE 20       \$415-436-458-481-505

Engineering Aide  
Fireman  
Heavy Equipment Operator  
Lab. Technician  
Parking Enf. and Fire Officer  
Planning Aide  
Poundmaster  
Traffic Painter  
Tree Trimmer

RANGE 20.5     \$425-447-469-493-517

Administrative Aide  
Assistant City Clerk  
Sr. Legal Stenographer

RANGE 21       \$436-458-481-505-530

Equipment Mechanic  
Fire Engineer  
Jr. Accountant  
Librarian II  
Parks Leadman  
Police Patrolman  
Public Works Leadman  
Traffic Engineering Aide  
Tree Leadman

RANGE 21.5     \$447-469-493-517-543

Secretary to City Manager  
Supervisor Central Office Services

Adopted 1-28-63

Effective January 1, 1963

RANGE 22.5 \$469-493-517-543-570

Admin. Assistant  
Rec. Supervisor I

RANGE 23 \$481-505-530-556-584

Electrician  
Fire Lieutenant  
Fire Technician  
Police Patrolman (Incentive Pay)  
Policewoman  
Sr. Engineering Aide  
Sr. Planning Aide  
Shop Foreman  
Supervising Tab. Equip. Operator

RANGE 24.5 \$517-543-570-598-628

Building Inspector  
Chief Pump Maintenance Man  
Construction Inspector  
Golf Course Maintenance Foreman  
Parks Foreman  
Public Works Foreman  
Recreation Supervisor II  
Tree Foreman

RANGE 25 \$530-556-584-613-644

Accountant  
Fire Captain  
Police Sergeant  
Purchasing Officer

RANGE 25.5 \$543-570-598-628-660

Assistant Planner  
Jr. Civil Engineer  
Principal Engineering Aide

RANGE 26 \$556-584-613-644-676

Airport Manager

RANGE 26.5 \$570-598-628-660-693

Chief Electrician  
Service Division Superintendent  
Sewage Plant Superintendent

RANGE 27 \$584-613-644-676-710

Fire Marshal  
Police Lieutenant

RANGE 27.5 \$598-628-660-693-727

Civil Engrg. Assistant  
Construction & Maintenance Supt.  
Personnel Officer

RANGE 28 \$613-644-676-710-745

Sr. Accountant

RANGE 28.5 \$628-660-693-727-763

Assist. to Public Works Director  
Associate Planner  
Chief Building Official  
Land Agent-Project Assistant  
Recreation Superintendent

RANGE 29 \$644-676-710-745-782

Assistant Fire Chief  
Police Captain

RANGE 31.5 \$727-763-801-841-883

Associate Civil Engineer  
Senior Planner

RANGE 34.5 \$841-883-927-974-1023

Assistant Public Works Director

Exhibit "B"  
Effective January 1, 1963

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-50

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN CRESTWOOD TERRACE SUBDIVISION

WHEREAS, George B. and Jeanette L. Pierrou and  
Kenneth F. and Helen T. Duffin, subdividers of Crestwood Terrace  
Subdivision, have deposited with the City of Modesto a cash  
deposit of \$18,000 to guarantee the improvements in the afore-  
said subdivision, and

WHEREAS, the Director of Public Works has reported  
that the improvements have been completed in the aforesaid  
subdivision to his satisfaction, and has recommended the release  
of the cash deposit; and

WHEREAS, progress payments in the amount of \$7,759 and  
\$8,171 have previously been made to the subdividers;

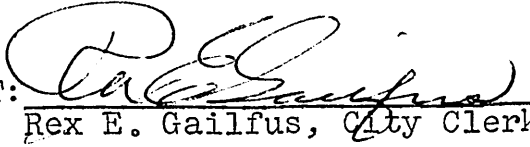
NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance  
of the cash deposit in the amount of \$2,070 be, and it is hereby  
released.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 28th  
day of January, 1963 by Councilman Shastid, who moved its adoption,  
which motion being duly seconded by Councilman VanderWall, was  
upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-51

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN SHERWOOD MANOR NO. 2 SUBDIVISION

WHEREAS, John E. Hirleman, Jr., has deposited with the City of Modesto a cash deposit of \$7,600 to guarantee the improvements in Sherwood Manor No. 2 Subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the cash deposit; and

WHEREAS, progress payments in the amount of \$5,013.90 and \$1,377 have been made to the subdivider;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the balance of the cash deposit in the amount of \$1,209.10 be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. ~~82x~~ 63-52

A RESOLUTION APPROVING THE FINAL MAP OF THE  
BRENTWOOD ESTATES UNIT NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, DAVE HANNAH, RICHARD SMITH, HELYN SODERLUND AND  
GEORGE KLEMM  
are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 8.10 acres, known as  
the BRENTWOOD ESTATES UNIT NO. 1 SUBDIVISION,  
and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 3rd day of APRIL,  
1962, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said BRENTWOOD ESTATES UNIT NO. 1  
SUBDIVISION meets all of the provisions of the California  
Subdivision Map Act and the provisions of the Modesto Municipal Code  
relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
BRENTWOOD ESTATES UNIT NO. 1 SUBDIVISION  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of Four Thousand, Nine Hundred Nine and  
05/100ths (\$4,909.05) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Thirty-Nine  
Thousand and No/100ths (\$39,000.00) Dollars.

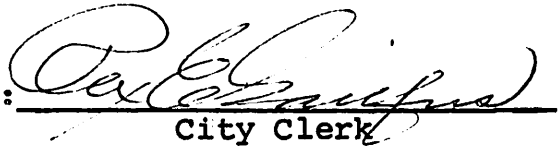
BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 19<sup>63</sup>~~62~~, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-53

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
DAVE HANNAH, RICHARD SMITH, AND GEORGE KLEMM FOR CONSTRUCTION OF  
SUBTRUNK SEWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and

for construction of subtrunk sewer lines to serve a portion  
of Brentwood Estates Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
January, 1963, by Councilman VanderWall, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Shastid,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-54

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$600 FOR  
EQUIPMENT RENTAL CHARGES (SWEEPER)

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

FROM PARKING FUND (209)	
General Reserve (600)	\$600
TO Equipment Rental (218-57)	\$600

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
28th day of January, 19 63, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Johansen, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-55

A RESOLUTION APPROVING APPROPRIATION TRANSFERS FOR REPAIR OF ALARM SYSTEM (FIRE DEPARTMENT) AND GRADE CROSSING PROTECTION, H STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:


SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	\$620
TO:	Grade Crossing Protection H Street, and	\$620
FROM:	General Reserve (600)	\$1,425
TO:	Alarm Replacement (503)	\$1,425

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 56

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE WOODLAND AVENUE COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, a portion of the Woodland Avenue County ~~Fire Pro-~~  
tection District was annexed to the City of Modesto by Ordinance  
No. 560 -C.S., adopted on January 14, 1963, and

WHEREAS, said territory officially became a part of the  
City on January 16, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the Woodland Avenue  
County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 28th day of  
January, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by

Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

FRANCEK ADDITION

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the Neighborhood Church Addition, as per description filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being the intersection of the Section Line common to Sections 7 and 8, said Section Line being the center line of a 40 foot Public Road known as Tully Road, and the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the existing City Limits and the center line of Tully Road, North  $0^{\circ} 54'$  West, 23.11 feet, to the South line of the Northeast quarter of the Southeast quarter of Section 7; thence along the existing City Limits and said South line, North  $89^{\circ} 12'$  West, 1009.71 feet, to the Northwestern corner of said Neighborhood Church Addition and the Northeastern corner of the Renee Manor Addition, as per description filed October 18, 1962, as Instrument 39841, Stanislaus County Records; thence continuing along the existing City Limits, North  $89^{\circ} 12'$  West, 311.27 feet, to the West line of the Northeast quarter of the Southeast quarter of Section 7; thence along said West line, North  $1^{\circ} 02' 40''$  West, 1298.12 feet, to the Southern line of 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South  $89^{\circ} 09'$  East, 1324.15 feet, to the center line of Tully Road and the Section Line common to Sections 7 and 8; thence continuing along the Southern line of Standiford Avenue and along the Northern line of Lots 38, 37, and 36 of Standiford Colony, as per map filed December 11, 1912 in Volume 7 of Maps, Page 17, Stanislaus County Records, South  $89^{\circ} 09'$  East, 1040.96 feet, to the Northeast corner of said Lot 36; thence along the Eastern line of Lot 36, South  $0^{\circ} 54'$  East, 640.00 feet, to the Northern line of Lot 42 of said Standiford Colony; thence along the Northern line of Lot 42, South  $89^{\circ} 09'$  East, 340.32 feet, to the Northeast corner of said Lot 42; thence along the Eastern line of Lot 42, South  $0^{\circ} 54'$  East, 640.00 feet, to the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, and the Southern line of Lot 43, South  $89^{\circ} 09'$  East, 340.32 feet, to the Eastern line of said Lot 43; thence along the Southerly extension of the Eastern line of Lot 43, South  $0^{\circ} 54'$  East, 40.00 feet, to the Northeastern corner of the Neighborhood Church Addition on the Southern line of Woodrow Avenue and the existing City Limits; thence along the existing City Limits, North  $89^{\circ} 09'$  West, 1721.60 feet, to the point of beginning, containing 76.525 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-57

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON  
AN UNCLASSIFIED USE PERMIT TO MODESTO MEDICAL DEVELOPMENT CO.  
FOR EXPANSION OF HOSPITAL FACILITIES

WHEREAS, the Modesto City Planning Commission has, by  
resolution filed with the City Council, recommended the approval  
of the following application for an unclassified use permit,  
to expand Doctors Hospital at 333 West Orangeburg Avenue  
from 53 bed capacity to 153 bed capacity,

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code  
provides that the Council shall conduct a duly advertised public  
hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing  
be held on said application for an unclassified use permit in the  
Council Chambers, City Hall, 801 11th Street in the City of Modesto  
at 4:30 P.M. on February 18, 1963.

BE IT FURTHER RESOLVED that the City Clerk give notice of  
the time and place of said hearing as provided in Section  
10-2.2206 (b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
January, 1963, by Councilman Shastid, who moved  
its adoption, which motion being duly seconded by Councilman  
Johansen, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-58

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR CONSTRUCTION OF SANITARY SEWER AND WATER LINE CARRIER PIPE CROSSING FREEWAY AT CLAYTON AVENUE

WHEREAS, Resolution No. 63-4, adopted by the Council of the City of Modesto on January 7, 1963, approved the plans and specifications for the construction of sanitary sewer and water line carrier pipe crossing freeway at Clayton Avenue, and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sanitary sewer and water line carrier pipe crossing freeway at Clayton Avenue

were opened at 2:00 P.M. January 22, 1963 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-59

A RESOLUTION REQUESTING THE INTERSTATE COMMERCE COMMISSION TO APPROVE THE PROPOSED REDUCED RATES ON PACKAGED WINE

WHEREAS, we have been informed that the Interstate Commerce Commission has permitted reduced rates on bulk wine to the Midwest but has refused to permit comparable reduced rates on packaged wine to go into effect pending investigation, and

WHEREAS, we have been informed that the proposed reduced rates on packaged wine are essential to enable the wineries in this area to remain competitive with bulk wine in the Midwest States, and

WHEREAS, transportation rates which effectively restrict or preclude the wineries in the Modesto area from competing in the Midwestern States will have a serious economic impact upon the City of Modesto, since the bottles, cartons, and caps are made here, and the wine is bottled here;:

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto hereby petitions and asks the Interstate Commerce Commission to approve the proposed reduced rates on packaged wine, and the City Staff is hereby directed to join in the proceedings before the Commission in support of such rates and to urge their immediate approval.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of January, 1963 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-60

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
GRIFFENHAGEN-KROEGER, INC., FOR REVIEW OF ORGANIZATION AND  
OPERATIONS OF CITY PLANNING DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and  
Griffenhagen-Kroeger, Inc., for a review of the organization  
and operations of the City Planning Department

~~FOR~~

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
January, 1963, by Councilman Johansen, who moved its  
adoption, which motion being duly seconded by Councilman Patton,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION FIXING THE COMPENSATION FOR SPECIFIED  
POSITIONS IN THE CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto  
as follows:

SECTION 1. SALARY RANGES AND RATES. The salary rates,  
salary ranges, and salary steps, set forth in the schedule attached  
hereto and hereby made a part hereof, are hereby established,  
effective January 1, 1963.

SECTION 2. SALARY BASIS. The salaries established  
by this resolution are on a monthly basis.

SECTION 3. EFFECTIVE DATE. The schedule of salary  
ranges and rates and the compensation **fixed** for various positions  
by this resolution shall be effective retroactively on and after  
January 1, 1963.

SECTION 4. REPEALS. Resolution No. 62-272 and  
Resolution No. 62-32, ~~except as it relates to Council appointees~~,  
are hereby rescinded, effective January 1, 1963.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
28th day of January, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Patton, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
\_\_\_\_\_

(SEAL)

City of Modesto  
SALARY RANGES AND RATES

Exhibit "C"

RANGE 32.5      \$763-801-841-883-927

Fire Chief

RANGE 33          \$782-821-862-905-950

Parks and Recreation Director

RANGE 34          \$821-862-905-950-998

Finance Director

RANGE 34.5      \$841-883-927-974-1023

Police Chief

RANGE 35.5      \$883-927-974-1023-1074

Parking and Traffic Director  
Planning Director

RANGE 38.5      \$1023-1074-1128-1184-1243

Public Works Director

RANGE 39          \$1048-1100-1155-1213-1274

Deputy City Manager

COUNCIL APPOINTEES

RANGE 29.5      \$660-693-727-763-801

City Clerk

City Attorney - \$1,315 per month

City Manager - \$1,673 per month

Adopted 1-28-63      Effective January 1, 1963

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-62

A RESOLUTION COMMENDING WILBUR M. NICHOLS FOR SERVICES  
RENDERED TO THE CITY OF MODESTO

WHEREAS, Wilbur M. Nichols was appointed a member  
of the Board of Zoning Adjustment on December 3, 1962,  
and

WHEREAS, Mr. Nichols has served this community and  
has been a sincere public servant,

NOW, THEREFORE, BE IT RESOLVED that this Council, on  
its own behalf, and on behalf of the citizens of this  
City, hereby expresses its sincere appreciation to Wilbur  
M. Nichols for his service to the community.

BE IT FURTHER RESOLVED that the City Clerk be directed  
to furnish a suitably inscribed certified copy of this  
resolution to Wilbur M. Nichols in recognition of his  
service.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
4th day of February, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-63

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALLING FOR BIDS FOR AUTOMOTIVE EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for automotive equipment, which includes the replacement of six police cars, one station wagon, two sedans, four pickups and two dump trucks, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 26, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-64

A RESOLUTION PROPOSING CHARTER AMENDMENTS ON THE MOTION OF THE COUNCIL, CALLING A SPECIAL MUNICIPAL CHARTER AMENDMENT ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY A PROPOSAL TO AMEND THE CHARTER OF SAID CITY BY AMENDING SECTION 601 OF ARTICLE VI RELATING TO POWERS AND DUTIES OF THE MAYOR; ADDING SECTION 604 TO ARTICLE VI RELATING TO SALARY FOR THE MAYOR; AND AMENDING SECTION 703 OF ARTICLE VII RELATING TO COMPENSATION FOR COUNCILMEN; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME AND PROVIDING FOR NOTICE THEREOF; AND CONSOLIDATING SAID SPECIAL MUNICIPAL CHARTER AMENDMENT ELECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD APRIL 16, 1963.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by amending Section 601 of Article VI to read as set forth in the notice entitled "Proposed Amendment to the Charter of the City of Modesto" hereinafter set forth in Section 5 of this resolution.

SECTION 2. The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by adding Section 604 to Article VI to read as set forth in the notice entitled "Proposed Amendment to the Charter of the City of Modesto" hereinafter set forth in Section 5 of this resolution.

SECTION 3. The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by amending Section 703 of Article VII to read as set forth in the notice entitled "Proposed Amendment to the Charter of the City of Modesto" hereinafter set forth in Section 5 of this resolution.

SECTION 4. The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto at the Special Municipal

Charter Amendment Election hereinafter provided for the proposal to amend the Charter of the City of Modesto set forth in said notice hereinafter set forth in Section 5 of this resolution and hereby designates and refers to said proposal as the proposal to be set forth in the form of ballot hereinafter prescribed for use at said Special Municipal Charter Amendment Election.

SECTION 5. The City Clerk of the City of Modesto is hereby ordered and directed to cause said proposed amendments to the Charter of the City of Modesto to be published once, not less than forty (40) and not more than sixty (60) days prior to the date of the Special Municipal Charter Amendment Election hereinafter provided for in THE MODESTO TRIBUNE, the official newspaper of said City, and in each edition thereof during the day of publication, said newspaper being a newspaper of general circulation published once a week in said City of Modesto; and such publication may be in substantially the following form, to wit:

PROPOSED AMENDMENTS

TO

THE CHARTER OF THE CITY OF MODESTO

Special Municipal Charter Amendment Election April 16, 1963.

The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by amending Section 601 of Article VI to read as follows:

ARTICLE VI. THE MAYOR

Section 601. Powers and Duties. The Mayor shall be recognized as the official head of the City for all political, representative and ceremonial purposes, and by the Governor for military purposes. In time of public danger or emergency, he may, with the consent of the Council, or pending a meeting of the Council, direct the administration of the City Government through the City Manager.

The Mayor shall be charged with the duty of making recommendations to the Council on all major matters of policy and program which require Council decision. The Mayor shall have the primary, but not exclusive, responsibility for interpreting the policies, programs and needs of the City government to the community. He may also, on his own account, as may each individual Councilman, inform the community on any matters of policy or program which he believes the welfare of the community makes necessary.

It shall be the duty of the Mayor to represent the Council in its relationships with civic groups within the City, and by direction of the Council, he shall represent the City in its relationships with other governmental agencies on matters of policy and program.

The Mayor shall preside at meetings of the Council and shall have a vote as a member of the Council. He shall have no power to veto any ordinance or resolution adopted by the Council.

The Mayor shall have authority to preserve order at all Council meetings and to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council, and to determine the order of business under the rules of the Council.

The Mayor shall exercise such other powers and perform such other duties as may be consistent with his office or as may be granted to him by the Council not inconsistent with this Charter.

Nothing in this Section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as chief administrative officer and head of the administrative branch of the City government as prescribed in other sections of this Charter.

The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by adding Section 604 to Article VI to read as follows:

#### ARTICLE VI. THE MAYOR

Section 604. Salary. As compensation for his services as Mayor, the Mayor shall receive the sum of Twenty-Five and No/100ths (\$25.00) Dollars per Council meeting attended, not to exceed One Hundred and No/100ths (\$100.00) Dollars per month, which salary shall be in addition to his salary as a member of the Council.

The Council of the City of Modesto hereby proposes on its own motion to amend the Charter of the City of Modesto by amending Section 703 of Article VII to read as follows:

ARTICLE VII. THE COUNCIL

Section 703. Compensation. Except as otherwise provided in this Charter, each member of the Council shall receive Twenty-Five and No/100ths (\$25.00) Dollars per meeting for each Council meeting attended not to exceed One Hundred and No/100ths (\$100.00) Dollars per month. Each member of the Council shall receive reimbursement for expenses incurred while performing official duties of his office.

The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto at a Special Municipal Charter Amendment Election to be held in said City of Modesto on Tuesday, April 16, 1963, (which said election will be consolidated with the General Municipal Election to be held in said City of Modesto on April 16, 1963) the following proposals to amend said Charter by amending Section 601 of Article VI, adding Section 604 to Article VI and amending Section 703 of Article VII, as follows:

:City of Modesto	:	:	:
:Charter Amendment	:	:	:
:Proposition No. 1: Shall the Charter of the City of Modesto be amended by amending Section 601 of Article VI relating to powers and duties of the Mayor, all as provided in said Section 601, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	:YES	:	:
	:	:	:
:City of Modesto	:	:	:
:Charter Amendment	:	:	:
:Proposition No. 2: Shall the Charter of the City of Modesto be amended by adding Section 604 to Article VI relating to salary for the Mayor, all as provided in Section 604, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	:YES	:	:
	:	:	:
:City of Modesto	:	:	:
:Charter Amendment	:	:	:
:Proposition No. 3: Shall the Charter of the City of Modesto be amended by amending Section 703 of Article VII relating to compensation for the Councilmen, all as provided in Section 703, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	:YES	:	:
	:	:	:
:City of Modesto	:	:	:
:Charter Amendment	:	:	:
:Proposition No. 3: Shall the Charter of the City of Modesto be amended by amending Section 703 of Article VII relating to compensation for the Councilmen, all as provided in Section 703, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	:YES	:	:
	:	:	:
:City of Modesto	:	:	:
:Charter Amendment	:	:	:
:Proposition No. 3: Shall the Charter of the City of Modesto be amended by amending Section 703 of Article VII relating to compensation for the Councilmen, all as provided in Section 703, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	:YES	:	:
	:	:	:

I hereby certify that the foregoing Charter amendment proposals were ordered submitted to the qualified electors of the City of Modesto by the Council of the City of Modesto.

Dated: February \_\_\_\_\_, 1963.

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REX E. GAILFUS  
City Clerk of the City of Modesto

(SEAL)

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SECTION 6. (a) A Special Municipal Charter Amendment Election is hereby called to be held in the City of Modesto, on Tuesday, April 16, 1963, for the purpose of submitting to the qualified electors of said City said proposals set forth in Section 5 of this resolution to amend the Charter of said City as in said proposals and in this resolution provided and as hereby submitted by the Council of the City of Modesto on its own motion.

(b) Said Special Municipal Charter Amendment Election hereby called shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined as herein provided, and in all particulars not prescribed in this resolution, said Special Municipal Charter Amendment Election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

(c) All persons qualified to vote at municipal elections in said City of Modesto on the day of the election herein provided for shall be qualified to vote upon said amendments hereby proposed by the Council of the City of Modesto on its own motion and submitted at said Special Municipal Charter Amendment Election.

(d) The polls at the polling places herein-  
after designated for said Special Municipal Charter Amendment Election shall be opened at 7:00 A.M. (P.S.T.) of said day of election and shall be kept open continuously thereafter until 7:00 P.M. (P.S.T.) of said day of election, when the polls shall be closed (except as provided in Section 5734 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(e) Said Special Municipal Charter Amendment Election shall be and is hereby consolidated with the General Municipal Election to be held in said City of Modesto on the date of said Special Municipal Charter Amendment Election hereby called, and the election precincts, polling places and voting booths shall in every case be the same, and there shall be only one set of election officers in each of said precincts; and the precincts, polling places and officers of election for said Special Municipal Charter Amendment Election shall be the same as those to be selected and designated by the Council of said City for said General Municipal Election in said City of Modesto by its resolution to be adopted on Monday, March 11, 1963, to which resolution reference is hereby made for a designation of the precincts, polling places and election officers for the Special Municipal Charter Amendment Election hereby called.

(f) Only one form of ballot shall be used at said General Municipal Election and said Special Municipal Charter Amendment Election hereby consolidated therewith, which, in addition to all other matters required by law to be printed thereon, shall state the proposals set forth in Section 5 hereof.

(g) To vote in favor of said proposals to amend the Charter of the City of Modesto a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of the proposals, and to vote against said proposals a voter shall stamp a cross (X) in the blank space opposite the

word "NO" on the ballot to the right of said proposals. The votes cast for and against said proposed Charter amendments shall be counted separate and apart from all other measures to be submitted at said consolidated General Municipal Election and Special Municipal Charter Amendment Election hereby called, and if a majority of the qualified voters voting on said proposed Charter amendments vote in favor thereof, such Charter amendments shall be deemed ratified.

(h) The returns of said election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at said election; and this Council shall meet at its usual meeting place and canvass said returns and declare the results of said election on Tuesday, April 23, 1963, at the hour of 4:00 P.M.

(P.S.T.)

SECTION 9. The City Clerk of the City of Modesto is hereby authorized to prepare and sign a Notice of Election, Notice of Measure to be Voted on and Nominees for Public Office, in the form required by law relating to said General Municipal Election and said Special Municipal Charter Amendment Election and all other elections to be consolidated with or held at the same time as said General Municipal Election and said City Clerk is hereby authorized and directed to publish said Notice twice before the date of said elections in THE MODESTO TRIBUNE, the first of said publications to be not later than the 31st day before the date of said elections, said newspaper being the official newspaper of said City and a newspaper of general circulation printed and published in said City.

SECTION 10. The City Clerk of the City of Modesto is hereby authorized and directed (1) to cause copies of the text of said proposed Charter amendments to be printed in convenient pamphlet form and in type of not less than ten-point and to cause copies thereof to be mailed to each of the qualified electors of said City, and (2) until the day fixed for said Special Municipal

Charter Amendment Election to advertise weekly in THE MODESTO TRIBUNE, a newspaper of general circulation in said City, a notice that copies of said pamphlet may be had on application therefor.

NOTICE OF AVAILABILITY OF CHARTER AMENDMENTS

NOTICE IS HEREBY GIVEN to the qualified electors of the City of Modesto that pamphlet copies of the Amendments proposed by the Council on its own motion, to the Charter of the City of Modesto by the amendment of Section 601 of Article VI relating to power and duties of the Mayor; the addition of Section 604 to Article VI relating to salary for the Mayor; and amendment of Section 703 of Article VII relating to compensation for the Councilmen, are on file in the office of the City Clerk, City Hall, 801 Eleventh Street, Modesto, California, and may be had upon application therefor.

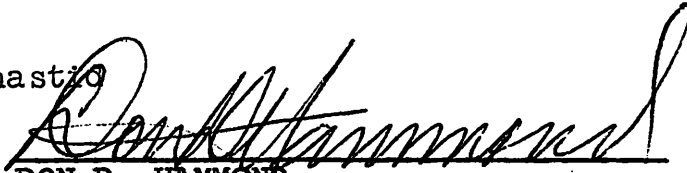
\_\_\_\_\_  
REX E. GAILFUS  
City Clerk of the City of Modesto

\_\_\_\_\_  
PASSED AND ADOPTED this 4th day of February, 1963, by the following vote, upon motion of Councilman Mitchell, seconded by Councilman VanderWall, viz.:

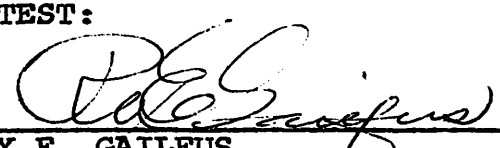
AYES: Councilmen: Johansen, Mitchell, Tabbett, VanderWall, Mayor Hammond  
None

NOES: Councilmen:

ABSENT: Councilmen: Patton, Shastio

  
\_\_\_\_\_  
DON D. HAMMOND  
Mayor of the City of Modesto,  
California

ATTEST:

  
\_\_\_\_\_  
REX E. GAILFUS  
City Clerk of the City of Modesto,  
California

CLERK'S CERTIFICATE

I, REX E. GAILFUS, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 4th day of February, 1963, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Mitchell and read in full, and was thereupon, upon motion of Councilman Mitchell, seconded by Councilman VanderWall, adopted by the following vote:


AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 4th day of February, 1963.

  
\_\_\_\_\_  
REX E. GAILFUS  
City Clerk of the City of Modesto,  
California

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 65

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Fair Addition)

WHEREAS, a portion of the McHenry-Dry Creek Fire Pro-  
tection District was annexed to the City of Modesto by Ordinance  
No. 562 -C.S., adopted on January 21, 1963, and

WHEREAS, said territory officially became a part of the  
City on January 24, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the McHenry-  
Dry Creek Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 4th day of  
February, 1963, by Councilman Tabbert,  
who moved its adoption, which motion being duly seconded by


Councilman Johansen, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
\_\_\_\_\_  
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Allen Addition, as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records, said point also being on the Northeastern corner of said Allen Addition; thence along the existing City Limits the following bearings and distances, South 88° 57' West, 80.00 feet, South 0° 56' East, 21.56 feet, South 88° 57' West, 275.00 feet; thence continuing along the existing City Limits, on a line parallel with and 25 feet at right angles Westerly from the Section Line common to Sections 20 and 21, said Section Line being the center line of a Public right of way known as McHenry Avenue, North 0° 56' West, 1406.06 feet to the Southern line of a 40 foot Public Road known as Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South 89° 51' East, 237.00 feet to the Northeastern corner of property conveyed to Vito Gentile, et ux, as per deed recorded June 1, 1944, as Instrument 7768, Stanislaus County Records; thence along the Eastern line of said Gentile property, South 0° 56' East, 98.00 feet, to the Northern line of property conveyed to Gladys G. Crane, as per deed recorded May 6, 1955, as Instrument 13441, Stanislaus County Records; thence along the Northern line of said Crane property, South 89° 51' East, 80.00 feet, to the Northeastern corner of said Crane property; thence along the Eastern line of said Crane property, South 0° 56' East, 196.00 feet, to the Northern line of a 40 foot Public Road known as Palm Avenue; thence along the Northern line of Palm Avenue, North 89° 51' West, 80.00 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Alford W. Webb, et ux, as per deed recorded April 15, 1955, as Instrument 11168, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 176.90 feet, to the Northern line of property conveyed to Alford W. Webb, et ux, as per deed recorded November 23, 1960, as Instrument 33354, Stanislaus County Records; thence along the Northern line of said Webb property, South 89° 51' East, 80.65 feet, to the Northeastern corner of said Webb property; thence along the Eastern line of said Webb property, South 0° 56' East, 126.65 feet, to the Northern line of a 50 foot Public Road known as Corson Avenue; thence along the Northern line of Corson Avenue, North 89° 51' West, 3.75 feet, to its intersection with the Northerly extension of the Eastern line of the property conveyed to Goldie Fair, as per deed recorded November 25, 1960, as Instrument 33513, Stanislaus County Records; thence along said Eastern line and its Northerly extension and the Eastern line of properties conveyed to V. E. Barton, et ux, as per deed recorded March 8, 1960, as Instrument 6707, Roy E. Cornelius, et ux, as per deed recorded April 23, 1959, as Instrument 11783, Fay M. McNary, as per deed recorded February 1, 1943, as Instrument 1462, and Lawrence E. Meeker, et ux, as per deed recorded March 23, 1956, as Instrument 8313, Stanislaus County Records, South 0° 56' East, 360.00 feet, to the Northern line of a 40 foot Public Road known as Fairmont Avenue; thence along the Northern line of Fairmont Avenue, North 89° 51' West, 69.22 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Milton E. L. Loewenthal, as per deed recorded January 14, 1947, as Instrument 1071, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South 0° 56' East, 123.26 feet, to the Northern line of property conveyed to Kenneth K. Kimes, et al, as per deed recorded June 23, 1961, as Instrument 19927, Stanislaus County Records; thence along the Northern line of said Kimes property, South 89° 51' East, 119.99 feet, to the Northeastern corner of said Kimes property; thence along the Eastern line of said Kimes property and the Eastern line of property conveyed to David L. Arata, as per deed recorded January 21, 1955, as Instrument 1964, Stanislaus County Records, South 0° 56' East, 195.47 feet, to the Southeastern corner of said Arata property; thence along the Southern line of said Arata property, North 88° 50' West, 9.47 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to H. E. Austin, et ux, as per deed recorded September 30, 1952, as Instrument 23941, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Austin property, South 0° 51' 06" East, 100.94 feet, to the point of beginning, containing 9.755 Acres more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-66

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS SMALL ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

(SEAL)

SMALL ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being described as Lots 58 and 59, Excepting the South 70.00 feet of Lot 58, of the FIRST ADDITION TO SUNSET ACRES, as per map filed March 18, 1911, in Volume 5 of Maps, at Page 27, Stanislaus County Records, and more particularly described as follows:

Commencing at a point on the existing City Limits as established by the Southwestern corner of the Ball Park-Golf Course Addition, as per description filed February 21, 1940, as Instrument 1997, Stanislaus County Records, said point being on the Center Line of a Public Road known as Rouse Avenue; thence along the Western line of the Ball Park-Golf Course Addition, North, 466.00 feet, to a point which is 70.00 feet North of the Southeast corner of Lot 58 of said First Addition to Sunset Acres, and the true point of beginning; thence continuing along the existing City Limits, North, 194.00 feet, to the Northeast corner of Lot 59 of said First Addition to Sunset Acres; thence along the Northern line of Lot 59, South 89° 45' West, 300.00 feet, to the Eastern line of Sunset Boulevard; thence along the Eastern line of Sunset Boulevard, South, 194.00 feet, to a point 70.00 feet North of the Southwestern corner of Lot 58; thence along a line parallel with and 70.00 feet Northerly from the Southern line of Lot 58, North 89° 45' East, 300.00 feet to the point of beginning, containing 1.336 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 67

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS PRESCOTT CHURCH ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1963, by Councilmar VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

(SEAL)

PRESCOTT CHURCH ADDITION

All that real property in the State of California, County of Stanislaus, Sections 7 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being portions of Lots 3 and 6 of the KNAPP TRACT, as per map filed November 16, 1904, in Volume 2 of Maps, at Page 2, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the VENT ADDITION, as per description filed June 27, 1961, as Instrument 20144, Stanislaus County Records, said point being on the Westerly extension of the Southern line of a 40 foot Public Road known as Rumble Road and the Center Line of a 40 foot Public Road known as Prescott Road, said Center Line being the Section Line common to Section 13, Township 3 South, Range 8 East, and Section 18, Township 3 South, Range 9 East; thence along the Western line of Section 18, North 0° 10' 30" West, 185.54 feet, to the Section corner common to Sections 7 and 18, Township 3 South, Range 9 East; thence along the Western line of Section 7, North 0° 15' West, 608.62 feet, to the Westerly extension of the Northern line of property conveyed to the Central Valley Southern Baptist Association, by Deed recorded March 30, 1962, as Instrument 12373, Stanislaus County Records; thence along the Northern line of said church property, South 88° 28' 50" East, 263.89 feet, to the Northeastern corner of said church property; thence along the Eastern line of said church property, South 0° 10' 45" East, 793.57 feet, to the Southern line of Rumble Road and the existing City Limits; thence along the existing City Limits, North 88° 36' 15" West, 263.14 feet, to the point of beginning, containing 4.800 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-68

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. HIRLEMAN, JR. FOR WATER SERVICE TO SHERWOOD FOREST NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John E. Hirleman, Jr.

for water service to Sherwood Forest No. 2 Subdivision

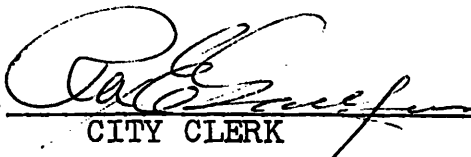
be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall, Mayor  
Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-69

A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF BUSINESS LICENSE FEE TO THRIFTY GREEN STAMPS, INC. FOR THE TAX PERIOD ENDED SEPTEMBER 30, 1962

WHEREAS, Thrifty Green Stamps, Inc. has submitted a request for refund of the overpayment of business license fee in the sum of \$124.71 for tax erroneously paid for the quarter ended September 30, 1962, and

WHEREAS, Section 6-1.130(c) of the Municipal Code states a refund may be made under the following conditions: "Where the amount paid was in excess of the amount required by law,"

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the refund of the overpayment of business license fee to Thrifty Green Stamps, Inc. in the sum of \$124.71 for the quarter ended September 30, 1962 be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-70

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A CHAIN LINK FENCE AT THE CORPORATION YARD SITE (BLOCKS 433 AND 434) BY STOCKTON FENCE COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of a chain link fence at the Corporation Yard site (Blocks 433 and 434) has been completed by Stockton Fence Company

in accordance with the contract agreement, dated December 26, 1962.

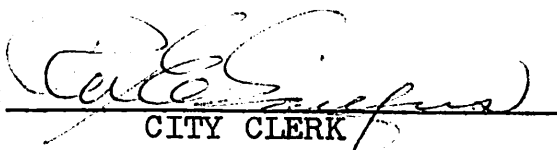
NOW, THEREFORE, BE IT RESOLVED that the construction of a chain link fence at the Corporation Yard site (Blocks 433 and 434) be accepted from said contractor Stockton Fence Company,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

(SEAL)

A RESOLUTION APPROVING A DEVELOPMENT PLAN  
FOR PLANNED-DEVELOPMENT ZONE, P-D (13).  
(MacDANNALD, RAINES, HASSAPAKIS AND OLLAR)

WHEREAS, a verified application for an amendment to  
Section 31 of the Zoning Map was filed by MacDannald,  
Raines, Hassapakis and Ollar on November 20,  
19 62, to reclassify from Planned-Development Zone, P-D(8)  
to Planned-Development Zone, P-D, the following described property:

Beginning at a point 160 feet east of the northwest corner of Lot 5 of the Spencer Colony; thence south  $0^{\circ} 30'$  east a distance of 100 feet; thence south  $89^{\circ} 55' 37''$  West a distance of 160 feet to the center line of Emerald Avenue; thence south  $0^{\circ} 30'$  East along said center line of Emerald Avenue a distance of 6.50 feet; thence north  $89^{\circ} 30'$  East a distance of 158.00 feet; thence south  $0^{\circ} 30'$  East a distance of 95.60 feet; thence south  $89^{\circ} 55' 37''$  West a distance of 158 feet to the center line of Emerald Avenue; thence south  $0^{\circ} 30'$  East along said center line of Emerald Avenue a distance of 60.00 feet; thence north  $89^{\circ} 55' 37''$  East a distance of 260 feet; thence south  $0^{\circ} 30'$  East a distance of 163.55 feet; thence north  $89^{\circ} 55' 37''$  East a distance of 495.73 feet to the west right of way line of Modesto Irrigation District Lateral Number 5; thence North  $3^{\circ} 34' 23''$  West along said west right of way line a distance of 361.03 feet; thence continuing along said west right of way line along a curve concave to the east having a radius of 420.00 feet, through a central angle of  $8^{\circ} 46' 31''$ , a curve distance of 64.33 feet to the north line of Lot 5 of said Spencer Colony; thence south  $89^{\circ} 55' 37''$  West along the north line of said Lot 5 a distance of 577.85 feet to the point of beginning, being located east of Emerald Avenue south of Franklin School, and

WHEREAS, after public hearing held on January 15,  
19 63, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The density proposed for this development would be approximately the same as for two (2) family use. Under planned-development zoning, with proper controls, open space and separation, this density could be satisfactorily integrated into the existing and potential development in the area as recommended in the General Plan; and

2. The proposed development would be located on a collector street and near a major street, which could adequately handle the increased traffic generated by this use, and

WHEREAS, after a public hearing held on February 11, 1963, the Council found and determined that the application of MacDannald, Raines, Hassapakis and Ollar for a Planned-Development P-D(13) Zone, should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 566 -C.S. on the 11th day of February, 1963, reclassifying the above described property from Planned-Development Zone, P-D(8) to Planned-Development Zone, P-D(13),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(13) is hereby approved in accordance with the plan titled, "Planned Development in Lot 5 of the Spencer Colony -- For: Fleeta Raines," dated October 6, 1961, revised November 21, 1961, as amended on its face and on file in the office of the Planning Director, subject to the following conditions:

(a) Street lighting shall be provided as approved by the City Public Works Department.

(b) The applicants shall provide a continuing program of maintenance of the buildings and grounds.

(c) The private road shall be developed to City subdivision standards.

(d) Emerald Avenue adjacent to the property shall be improved to City standards.

(e) Solid six (6') foot fences shall be provided as shown in red on the plot plan dated October 6, 1961, revised November 21, 1961.

(f) Overhead utilities shall be installed in utility easements as shown in red on said plot plan.

SECTION 2. DEVELOPMENT SCHEDULE. The following

development schedule is hereby approved for said Planned-Development Zone, P-D(13):

(a) The entire construction program shall be accomplished in five (5) phases, as follows:

Phase A shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area A, construction of approximately three hundred (300') feet of private road with adjacent curbs and gutters, and with sidewalk on one side; and construction of improvements on Emerald Avenue as required; construction to start on or before June 1, 1963 and be completed on or before November 1, 1963.

Phase B shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area B, construction of approximately one hundred fifty (150') feet of private road with adjacent curbs and gutters, and with sidewalk on one side; development of playground area; construction to begin on or before March 1, 1964, and be completed on or before November 1, 1964.

Phase C shall include construction of eight (8) dwelling units, driveway construction, landscaping of Area C, construction of approximately one hundred fifty (150') feet of private road with adjacent curbs and gutters, and with sidewalk on one side; construction to begin on or before March 1, 1965, and be completed on or before November 1, 1965.

Phase D shall include construction of six (6) dwelling units, driveway construction, and with sidewalk adjacent to private road; landscaping of Area D, construction to begin on or before March 1, 1966, and be completed on or before November 1, 1966.

Phase E shall include construction of fourteen (14) dwelling units, driveway construction, and all remaining landscaping and road construction, including curb and gutter, and sidewalk as shown on said development plan; construction to begin on or before March 1, 1967, and be completed on or before November 1, 1967.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (13) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11/26

day of February, 19 63, by Councilman Shastid.  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-72

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (Block 212, Portion of Lot 4)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on October 29, 1962, adopt its Resolution No. 62-505, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 13, 1962, at 8:05 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Forty-Two and No/100ths (\$142.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Forty-Two and No/100ths / Dollars, <sup>(\$142.00)</sup> be assessed as a lien against the parcel ~~xxx~~ of ~~the~~ property fronting upon the work so constructed, to wit,

All that real property in the State of California, County of Stanislaus, City of Modesto, Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The East 50.00 feet of the West 253.00 feet of Lot 4, Block 212 of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 212, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-73

A RESOLUTION AUTHORIZING THE SALE OF OLIVE TREES OWNED BY THE CITY OF MODESTO

WHEREAS, approximately 20 olive trees owned by the City of Modesto are located in the California Street right of way adjacent to the California-Franklin Park, and

WHEREAS, the Director of Parks and Recreation has indicated the undesirability of fruit bearing trees as park trees, and

WHEREAS, interest in the purchase of said trees by private individuals has been indicated, and

WHEREAS, the Director of Parks and Recreation and the City Manager have recommended the sale of said trees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sale of olive trees owned by the City of Modesto and located in the California Street right of way adjacent to the California-Franklin Park be, and it is hereby approved.

BE IT FURTHER RESOLVED that the price to be charged for said trees shall be established by the Director of Parks and Recreation, with approval of the City Manager.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th Day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-74 Project No. \_\_\_\_\_

For HHFA Use

Resolution authorizing filing of application with the Housing and Home Finance Agency, United States of America, for a grant under the terms of Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

Now Therefore, Be It Resolved By the Council of the City of Modesto as follows:  
(Governing Board of Applicant)

1. That Ross Miller be and he is hereby authorized to  
(Designated Official)  
execute and file an application on behalf of the City of Modesto  
(Exact Legal (Corporate) Name of Applicant)  
with the Housing and Home Finance Agency, United States Government, for a grant to aid  
in financing the construction of trunk sewer system in North Modesto.  
(Brief Project Description)

2. That Ross Miller City Manager  
(Name of Authorized Representative) (Title)  
be and he is hereby authorized and directed to furnish such information as the Housing  
and Home Finance Agency may reasonably request in connection with the application which  
is herein authorized to be filed.

CERTIFICATE OF RECORDING OFFICER


The undersigned duly qualified and acting City Clerk  
(Title of Officer)  
of the City of Modesto  
(Exact Legal (Corporate) Name of Applicant)

does hereby certify: That the  
attached resolution is a true and correct copy of the resolution, authorizing the filing  
of application with the Housing and Home Finance Agency, as regularly adopted at a  
legally convened meeting of the Council of the City of Modesto duly  
(Name of Governing Body of Applicant)

held on the 11 day of February, 1963; and further that such  
resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 12 day of February, 1963.

If the applicant has an official seal,  
impress here

  
\_\_\_\_\_  
Signature of Recording Officer  
  
\_\_\_\_\_  
City Clerk  
\_\_\_\_\_  
Title of Recording Officer

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-75 Project No. \_\_\_\_\_  
(For HHA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects.

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects:

Now, Therefore, Be It Resolved By the Modesto City Council  
Governing Board of Applicant

- That as of the date of filing of an application by City of Modesto  
(Exact Legal Corporate Name of Applicant)  
(hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of North Modesto sanitary sewer extension  
(Brief Project Description)  
the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was \$ 950,821 for the fiscal year ending 6-30-63 and \$ - for the fiscal year ending -.
- That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be [is hereby] increased by \$ 733,750 for the fiscal year ending 6-30-63 and \$ - for the fiscal year ending - for a total increase of \$ 733,750 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).
- That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by the Charter of the City  
(cite applicable State or  
of Modesto.  
local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto  
(Title of Officer) (Exact Legal Corporate  
does hereby certify: That the attached resolution is a true and correct  
(Name of Applicant)

copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly held on the 11 day of February,  
(Name of Governing Body of Applicant)  
1963 and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 12 day of February, 1963.

If the applicant has an official seal,  
impress here

[Signature]  
Signature of Recording Officer  
City Clerk  
Title of Recording Officer

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-76 Project No. \_\_\_\_\_

For HHFA Use

Resolution authorizing filing of application with the Housing and Home Finance Agency, United States of America, for a grant under the terms of Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

Now Therefore, Be It Resolved By the Council of the City of Modesto as follows:  
(Governing Board of Applicant)

1. That the City Manager be and he is hereby authorized to  
(Designated Official)  
execute and file an application on behalf of the City of Modesto  
(Exact Legal (Corporate) Name of Applicant)  
with the Housing and Home Finance Agency, United States Government, for a grant to aid  
in financing the construction of Fire Station at Kearney and Coldwell Avenues  
(Brief Project Description)


2. That Ross Miller, City Manager  
(Name of Authorized Representative) (Title)  
be and he is hereby authorized and directed to furnish such information as the Housing  
and Home Finance Agency may reasonably request in connection with the application which  
is herein authorized to be filed.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk  
(Title of Officer)  
of the City of Modesto does hereby certify: That the  
(Exact Legal (Corporate) Name of Applicant)  
attached resolution is a true and correct copy of the resolution, authorizing the filing  
of application with the Housing and Home Finance Agency, as regularly adopted at a  
legally convened meeting of the Council of the City of Modesto duly  
(Name of Governing Body of Applicant)  
held on the 11 day of February, 1963; and further that such  
resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 12 day of February, 1963.

If the applicant has an official seal,  
impress here

  
\_\_\_\_\_  
Signature of Recording Officer  
  
\_\_\_\_\_  
City Clerk  
\_\_\_\_\_  
Title of Recording Officer

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-77 Project No. \_\_\_\_\_  
(For HEFA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects.

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects:

Now, Therefore, Be It Resolved By The Modesto City Council  
Governing Board of Applicant

- That as of the date of filing of an application by City of Modesto  
(Exact Legal Corporate Name of Applicant)  
(hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Fire Station, Coldwell & Kearney Avenues,  
(Brief Project Description)  
the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was \$ 950,821 for the fiscal year ending 6-30-63 and \$ - for the fiscal year ending -.
- That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be [is hereby] increased by \$ 46,000 for the fiscal year ending 6-30-63 and \$ - for the fiscal year ending - for a total increase of \$ 46,000 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).
- That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

This resolution is adopted pursuant to the authority provided by the Charter of the City of Modesto.  
(cite applicable State or local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto  
(Title of Officer) (Exact Legal Corporate Name of Applicant)

does hereby certify: That the attached resolution is a true and correct

copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly held on the 11 day of February,  
(Name of Governing Body of Applicant)

1963 and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 12 day of February, 1963

If the applicant has an official seal,  
Impress here

  
Signature of Recording Officer

City Clerk  
Title of Recording Officer

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-78

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS CRESTVIEW NO. 3 ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
City Clerk

(SEAL)

CRESTVIEW NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, and the Southeastern corner of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records; thence along the Northern line of the Lorenzen Addition and the existing City Limits, North  $89^{\circ} 58'$  West, 150.02 feet, to the Southeastern corner of the Crestview Addition, as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records; thence along the Eastern line of said Crestview Addition and the existing City Limits, North 108.34 feet, to the Northeastern corner of the Crestview Addition; thence along the Northern line of the Crestview Addition and the existing City Limits, West 70.00 feet, to the Southeastern corner of the Crestview No. 2 Addition, as per description filed February 5, 1963, as Instrument 4470, Stanislaus County Records; thence along the Eastern line of the Crestview No. 2 Addition and the existing City Limits, North  $1^{\circ} 35' 05''$  West, 65.86 feet, and North  $12^{\circ} 20'$  East, 159.83 feet, to the Northeastern corner of Crestview No. 2 Addition, and the Northern line of Downey Park No. 1 Subdivision; thence along the Northern line of the Downey Park No. 1 Subdivision and its Easterly extension, East 184.35 feet, to the Northeastern corner of said subdivision; thence along the Eastern line of said subdivision, South  $0^{\circ} 35'$  East, 330.43 feet, to the point of beginning, containing 1.429 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 79

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS LORENZEN PARK ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
City Clerk

(SEAL)

LORENZEN PARK ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the DOWNEY HIGH SCHOOL SITE ADDITION, as per resolution of the Stanislaus County Board of Supervisors filed July 27, 1950, as Instrument 16443, Stanislaus County Records, and by the Southwestern corner of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South  $89^{\circ} 55'$  East, 895.89 feet, to the Western line of the WYLIE ADDITION, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records; thence along the Western line of the Wylie Addition, South  $0^{\circ} 35'$  East, 822.88 feet, to the Southwestern corner of the Wylie Addition and the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North  $89^{\circ} 56' 15''$  West, 897.43 feet, to a point on the Eastern line of the Downey High School Site Addition, said point also being on the Center Line of a 40 foot Public Road known as Brighton Avenue; thence along the existing City Limits and the Center Line of Brighton Avenue and its Northerly extension, North  $0^{\circ} 29'$  West, 823.19 feet, to the point of beginning, containing 16.941 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-80

A RESOLUTION APPROVING THE SALE OF USED LOCKE MOWER TO  
H. V. CARTER COMPANY

WHEREAS, H. V. Carter Company has offered to purchase a used Locke Tandum Golf Course Mower, No. 72, serial number 16T97-4, with spare parts, from the City of Modesto, for \$386, said sum to be retained as a credit against future purchases by the City,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the sale of a used Locke Tandum Golf Course Mower, No. 72, serial number 16T97-4, with spare parts, to H. V. Carter Company for \$386 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the sum of \$386 shall be held by H. V. Carter Company, to be applied as credit to future purchases by the City of Modesto.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-81

A RESOLUTION APPROVING A DEVELOPMENT PLAN  
FOR PLANNED-DEVELOPMENT ZONE, P-D(14).  
(CORPORATION FILLES DE JESUS, NOTRE DAME  
CONVENT)

WHEREAS, a verified application for an amendment to Section 17 of the Zoning Map was filed by Corporation Filles de Jesus, Notre Dame Convent on September 24, 1962, to reclassify from One-Family Zone, R-1, to Planned-Development Zone, P-D, the following described property:

Lot 10 of the Fresno Tract, containing approximately 16 acres, located between Granger Avenue and Modesto Irrigation District Lateral No. 3, and between the Tidewater Southern Railroad Tracks and the Our Lady of Fatima Church property, and

WHEREAS, after public hearing held on October 16, 1962, and after further consideration on December 4, 1962, the Planning Commission, by Resolution No. 876, adopted December 4, 1962, denied the application of Corporation Filles de Jesus, Notre Dame Convent for said rezoning, and

WHEREAS, said decision of the Planning Commission was appealed to the Council, and

WHEREAS, after public hearing on January 14, 1963, the Council, by Resolution No. 63-23, adopted January 21, 1963, overruled the decision of the Planning Commission and referred the application back for further report and recommendation as required by Section 10-2.2114 of the Modesto Municipal Code, and

WHEREAS, after public hearing held on February 5, 1963, by Resolution No. 884, the Planning Commission reversed its former decision denying said application and it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed uses, if properly controlled under planned-development zoning would be compatible with surrounding

uses in the area.

2. The site is separated from residential uses in the area by a major street on the north, by railroad tracks on the west, and by a semipublic use on the east.

3. The feasibility report submitted by the applicant indicates a need for the proposed uses, and

WHEREAS, after further consideration on February 11, 1963, the Council found and determined that the application of Corporation Filles de Jesus, Notre Dame Convent for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 568 -C.S. on the 11th day of February, 1963, reclassifying the above described property from One-Family Zone, R-1, to Planned-Development Zone, P-D(14),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(14), is hereby approved in accordance with the plan titled, "Proposed Medical Center for Greater Modesto", dated September 20, 1962, as amended in red on its face, and on file in the office of the Planning Director, subject to the following conditions:

(a) That the right of way required for Northern Boulevard be dedicated to the City within ninety (90) days following establishment of the Planned-Development Zone.

(b) That driveway and service access to the allied services building on the west of the property opening onto Granger Avenue be reserved for only emergency exit and entrance.

(c) That the driveway opening onto Northern Boulevard from the doctors' parking area be eliminated.

(d) That the medical research building be oriented so that the main entrance is opposite the hospital entrance and not on Northern Boulevard as shown on the plot plan.

(e) That the entrances to the doctors' offices and allied services buildings be from the central parking area and no entrances be permitted from Granger Avenue in order to discourage the use of Granger Avenue as a parking and loading area.

(f) That the developer be required to construct a bridge to City standards across Modesto Irrigation District Lateral No. 3 and that proper measures be taken to protect the general public interest and welfare, including the cost of construction and installation of traffic signals at this point if and when requested by the City; and that said bridge, right of way, and traffic signals be dedicated to the City of Modesto upon demand by the City.

(g) That a detailed landscaping plan for the entire site be submitted to and approved by the Board of Zoning Adjustment when application is made for a conditional use permit for the first building.

(h) That no pole, protruding, illuminated or exterior signs be permitted to advertise uses in the development and all signs be approved by the Board of Zoning Adjustment before erection of same (this does not prohibit name plates or signs announcing use).

(i) That the developer furnish a cash deposit, savings and loan certificate, forfeiture bond, or corporate surety bond in an amount to be determined by the City Engineer, based on the estimated cost of public improvements to Granger Avenue and Northern Boulevard and construction of the bridge across Lateral No. 3, said bond to be posted when application is made for a conditional use permit for commencement of Phase I of the development.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(14):

The entire construction program shall be accomplished in two (2) phases as shown on the amended development plan:

Phase I shall include:

- (a) One one hundred twenty-five (125) bed hospital;
- (b) One eighty thousand (80,000) square foot allied services building;
- (c) One sixty thousand (60,000) square foot doctors' office building;
- (d) One twenty-five thousand (25,000) square foot laboratory building;
- (e) A bridge across Modesto Irrigation District Lateral No. 3;
- (f) Installation of improvements on Northern Boulevard to City subdivision standards;
- (g) Installation of improvements on Granger Avenue;
- (h) Parking area for five hundred fifteen (515) cars;
- (i) Landscaping of the entire area of Phase I;

Provided, however, that no building permit shall be issued for the allied services building, doctors' office building or laboratory building until such time as the contract for the hospital building has been awarded and the foundation has been poured and approved by the Chief Building Official.

Construction of Phase I shall commence on or before December 31, 1967, and be completed on or before December 31, 1970.

Phase II shall include:

- (a) One seventy thousand (70,000) square foot medical research building;
- (b) Parking area for twenty-seven (27) cars;
- (c) Completion of landscaping;

Construction of Phase II shall commence on or before December 31, 1969, and be completed on or before December 31, 1971.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

**SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC.**

In all other respects said planned-development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

**SECTION 5. EFFECTIVE DATE.** This resolution shall not become effective unless and until the ordinance reclassifying the above described property to Planned-Development Zone, P-D(14) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

<b>AYES:</b>	<b>Councilmen:</b>	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
<b>NOES:</b>	<b>Councilmen:</b>	Shastid
<b>ABSENT:</b>	<b>Councilmen:</b>	None

**ATTEST:**

  
City Clerk

(SEAL)

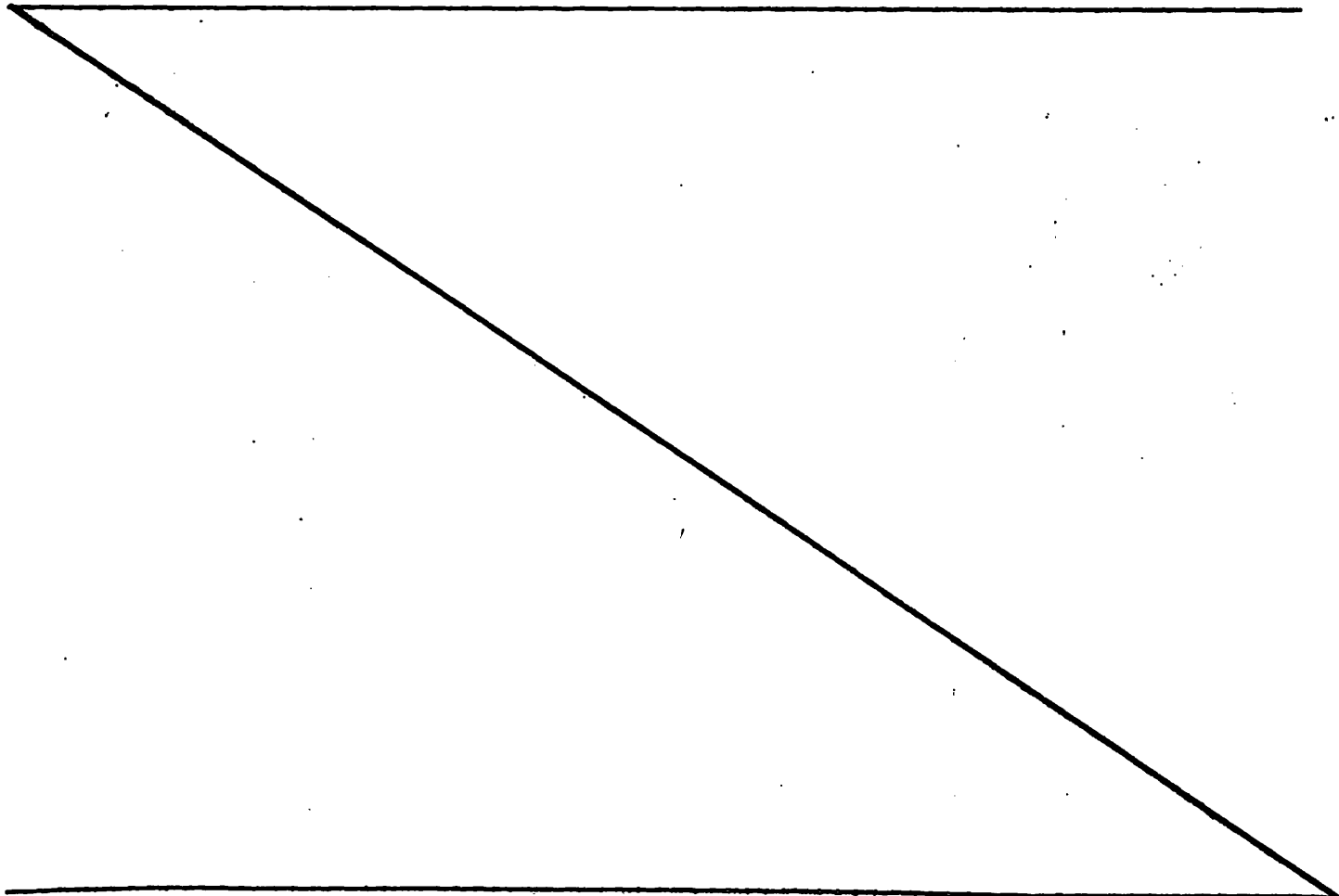
MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 82

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SMALL ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on January 23, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as SMALL ADDITION, and described as follows:



6/21/62

SMALL ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being described as Lots 58 and 59, Excepting the South 70.00 feet of Lot 58, of the FIRST ADDITION TO SUNSET ACRES, as per map filed March 18, 1911, in Volume 5 of Maps, at Page 27, Stanislaus County Records, and more particularly described as follows:

Commencing at a point on the existing City Limits as established by the Southwestern corner of the Ball Park-Golf Course Addition, as per description filed February 21, 1940, as Instrument 1997, Stanislaus County Records, said point being on the Center Line of a Public Road known as Rouse Avenue; thence along the Western line of the Ball Park-Golf Course Addition, North, 466.00 feet, to a point which is 70.00 feet North of the Southeast corner of Lot 58 of said First Addition to Sunset Acres, and the true point of beginning; thence continuing along the existing City Limits, North, 194.00 feet, to the Northeast corner of Lot 59 of said First Addition to Sunset Acres; thence along the Northern line of Lot 59, South 89° 45' West, 300.00 feet, to the Eastern line of Sunset Boulevard; thence along the Eastern line of Sunset Boulevard, South, 194.00 feet, to a point 70.00 feet North of the Southwestern corner of Lot 58; thence along a line parallel with and 70.00 feet Northerly from the Southern line of Lot 58, North 89° 45' East, 300.00 feet to the point of beginning, containing 1.336 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on January 22, 1963, consider the proposed annexation boundaries of said SMALL ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 25th day of March, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 83

A RESOLUTION COMMENDING TOM MOORE ON HIS ELECTION AS A CHARTER MEMBER TO THE NORTHERN CALIFORNIA TRACK AND FIELD HALL OF FAME, AND RECOGNIZING HIS OUTSTANDING CONTRIBUTIONS TO THE PROMOTION OF THE CALIFORNIA RELAYS.

WHEREAS, Tom Moore has been active in track and field meets both as a participant and an official for many years, and is a long-time member of the A. A. U., and

WHEREAS, in 1935, while competing for the University of California at Berkeley, he set the then world record of 14.2 seconds in the 120 yard high hurdles, and

WHEREAS, as a collegian, and as a member of the Olympic Club, he competed in the California Relays for many years, and

WHEREAS, he participated as a member of an A. A. U. exhibition team which went to Europe in 1935 and won many events while competing with outstanding overseas performers, and

WHEREAS, he toured Japan in 1937 on another A. A. U. trip rendering outstanding performances, and

WHEREAS, Tom Moore has been Meet Director of the California Relays since 1947, and because of his acquaintances throughout the sports world has been able to interest many outstanding athletes in participating in the California Relays, and has transformed this track and field contest into a star-studded event where many world records have been made, and

WHEREAS, since 1947, due to his untiring efforts and hard work, the California Relays has developed from a local event with nearby teams competing to a world famous track meet with famous sports names from all over the world participating, and

WHEREAS, Tom Moore has been selected as a Charter member to the newly established Northern California Track and Field Hall of Fame,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Tom Moore be, and he is hereby congratulated on his

selection as a Charter member to the Northern California Track and Field Hall of Fame and that special recognition hereby be given to him for his achievements in the sports field.

BE IT FURTHER RESOLVED that the Council of the City of Modesto does hereby recognize and congratulate Tom Moore for the tremendous contribution he has made to the growth and development of the California Relays.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby requested to transmit a certified copy of this resolution to Tom Moore.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Johansen ~~VANNAKXIX~~, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-84

A RESOLUTION EXPRESSING THE APPRECIATION OF THE COUNCIL OF THE CITY OF MODESTO FOR THE RECENT VISIT HERE OF SENOR CARLOS RECIO, FROM MODESTO'S SISTER CITY, BARRANQUILLA, COLOMBIA

WHEREAS, Senor Carlos Recio of Barranquilla, Colombia, was recently a very welcome visitor in Modesto, and

WHEREAS, Senor Recio presented the personal invitation of Mayor Roberto McCausland of Barranquilla to Mayor Don D. Hammond of Modesto and other Modestans to visit Barranquilla, citing the Mardi Gras carnival season as an especially enjoyable period for such a visit, and


WHEREAS, Senor Recio also proposed plans for increased "people-to-people" exchanges,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto hereby expresses its sincere appreciation to Senor Carlos Recio for his cooperation and consideration in appearing before interested groups of Modesto citizens during his stay here to present more information about our Sister City Barranquilla, and hereby commends Senor Recio for his assistance in an increased exchange between citizens of Barranquilla and Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-85

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF MERCURY VAPOR STREET LIGHTING SYSTEM AT THE MODESTO JUNIOR COLLEGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for the construction of mercury vapor street lighting system at the Modesto Junior College,

copies of which are on file, are hereby accepted and approved.


Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 5, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-86

A RESOLUTION SETTING A HEARING ON CONFIRMATION OF THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE BUILDING LOCATED AT 102 SPRUCE STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.  
(W. J. BROWN)

WHEREAS, in accordance with the provisions of the Uniform Building Code, 1958 Edition, adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, pursuant to Section 203(a) through (d) of the Uniform Building Code, 1958 Edition, a procedure is established whereby the City Council may, after due notice to the owners, order the Building Official to proceed with demolition and removal of dwellings and structures unsafe or dangerous to human life and declared to be a public nuisance, and

WHEREAS, the owner of the property situate at 102 Spruce Street in the City of Modesto having failed and neglected to comply with said notice to repair or demolish and remove the building located thereon, the Building Official proceeded with the work specified in a notice to the owner given by registered mail on September 19, 1962,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Monday, the 4th day of March, 1963, at 4:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, be set as the time and place for hearing and passing upon a report of the Department of Public Works with respect to the demolishing and removing of the building located at 102 Spruce Street in the City of Modesto, in accordance with the provisions of Section 203(a) of the Uniform

Building Code, together with any objections or protests, if any, which may be raised by the property owner or other interested persons.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-87

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE TRANSFORMER STRUCTURE AND EQUIPMENT, AND THE MOVING OF ONE TRANSFORMER TO ANOTHER LOCATION

WHEREAS, the Director of Public Works has reported that rapid subdivision growth has overloaded three City of Modesto street light circuits, and

WHEREAS, the Director of Public Works has recommended the purchase of one transformer structure and equipment, and the moving of one transformer structure to another location to alleviate the above condition,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Director of Public Works is authorized to purchase one transformer structure and equipment, and further authorized to move one transformer structure to another location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-88

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,400  
FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE,  
TO TRANSFORMERS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (600) \$2,400

TO: Transformers (504) \$2,400

For street lighting structures

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
18th day of February, 19 63, by Councilman Johansen,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-89

A RESOLUTION TERMINATING PROCEEDINGS FOR THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY KNOWN AS PRESCOTT CHURCH ADDITION TO THE CITY OF MODESTO, IN ACCORDANCE WITH SECTION 35007 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

WHEREAS, Section 35007 of the Government Code of the State of California authorizes the City Council to terminate annexation proceedings, and

WHEREAS, the Council finds and determines that the proposed annexation proceedings are not in the public interest at this time,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all proceedings for the annexation of the Prescott Church Addition, described in Resolution No. 63-67, adopted by the Council on February 4, 1963, be terminated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST: \_\_\_\_\_

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 90

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS CATHERINE EVERETT SCHOOL ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:

  
City Clerk

(SEAL)

CATHERINE EVERETT SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of the Northeast quarter of Section 18, Township 3 South Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northwestern corner of the BLOMDAHL ADDITION, as per description filed June 14, 1962, as Instrument 23005, and by the Southeastern corner of the CORNWELL ADDITION, as per description filed December 29, 1960, as Instrument 36792, Stanislaus County Records, said point being on the Western line of a 40 foot Public Road known as Carver Road; thence along the existing City Limits and the Eastern line of the Cornwell Addition, North  $0^{\circ} 46' 30''$  West, 661.47 feet, to a point on the Easterly extension of the Northern line of Mount Vernon Drive, as shown on the map of the Skylane Park Unit No. 2 Subdivision, as per map filed December 5, 1961, in Volume 19 of Maps, Page 89, Stanislaus County Records; thence South  $89^{\circ} 12' 09''$  East, 20.01 feet, to the Center Line of Carver Road; thence North  $89^{\circ} 13' 30''$  East, 20.00 feet, to a point on the Eastern line of Carver Road and the Northwestern corner of property conveyed to Arthur J. Wylie, et ux, by Deed recorded June 14, 1962, as Instrument 23133, Stanislaus County Records; thence along the Northern line of said Wylie property, North  $89^{\circ} 13' 30''$  East, 25.00 feet; thence on a tangent curve concave to the North, having a Radius of 1070.00 feet, a Central Angle of  $10^{\circ} 25' 27''$ , and a Length of 194.67 feet; thence North  $78^{\circ} 48' 03''$  East, 527.19 feet; thence on a tangent curve concave to the South, having a Radius of 930.00 feet, a Central Angle of  $12^{\circ} 18' 12''$ , and a Length of 199.70 feet; thence South  $88^{\circ} 53' 45''$  East, 8.38 feet, to the Northeastern corner of the Wylie property; thence along the Eastern line of the Wylie property, South  $0^{\circ} 26' 15''$  East, 20.00 feet, to the Northwestern corner of property conveyed to the Modesto City School District of Stanislaus County, by Final Judgment in Condemnation recorded January 26, 1962, as Instrument 3412, Stanislaus County Records; thence along the Northern line of the School property, South  $88^{\circ} 53' 45''$  East, 580.97 feet, to a point on the existing City Limits as established by the Western line of the GREGORY GARDENS NO. 3 ADDITION, as per description filed March 4, 1958, as Instrument 5409, Stanislaus County Records; thence along the existing City Limits as established by the said Gregory Gardens No. 3 Addition and by the GREGORY GARDENS ADDITION, as per description filed August 30, 1955, as Instrument 25171, Stanislaus County Records, South  $0^{\circ} 35' 15''$  East, 792.34 feet, to a point on the East-West quarter line of Section 18, said point being on the existing City Limits as established by the Northern line of the GREGORY GARDENS NO. 2 ADDITION, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence along the existing City Limits, the quarter line of Section 18 and the Northern line of Gregory Gardens No. 2 Addition, North  $89^{\circ} 12' 15''$  West, 323.77 feet, to the Northeastern corner of the aforementioned Blomdahl Addition; thence continuing along the quarter line and the existing City Limits as established by the Blomdahl Addition, North  $89^{\circ} 12' 15''$  West, 1239.01 feet, to the Western line of Carver Road and the point of beginning, containing 28.188 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-91

A RESOLUTION GRANTING AN UNCLASSIFIED USE  
PERMIT TO MODESTO MEDICAL DEVELOPMENT  
COMPANY FOR HOSPITAL EXPANSION, 333 WEST  
ORANGEBURG AVENUE.

WHEREAS, a verified application for an unclassified use permit for expansion of hospital facilities at 333 West Orangeburg Avenue was filed by Dallas E. Riddle, agent for Modesto Medical Development Company, on December 28, 1962, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto at 2:00 P.M. on January 8, 1963, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, after further consideration on January 24, 1963, the Planning Commission adopted Resolution No. 883 recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto at 4:30 P.M. on February 18, 1963, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. The proposed expansion will be of single-story construction and expansion of the present use will be compatible with existing uses on the property and with surrounding uses in the neighborhood; and

2. Additional hospital and convalescent beds are needed to serve this expanding area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to Modesto Medical Development Company to permit expansion of hospital facilities at 333 West Orangeburg Avenue by fifty (50) convalescent beds and fifty (50) semi-acute beds, subject to the following conditions:

1. That the location of buildings, parking areas and landscaping be in general conformance with the plan titled "Proposed Doctors Hospital Expansion," as amended in red on its face, dated December 28, 1962, and on file in the office of the Planning Director.

2. That the north parking area which opens onto Sherwood Avenue north of Balboa Way be used for doctor and staff parking only, and be so designated with an illuminated sign.

3. That the east parking area be enclosed on the south and east sides with a solid, six (6') foot redwood fence, the exact location of the fence to be determined by the Secretary of the Planning Commission.

Failure to comply with the above conditions shall constitute grounds for revocation of the permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:

  
City Clerk

(SEAL)

CITY OF MODESTO  
RESOLUTION NO. 63-92

A RESOLUTION OF THE MODESTO CITY COUNCIL EXTENDING GREETINGS TO ITS SISTER CITY, BARRANQUILLA, COLOMBIA, AND ITS CITIZENS, AND DESIGNATING OFFICIAL REPRESENTATIVES OF THE CITY OF MODESTO

WHEREAS, Modesto's Sister City relationship with Barranquilla, Colombia, is a source of much community pride and satisfaction, and


WHEREAS, the spirit of brotherhood and good will so warmly demonstrated by Barranquilla representatives has been much appreciated, and

WHEREAS, at the special invitation of the Honorable Mayor of Barranquilla, Mayor Don D. Hammond and Mrs. Hammond will visit Barranquilla during its Mardi Gras,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Mayor Don D. Hammond and Mrs. Hammond are hereby designated as official representatives of the City of Modesto and of the Modesto community, and are hereby authorized to extend to the people of Barranquilla for the Modesto City Council and for the citizens of Modesto the greetings and best regards of this community, and to express sincere appreciation of the strengthening of the ties of fellowship and unity between our two cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-93

A RESOLUTION OF THE MODESTO CITY COUNCIL EXTENDING GREETINGS TO ITS SISTER CITY, BARRANQUILLA, COLOMBIA, AND ITS CITIZENS, AND DESIGNATING OFFICIAL REPRESENTATIVES OF THE CITY OF MODESTO

WHEREAS, Modesto's Sister City relationship with Barranquilla, Colombia, is a source of much community pride and satisfaction, and

WHEREAS, the spirit of brotherhood and good will so warmly demonstrated by Barranquilla representatives has been much appreciated, and

WHEREAS, at the special invitation of the Honorable Mayor of Barranquilla, Mr. and Mrs. Carroll C. Steele will visit Barranquilla during its Mardi Gras,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Mr . and Mrs. Carroll C. Steele are hereby designated as official representatives of the City of Modesto and of the Modesto community, and are hereby authorized to extend to the people of Barranquilla for the Modesto City Council and for the citizens of Modesto the greetings and best regards of this community, and to express sincere appreciation of the strengthening of the ties of fellowship and unity between our two cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman Johansen , who moved its adoption, which motion being duly seconded by Councilman VanderWall , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-94

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES TO SERVE  
SHERWOOD FOREST NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the  
construction of water lines to serve Sherwood Forest No. 2  
Subdivision,  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to  
call for public competitive sealed bids for the above named  
project, to be opened in the office of the City Clerk, 801 11th  
Street, in the City of Modesto, on March 12, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council at  
its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 25th  
day of February, 1963, by Councilman Johansen,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and the  
resolution adopted by the following vote:

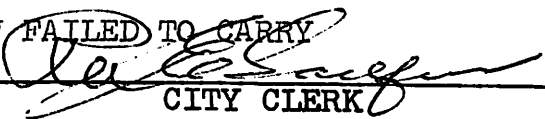
AYES: Councilmen: Johansen, Tabbert, VanderWall

NOES: Councilmen: Shastid

ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

THE RESOLUTION ~~FAILED~~ TO CARRY

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-95

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$25,000 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, ROSE AVENUE TRUNK, VARIOUS TRUNK AND SUBTRUNK EXTENSIONS TO WATER LINE EXTENSIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS

FROM:	Rose Avenue Trunk (503)	\$21,500
	Various Trunk and Subtrunk Extensions (503)	3,500
TO:	Water Line Extensions (503)	\$25,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-96

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Downey Park Addition)

WHEREAS, a portion of the McHenry-Dry Creek County Fire Protection District was annexed to the City of Modesto by Ordinance No. 565 -C.S., adopted on February 11, 1963, and

WHEREAS, said territory officially became a part of the City on February 13, 1963, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto, be withdrawn from the boundaries of the McHenry-Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by

Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

ATTEST:

  
\_\_\_\_\_  
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being that portion of Lot 20 of the BROUGHTON COLONY as per map filed March 17, 1904 in Volume 1 of Maps, page 78, Stanislaus County Records as conveyed to the City of Modesto by deed recorded October 30, 1961 as Instruments 39818 and 39819, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said corner also being the Northeastern corner of the Downey High School Addition as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits and Northern line of the Downey High School Addition, North  $89^{\circ} 59' 45''$  West, 958.88 feet, to the Southwestern corner of the City Property; thence along the Western line of said City Property, North  $00^{\circ} 27'$  West, 493.51 feet, to the Northwestern corner of said City Property; thence along the Northern line of said City Property, North  $89^{\circ} 57' 30''$  East, 958.30 feet, to the Northeastern corner of said City Property, said corner being on the existing City Limits as established by the Western line of the Lorenzen Addition; thence along the existing City Limits and the Western line of said Lorenzen Addition, South  $00^{\circ} 30' 30''$  East, 494.05 feet, to the point of beginning, containing 10.879 Acres more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-97

A RESOLUTION AUTHORIZING THE RENEWAL OF THE FIDELITY BOND  
FOR THE DIRECTOR OF FINANCE OF THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City  
of Modesto that renewal of the fidelity bond of \$50,000  
covering the Director of Finance of the City of Modesto  
with the New Hampshire Insurance Company for a period  
of eighteen (18) months be, and it is hereby authorized.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
25th day of February, 1963, by Councilman Shastid, who  
moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Johansen, ~~McKENNA~~, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond, Mitchell

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-98

A RESOLUTION APPROVING PERSONNEL ADMINISTRATIVE ORDER  
17-63-1 IN PRINCIPLE

WHEREAS, the City Council of the City of Modesto seeks to provide that operations of the City shall be carried out with maximum reasonable safety to City employees, equipment and facilities, and

WHEREAS, a draft of Personnel Administrative Order No. 17-63-1, entitled "Safety Equipment and Rules for its Use," was furnished in advance to the Modesto City Employees' Association, the Modesto Fire Fighters Association, and the Modesto Police Association, and

WHEREAS, the City of Modesto Personnel Commission has reviewed the said Personnel Administrative Order 17-63-1 and recommends it in principle, and

WHEREAS, Personnel Rule 17, Administrative Orders, Section 17.1, Authority, provides that the City Manager is authorized to issue written administrative orders to establish procedures and practices for administration of the City personnel system,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said Personnel Administrative Order 17-63-1, attached hereto and thereby made a part hereof, is hereby approved in principle by the City Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:

  
CITY CLERK

Date: February 13, 1963

Effective Date:

PERSONNEL ADMINISTRATIVE ORDER NO. 17 - 63 - 1

SUBJECT: SAFETY EQUIPMENT AND RULES FOR ITS USE

This order is for the guidance of department heads and the purchasing officer in establishing what equipment the City will furnish for employees. The use of safety equipment designated for specific activities is mandatory and department heads are directed to provide inspection as needed for enforcement. Since safety is a responsibility we all share, each employee shall report to his supervisor lack of proper equipment, equipment out of order, or lack of effective safety control measures.

Equipment will be furnished and its use will be governed by the following:

I. HEAD PROTECTION

A. Safety Helmets: Must be used by firemen, when fire-fighting; tree trimmers; electricians and ground helpers; trench and pipe layers; stump remover and brush chipper operators; construction workers and inspectors; and uniformed police officers when required by Police Department regulations. Dielectric type will be required for aerial and line work.

II. EYES-FACE PROTECTION

A. Safety Glasses: Must be used by firemen in action; tree trimmers; sprayers and dusters; shop and field workers when metal chipping, cutting and grinding, handling batteries or molten metals.

1. The City will furnish clear, uncorrected safety lenses, standard frames and clip-on sunshades. Glasses will be equipped with side shields, if recommended by the department head.
2. The employee will be required to pay all costs for eye examinations, prescriptions, corrective grinding, special frames and tinted lenses.

- B. Specially Colored Safety Goggles: Must be used by welders and helpers, gas or arc.
- C. Hoods: Must be used by arc welders. Shell type hoods are to be fitted with proper filter plates of the recommended shade, and protected from spattering by covers.
- D. Hoods (Air Supplied): Must be used by sandblasters.
- E. Clear Face Shields: Must be used by acid and caustic handlers and metal grinders and chippers in lieu of safety glasses (A) when safety glasses are not equipped with side shields.

III. EAR PROTECTION:

Department heads may recommend purchase and use of "quiet ear" protectors of the type used on jet airfield and aircraft carrier decks for City employees working for long continuous periods with a jack hammer, chain saw, or other loud noise-producing machines.

IV. RESPIRATORY PROTECTION

- A. Cannister Type Respirators: Must be used by shrub and tree dusters or sprayers.
- B. Air Line Respirators: Must be used by chlorine handlers, sewer workers, firefighters, when required by the Fire Chief.
- C. Filter Masks: To be used by brush chipper and paint sprayer operators, when conditions warrant, as determined by the supervisor in charge.
- D. Gas Masks: Required when deemed necessary, by the supervisor.

V. FOOT PROTECTION

- A. Toe Guards: Required for jack hammer operators and all other employees engaged in lifting, carrying, loading or unloading heavy objects.
  - 1. While toe guards are available in the storeroom, it is strongly recommended that all field workers purchase work shoes with built-in toe and foot protectors for on-the-job wear.

VI. SAFETY BELTS

City owned automobiles, trucks and certain other pieces of equipment such

as aerial towers, are equipped with safety belts. As with other safety equipment, the use of seat belts is mandatory. Requests for additional belts, or belt replacement, shall be made to the Service Division of the Public Works Department.

VII. FIRST AID KITS

First aid kits will be stocked in the storeroom and will be installed in cars, trucks, and recreational areas.

VIII. SPECIAL CLOTHING

- A. Welding Gloves, Aprons & Jackets: To be furnished by the employee.
- B. Fireman Turn-out Gear: City will furnish complete fire-fighting water-proof outer clothing, including pants, coats, helmets, boots, goggles and gloves.
- C. Police and Fire Uniform Dress:
  - 1. Uniformed firemen and policemen are provided with a uniform maintenance allowance. Rates and conditions have been established and are regulated by Council Resolution.
  - 2. When their use is authorized by the City Manager, the City will provide and retain ownership of badges, identity cards, shoulder patches and all other insignia indicating a person represents the City of Modesto.
- D. Reserve Police Uniform Dress:
  - 1. The City will provide a complete uniform, with the exception of shoes, to reserve police personnel who work without compensation.
- E. Rain Clothing and Rubber Footwear:
  - 1. The City will provide rain gear and rubber boots to all employees who are required to work in the rain or in water, if the use is authorized by the department head, except as in (3) below.
  - 2. The City will provide and require the use of protective clothing for spraying crews.

- VIIII. SPECIAL CLOTHING (Continued) 24
3. The City will not provide rain gear to police officers. No water protective equipment other than turnouts will be furnished fire personnel.

IX. REPLACEMENT OF EQUIPMENT AND CLOTHING.

1. The City will replace all City-owned or provided safety equipment  clothing. (Except as in (2) below)
2. The City may require the employee to pay all or part of the replacement costs of equipment and clothing if the employee is found to be negligent or to have intentionally damaged the item.
3. The City will not replace items owned by an employee which have been damaged or lost while performing City work.

X. FIRE PREVENTION

- A. Fire Extinguishers: Extinguishers will be installed, maintained and recharged when necessary in all City-owned vehicles and in strategic locations in City-owned public buildings. All extinguishers will be of a type approved by the Fire Department and installed where recommended by that agency.
- B. Gas Appliance Inspections: All gas appliances located in City-owned buildings, whether public or residential, will be inspected annually to determine whether they may be operated safely.
- C. Employees shall practice good housekeeping at all times, giving special attention to the handling, storage and disposal of wiping rags, paints, solvents, petroleum products and other inflammables.

Periodic fire prevention inspections of all areas will be made by the Fire Department.

XI. EQUIPMENT OPERATION

1. When required by law, employees must have in their possession unexpired California Drivers' Licenses, when driving City-owned vehicles or while driving their own vehicles on City business.

XI. EQUIPMENT OPERATION (Continued)

- . Department heads may require evidence that employees are properly licensed.
2. While using City equipment or representing the City, employees will observe all laws and follow all safe operating procedure. Employees must not be permitted to operate equipment until instructed in its proper use.
3. Employees involved in accidents with City-owned equipment must report the incident to the appropriate law enforcement agency immediately, regardless of the severity of the mishap. In addition the employee shall report the accident as promptly as possible to his supervisor. The employee, when appropriate, will assist others involved, display flares, get names of witnesses and cooperate with the authorities in charge.

XII. OVER-ALL RESPONSIBILITY

Each department head has over-all responsibility for getting his department's work done with maximum reasonable safety to employees, equipment, and property. Nothing in this order or omitted from it shall be construed to alter that basic responsibility.

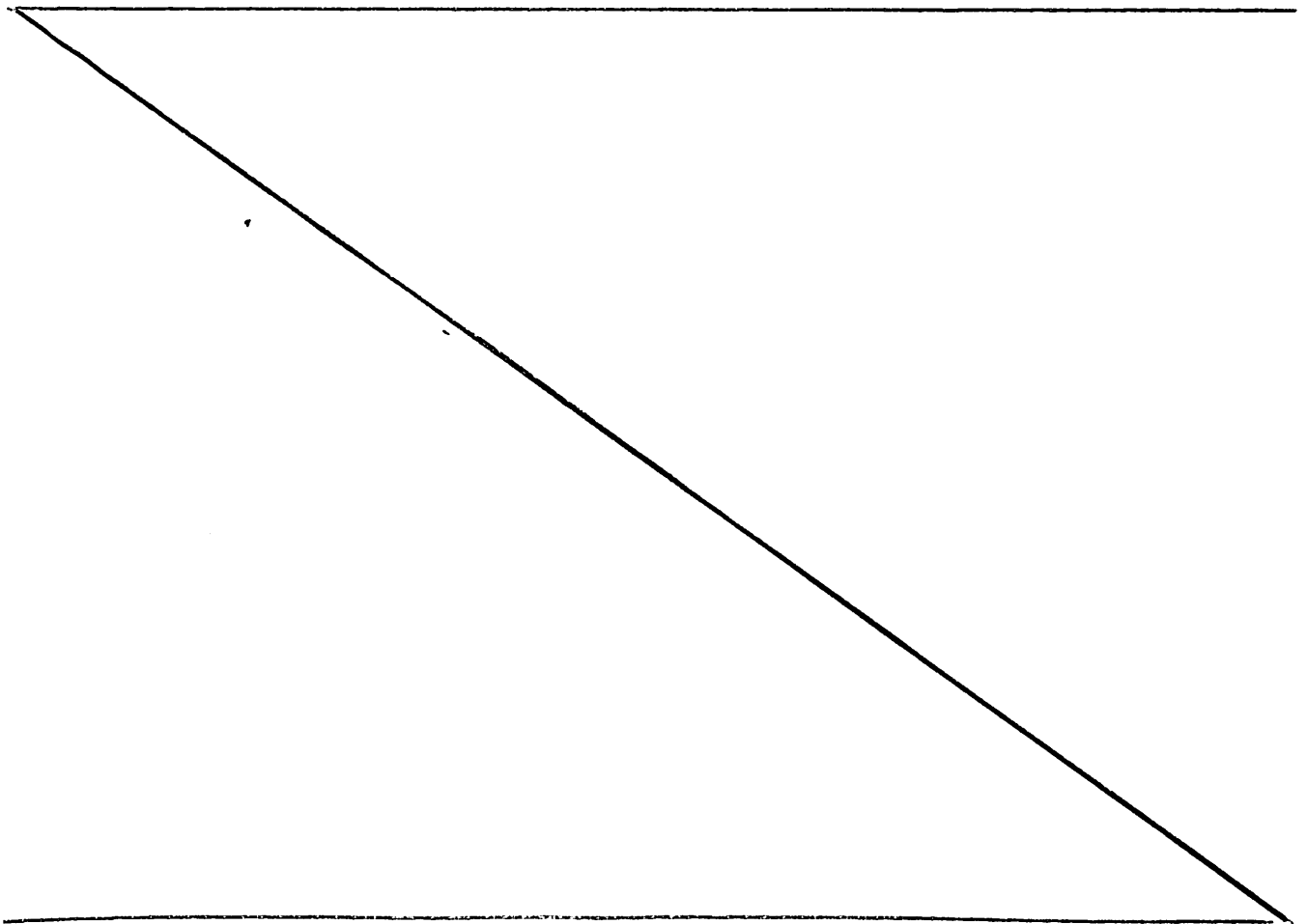
MODESTO CITY COUNCIL  
RESOLUTION NO. 63-99

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS LORENZEN PARK ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on January 23, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as LORENZEN PARK ADDITION, and described as follows:



LORENZEN PARK ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the DOWNEY HIGH SCHOOL SITE ADDITION, as per resolution of the Stanislaus County Board of Supervisors filed July 27, 1950, as Instrument 16443, Stanislaus County Records, and by the Southwestern corner of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South  $89^{\circ} 55'$  East, 895.89 feet, to the Western line of the WYLIE ADDITION, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records; thence along the Western line of the Wylie Addition, South  $0^{\circ} 35'$  East, 822.88 feet, to the Southwestern corner of the Wylie Addition and the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North  $89^{\circ} 56' 15''$  West, 897.43 feet, to a point on the Eastern line of the Downey High School Site Addition, said point also being on the Center Line of a 40 foot Public Road known as Brighton Avenue; thence along the existing City Limits and the Center Line of Brighton Avenue and its Northerly extension, North  $0^{\circ} 29'$  West, 823.19 feet, to the point of beginning, containing 16.941 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on January 22, 1963, consider the proposed annexation boundaries of said LORENZEN PARK ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 8th day of April, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

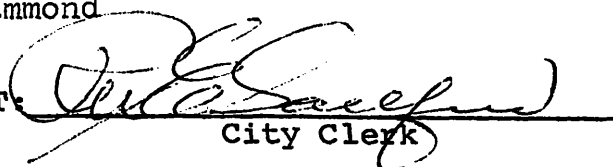
9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Jdansen, Mitchell, Shastid, Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 100

**A RESOLUTION EXTENDING THE LIMITS IMPOSED BY  
THE DEVELOPMENT SCHEDULE APPROVED AS PART OF  
PLANNED DEVELOPMENT ZONE, P-D(10). (ROBERTS)**

WHEREAS, by Ordinance No. 543-C.S., effective December 25, 1962, the Council amended Section 21 of the Zoning Map reclassifying property from One-Family Zone, R-1, to Planned Development Zone, P-D(10), as requested by Emmett L. and Caryl V. Roberts, and

WHEREAS, the development schedule approved as part of said P-D(10) Zone called for construction of Phase I to begin on or before April 1, 1963, and be completed on or before January 1, 1964, and construction of Phase II to begin on or before January 1, 1964, and be completed on or before September 1, 1965, and

WHEREAS, a letter has been received by the Planning Department dated February 11, 1963, requesting an extension of the limits imposed by the development schedule to permit time for site clearance, weather conditions and preparation of final specifications, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after consideration of the matter on February 19, 1963, it was determined by the Planning Commission that good cause has been shown by the applicants for their inability to meet the approved development schedule, and

WHEREAS, by Resolution No. 901, adopted February 19, 1963, the Planning Commission recommended to the Council that the limits imposed by the development schedule approved

as part of Planned Development Zone, P-D(10), be extended to provide that construction of Phase I be started on or before July 1, 1963, and be completed on or before April 1, 1964, and construction of Phase II be started on or before April 1, 1964, and be completed on or before December 1, 1964,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-569, adopted November 26, 1962, as part of Planned Development Zone, P-D(10), shall be extended as follows:

Phase I. Construction shall begin on or before July 1, 1963, and be completed on or before April 1, 1964.

Phase II. Construction shall begin on or before April 1, 1964, and be completed on or before December 1, 1964.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-569 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Shastid, Tabbert, Mayor pro tempore VanderWall
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Mayor Hammond

ATTEST:

  
City Clerk

(SEAL)

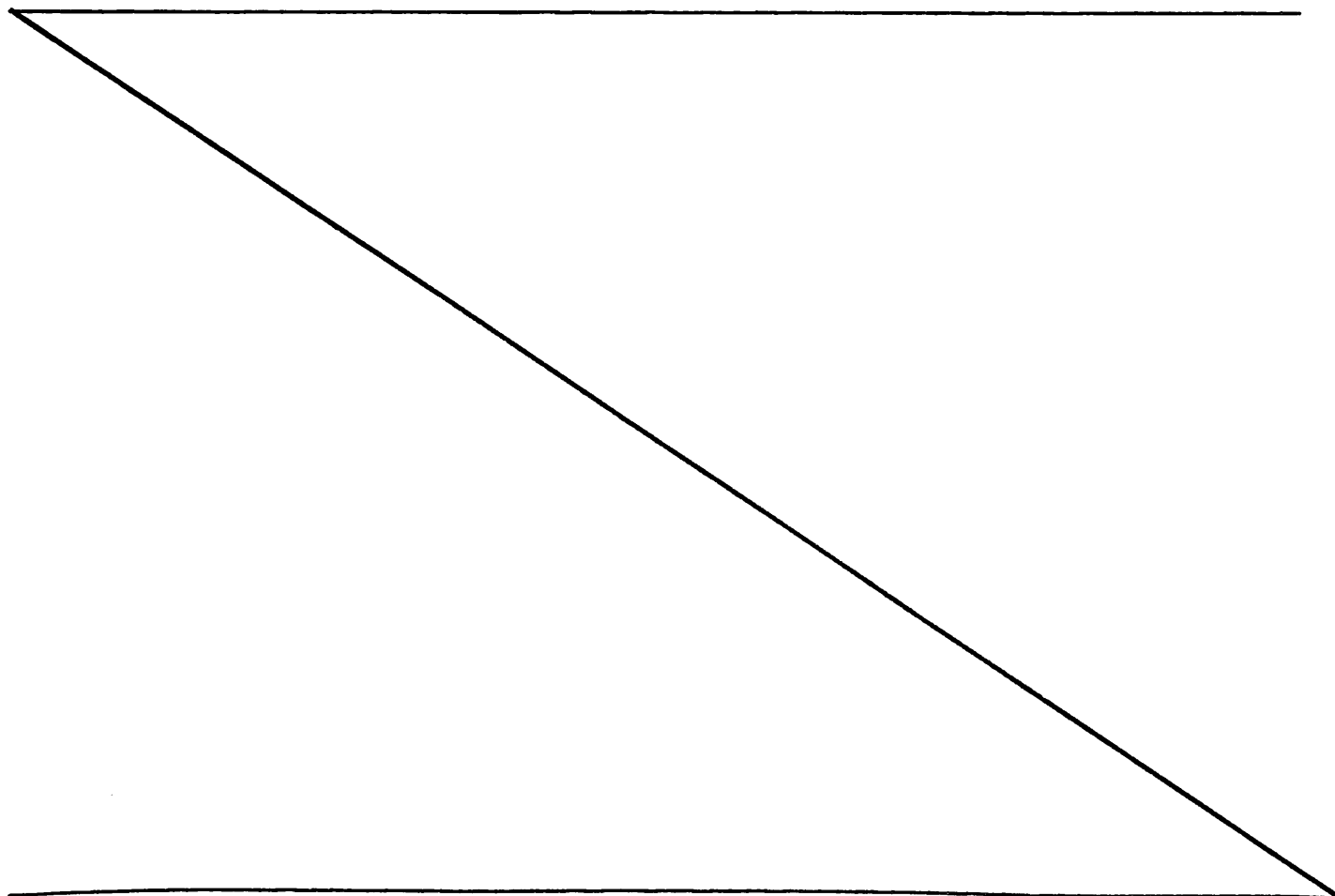
MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 101

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CRESTVIEW NO. 3 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on November 27, 1962, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as CRESTVIEW NO. 3 ADDITION, and described as follows:



6/21/62

CRESTVIEW NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, and the Southeastern corner of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records; thence along the Northern line of the Lorenzen Addition and the existing City Limits, North  $89^{\circ} 58'$  West, 150.02 feet, to the Southeastern corner of the Crestview Addition, as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records; thence along the Eastern line of said Crestview Addition and the existing City Limits, North 108.34 feet, to the Northeastern corner of the Crestview Addition; thence along the Northern line of the Crestview Addition and the existing City Limits, West 70.00 feet, to the Southeastern corner of the Crestview No. 2 Addition, as per description filed February 5, 1963, as Instrument 4470, Stanislaus County Records; thence along the Eastern line of the Crestview No. 2 Addition and the existing City Limits, North  $1^{\circ} 35' 05''$  West, 65.86 feet, and North  $12^{\circ} 20'$  East, 159.83 feet, to the Northeastern corner of Crestview No. 2 Addition, and the Northern line of Downey Park No. 1 Subdivision; thence along the Northern line of the Downey Park No. 1 Subdivision and its Easterly extension, East 184.35 feet, to the Northeastern corner of said subdivision; thence along the Eastern line of said subdivision, South  $0^{\circ} 35'$  East, 330.43 feet, to the point of beginning, containing 1.429 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on November 27, 1962, consider the proposed annexation boundaries of said CRESTVIEW NO. 3 ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 8th day of April, 1963, at the hour of 8:05 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.


8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:   
City Clerk

(SEAL)

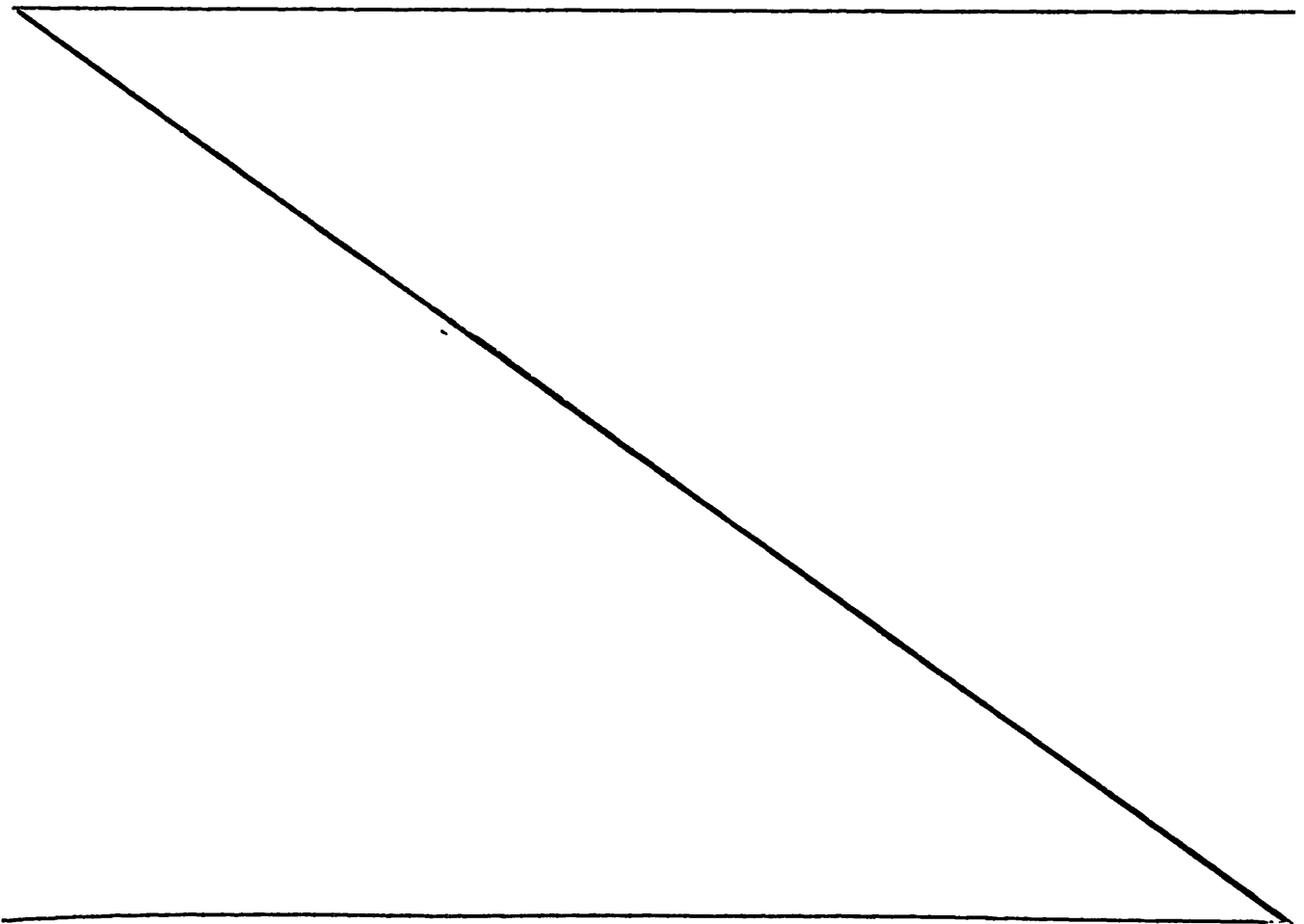
MODESTO CITY COUNCIL  
RESOLUTION NO. 63-102

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CATHERINE EVERETT SCHOOL ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on February 5, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as CATHERINE EVERETT SCHOOL ADDITION, and described as follows:



CATHERINE EVERETT SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of the Northeast quarter of Section 18, Township 3 South Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northwestern corner of the BLOMDAHL ADDITION, as per description filed June 14, 1962, as Instrument 23005, and by the Southeastern corner of the CORNWELL ADDITION, as per description filed December 29, 1960, as Instrument 36792, Stanislaus County Records, said point being on the Western line of a 40 foot Public Road known as Carver Road; thence along the existing City Limits and the Eastern line of the Cornwell Addition, North  $0^{\circ} 46' 30''$  West, 661.47 feet, to a point on the Easterly extension of the Northern line of Mount Vernon Drive, as shown on the map of the Skylane Park Unit No. 2 Subdivision, as per map filed December 5, 1961, in Volume 19 of Maps, Page 89, Stanislaus County Records; thence South  $89^{\circ} 12' 09''$  East, 20.01 feet, to the Center Line of Carver Road; thence North  $89^{\circ} 13' 30''$  East, 20.00 feet, to a point on the Eastern line of Carver Road and the Northwestern corner of property conveyed to Arthur J. Wylie, et ux, by Deed recorded June 14, 1962, as Instrument 23133, Stanislaus County Records; thence along the Northern line of said Wylie property, North  $89^{\circ} 13' 30''$  East, 25.00 feet; thence on a tangent curve concave to the North, having a Radius of 1070.00 feet, a Central Angle of  $10^{\circ} 25' 27''$ , and a Length of 194.67 feet; thence North  $78^{\circ} 48' 03''$  East, 527.19 feet; thence on a tangent curve concave to the South, having a Radius of 930.00 feet, a Central Angle of  $12^{\circ} 18' 12''$ , and a Length of 199.70 feet; thence South  $88^{\circ} 53' 45''$  East, 8.38 feet, to the Northeastern corner of the Wylie property; thence along the Eastern line of the Wylie property, South  $0^{\circ} 26' 15''$  East, 20.00 feet, to the Northwestern corner of property conveyed to the Modesto City School District of Stanislaus County, by Final Judgment in Condemnation recorded January 26, 1962, as Instrument 3412, Stanislaus County Records; thence along the Northern line of the School property, South  $88^{\circ} 53' 45''$  East, 580.97 feet, to a point on the existing City Limits as established by the Western line of the GREGORY GARDENS NO. 3 ADDITION, as per description filed March 4, 1958, as Instrument 5409, Stanislaus County Records; thence along the existing City Limits as established by the said Gregory Gardens No. 3 Addition and by the GREGORY GARDENS ADDITION, as per description filed August 30, 1955, as Instrument 25171, Stanislaus County Records, South  $0^{\circ} 35' 15''$  East, 792.34 feet, to a point on the East-West quarter line of Section 18, said point being on the existing City Limits as established by the Northern line of the GREGORY GARDENS NO. 2 ADDITION, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence along the existing City Limits, the quarter line of Section 18 and the Northern line of Gregory Gardens No. 2 Addition, North  $89^{\circ} 12' 15''$  West, 323.77 feet, to the Northeastern corner of the aforementioned Blomdahl Addition; thence continuing along the quarter line and the existing City Limits as established by the Blomdahl Addition, North  $89^{\circ} 12' 15''$  West, 1239.01 feet, to the Western line of Carver Road and the point of beginning, containing 28.188 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on January 22, 1963, consider the proposed annexation boundaries of said CATHERINE EVERETT SCHOOL ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County upon its annexation to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 8th day of April, 1963, at the hour of 8:10 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-103

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$12,000  
FOR WATER LINE EXTENSIONS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

GENERAL FUND (101)


FROM:	Water (50) Sand Trap Sta. #9 (503)	\$3,500	
	Engineering & Administration (41)		
	Salaries & Wages (110) Regular	3,500	
	Sewer (52) Equip. Rental Charges (218)	1,000	
	Streets (51) Equip. Rntl. Chgs (218)	1,000	
	Sewage Disposal (53) Utilities (210)	<u>3,000</u>	
			\$12,000
TO:	Water (50) Equip. Rntl. Chgs. (218)	\$6,000	
	New Services (503)	<u>\$6,000</u>	
			\$12,000

For water line extensions

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
25th day of February, 1963, by Councilman Mitchell,  
who moved its adoption, which motion being duly seconded by  
Councilman Johansen, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-104

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR A POLICE-COMMUNICATIONS BUILDING FOR THE CITY OF MODESTO

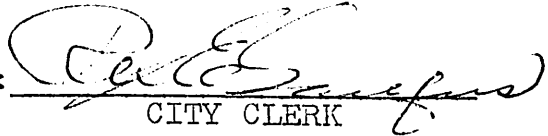
BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for a police-communications building, Project APW-Calif-38G, as submitted by architect Milton T. Pfleuger, plans designated as, "Modesto Police-Communications Building, Project APW-Calif-38G, Modesto, California," dated December 21, 1962, as revised on February 15, 1963, Sheets A-1 to A-10, S-1 to S-10, M-1 to M-4, E-1 to E-3 and L-1 and L-2, and specifications designated as, "Contract Documents and Specifications for Police-Communications Building, Modesto, California," dated December 21, 1962 and revised February 15, 1963, copies of which are on file in the office of the Public Works Director be, and they are hereby accepted and approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of February, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-105

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALLING FOR BIDS FOR CONSTRUCTION OF A POLICE-COMMUNICATIONS  
CENTER BUILDING

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for construction  
of a Police-Communications Center Building,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to  
call for public competitive sealed bids for the above named  
project, to be opened in the office of the City Clerk, 801 11th  
Street, in the City of Modesto, on March 26, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council at  
its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 25th  
day of February, 1963, by Councilman Tabbert,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, Mayor  
pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Mayor Hammond

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-106

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER LINE TO SERVE  
SHERWOOD FOREST NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for construction of water line to serve Sherwood Forest No. 2 Subdivision,  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 19, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-107

A RESOLUTION ACCEPTING THE BID OF DEAN JONES, INC. FOR  
AUTOMOTIVE EQUIPMENT

WHEREAS, Resolution No. 63-63, adopted by the Council  
of the City of Modesto on February 4, 1963, approved the  
plans and specifications for the purchase of automotive equipment  
and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment  
were opened at 2:00 P.M., Feb. 26, 1963, and later tabulated by  
the <sup>Finance</sup>~~PUBLIC WORKS~~ Department for the consideration of the Council,  
and


<sup>Purchasing Agent</sup>  
WHEREAS, the ~~PURCHASING AGENT~~ has recommended that  
the bid of Dean Jones, Inc. for Item 1, 4-dr sedan, \$1,355.52,  
Item 2, 4-dr sedan, \$1,380.52, Item 4, 4-dr sedan, \$1,355.52 and  
Item 5, 4-dr sedan, \$1,730.52 for a total of \$5,322.08, all items  
to include laminated glass,  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Dean Jones, Inc.  
for Items 1, 2, 4 and 5, all with laminated glass, for the total  
sum of \$5,822.08, including tax and trade-in  
be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 4th day of  
February, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Councilman  
Patton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-108

A RESOLUTION ACCEPTING THE BID OF GRISWOLD & WIGHT FOR  
AUTOMOTIVE EQUIPMENT

WHEREAS, Resolution No. 63-63, adopted by the Council  
of the City of Modesto on February 4, 1963, approved the  
plans and specifications for the purchase of automotive  
equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment  
were opened at 2:00 P.M., Feb. 26, 1963 and later tabulated by  
the ~~Public Works~~ Finance Department for the consideration of the Council,  
and

Purchasing Agent  
WHEREAS, the ~~Public Works~~ has recommended that  
the bid of Griswold & Wight for Item 11, 2 ton dump truck, \$3,668.91,  
Item 12, 2 ton dump truck, \$3,668.91 and Item 13A, Falcon Station  
Bus, \$1,753.11, for a total sum of \$9,090.93, all items without  
laminated glass  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Griswold &  
Wight for Items 11, 12 and 13A, all without laminated glass, for  
the total sum of \$9,090.93, including tax and trade-in  
be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 4th day of  
March, 1963, by Councilman ~~XXXXXX~~ VanderWall,  
who moved its adoption, which motion being duly seconded by Councilman  
Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-109

A RESOLUTION ACCEPTING THE BID OF HELM CHEVROLET COMPANY FOR  
AUTOMOTIVE EQUIPMENT

WHEREAS, Resolution No. 63-63, adopted by the Council  
of the City of Modesto on February 4, 1963, approved the  
plans and specifications for the purchase of automotive  
equipment  
and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment  
were opened at 2:00 P.M., Feb. 26, 1963, and later tabulated by  
Finance  
the ~~PUBLIC WORKS~~ Department for the consideration of the Council,  
and

Purchasing Agent  
WHEREAS, the ~~PUBLIC WORKS~~ has recommended that  
the bid of Helm Chevrolet Company for Items 3 and 6, 4-dr sedans,  
\$1,739.60 each, Items 7 and 8,  $\frac{1}{2}$  ton pickups, \$1,233.75 each, Item  
9, 1 ton pickup, \$1,903.77, Item 10,  $\frac{1}{2}$  ton pickup, \$1,283.75, Item  
14, 2-dr sedan, \$1,518 and Item 15, 2-dr sedan, \$1,492, total \$12,144.22  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Helm Chevrolet  
Company for Items 3, 6, 7, 8, 9, 10, 14 and 15 for a total sum of  
\$12,144.22, including tax and trade-in, all items to include  
laminated glass  
be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 4th day of  
March, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Councilman  
Mitchell, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-110  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND TRUST FUNDS, INC. FOR LEASE BY THE CITY OF THE MODESTO PLYMOUTH PARKING LOT (east side of 9th Street, between J and K Streets)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Trust Funds, Inc.

for lease by the City of the Modesto Plymouth Parking Lot, located on the east side of 9th Street, between J and K Streets, for a term of ten (10) years commencing September 1, 1963, for a rental of \$550 per month, commencing on the 1st day of November, 1963

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-111

A RESOLUTION AUTHORIZING THE RELEASE OF THE FIREMAN'S FUND  
INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS  
IN MAYFAIR ESTATES UNIT NO. 2 SUBDIVISION

WHEREAS, Lance. E. and Carol L. Ellis, subdividers of Mayfair  
Estates Unit No. 2 Subdivision, have filed with the City of Modesto  
a subdivision bond to guarantee the improvements in theaforesaid  
subdivision, and

WHEREAS, the Director of Public Works has reported that the  
improvements have been completed in the aforesaid subdivision to his  
satisfaction, and has recommended the release of the subdivision  
bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Fireman's Fund  
Insurance Company Subdivision Bond No. C-6082777 in the sum of  
\$75,000 filed by Lance E. and Carol L. Ellis, to guarantee the  
improvements in Mayfair Estates Unit No. 2 Subdivision be, and it  
is hereby released.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 4th day of  
March, 1963, by Councilman Johansen, who moved its adoption,  
which motion being duly seconded by Councilman Mitchell,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-112

A RESOLUTION AUTHORIZING THE RELEASE OF THE FIREMAN'S FUND  
INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS  
IN MAYFAIR ESTATES UNIT NO. 1 SUBDIVISION

WHEREAS, Lance E. and Carol L. Ellis, subdividers of Mayfair Estates Unit No. 1 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Fireman's Fund Insurance Company Subdivision Bond No. C-6082723 in the sum of \$41,000 filed by Lance E. and Carol L. Ellis, to guarantee the improvements in Mayfair Estates Unit No. 1 Subdivision be, and it is hereby released.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-113

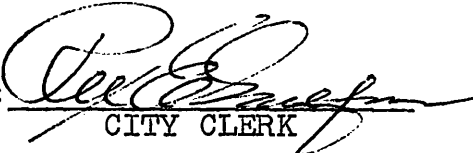
A RESOLUTION SETTING THE TIME AND PLACE FOR HEARING BY THE MODESTO CITY COUNCIL ON THE CONSTRUCTION OF CURB AND GUTTER AT 119 WILSON AVENUE (Lot E, Block 2016)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that a public hearing on the construction of curb and gutter at 119 Wilson Avenue, (Lot E, Block 2016) be set for 4:30 P.M., Monday, March 18, 1963 in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

ACCEPTANCE OF THE GRANT OFFER

WHEREAS, there has been filed with the Government in behalf of

CITY OF MODESTO

(herein called the Applicant) an application, Project Number APW-CALIF-38G

dated October 19, 1962, for Federal assistance under the Public Works Acceleration Act, Public Law 87-658, and the UNITED STATES OF AMERICA, acting by and through the Regional Director of Community Facilities, has transmitted to the Applicant for acceptance a Grant Offer dated February 21, 1963 of Federal assistance in connection with the Project referred to in said application and described in said Offer; and

WHEREAS, said Grant Offer has been fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records; and

WHEREAS, it is deemed advisable and in the public interest that said Grant Offer be accepted;

NOW, THEREFORE, be it Resolved by the City Council of the City of Modesto  
(Name of Applicant)

that the said Grant Offer, a true and correct copy of which, including the ~~Special Conditions and the~~ Terms and Conditions, is hereto attached, be and the same hereby is accepted without reservation or qualification and BE IT FURTHER RESOLVED that the applicant will within sixty (60) days from the above date furnish the Government satisfactory evidence that its share of the project cost is available or that firm and binding arrangements have been entered into to provide such funds as they are needed to meet project costs and that the applicant agrees that its failure to do so will automatically cancel the Grant Offer and this Acceptance thereby releasing Federal Government from any and all claims or liabilities in connection with this Grant and/or project.

Passed by the aforementioned governing body of the Applicant on the 4th day of March, 1963.

CITY OF MODESTO, a municipal corporation

Date March 5, 1963 (Signed) [Signature] By: [Signature]  
(Name of Officer Required to Approve)  
ROSS MILLER

Title: City Manager

Approved as a Valid Acceptance of the above-mentioned Grant Offer

Applicant's Attorney  
ALLEN GRIMES, City Attorney  
Address:

801 - 11th Street, Modesto, California

CERTIFICATE


I, the undersigned, the duly qualified and acting Secretary of  
the City Council  
(City Council, Board of Trustees, etc. Fill in proper designation)  
of City of Modesto  
(Name of Applicant)

and Custodian of the records of said body, including its journal of  
proceedings, do hereby certify:

1. That the attached Resolution No. 63-114 is a true  
and correct copy of a Resolution as finally adopted at a  
Regular meeting  
(Regular or special. Indicate which.)  
of the City Council of City of Modesto,  
(Governing Body) (Applicant)  
that said Resolution has not been amended, modified or  
rescinded, and is now in full force and effect;

2. That said meeting was duly convened and held in all respects  
in accordance with law and, to the extent required by law,  
due and proper notice of such meeting was given; that a legal  
quorum was present throughout the meeting and a legally suffi-  
cient number of the aforesaid governing body voted in the  
proper manner for adoption of said Resolution; that all other  
requirements and proceedings under the law incident to the  
proper adoption or passage of said Resolution, including the  
publication, if required, have been duly fulfilled, carried  
out, and otherwise observed; that I am authorized to execute  
this Certificate; and that the seal of City of Modesto  
(Name of Applicant)  
is hereto affixed and this Certificate is hereby executed  
under such official seal.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th  
day of March, 19 63.

(Sign)   
~~(Print or type name and title of~~  
~~Executing Officer)~~  
City Clerk

REX E. GAILFUS  
(Typewritten Name)

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

ACCELERATED PUBLIC WORKS PROGRAM

Project No. APW-CALIF-38G  
Offer Date FEB 21 1963  
Contract No. H-602-1685

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GRANT OFFER


Subject to the Terms and Conditions, dated 10-31-62, attached hereto and made a part hereof as Exhibit "A", the Housing and Home Finance Agency, hereinafter referred to as the Government, hereby offers to make a grant of \$354,500 or 50 percent of the eligible project cost, whichever is the lesser, to City of Modesto (herein called the "Applicant"), in order to aid in financing the construction of essential public works or facilities presently estimated to cost \$781,000, consisting of construction of City-owned office and communications building, including appurtenant and related facilities (herein called the "Project"): Provided, that in the event the actual eligible project cost as determined by the Government upon completion is less than \$709,000, the amount of the grant shall be reduced so that the grant amount shall not exceed the above percentage of the actual eligible project cost.

Upon acceptance, this Offer, together with the Terms and Conditions referred to, shall become the "Grant Agreement".

Prior to disbursement of any Government grant monies hereunder, the Applicant shall have the right to terminate this Grant Agreement effective fifteen days after giving notice of termination to the Government. The Government shall have the right to terminate this Grant Agreement, effective upon fifteen days notice thereof to the Applicant, whenever it determines that the Applicant has failed to proceed promptly with the construction and financing of the project.

This Offer must be accepted within fifteen days from the above date.

Housing and Home Finance Agency  
Community Facilities Administration

By   
Acting Regional Director of  
Community Facilities

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

TERMS AND CONDITIONS

Constituting Part of the Grant Agreement Providing for  
the Financing and Construction of Public Works or Facilities  
Under the Public Works Acceleration Act, Public Law 87-658.

Section 1. Definitions. As used in these Terms and Conditions:

"Government" means the United States of America.

"Project" means the Public Works or Facilities covered by the  
Grant Agreement.

"Grant Agreement" means the contract between the Government and  
the Applicant covering the Project and includes both these  
Terms and Conditions and other contract instruments.

"Applicant" means the public entity designated in the Grant  
Agreement.

"Project Costs" means the cost of construction work for the Project,  
cost of necessary architectural/engineering services, legal,  
administrative and clerical costs, cost of land acquisition,  
necessary travel expenses, interest during construction and  
development, and other necessary miscellaneous expenses, all  
as determined by the Government.

"Eligible Project Costs" means Project Costs less the cost of land,  
rights-of-way, initial operating supplies and equipment with the  
exception of those items directly or reasonably required for  
the completion of construction, planning financed by a Planning  
Advance under Section 702 of the Housing Act of 1954, as amended,  
and any other ineligible miscellaneous expenses, all as deter-  
mined by the Government.

"Depository Bank" means a bank or trust company which is a member  
of the Federal Deposit Insurance Corporation.

Section 2. Prerequisites to Government's Obligations. The Government shall be  
under no obligation to disburse funds under the Grant Agreement if:

- (a) Representations. Any representation made by the Applicant to the Government in connection with the application shall be incorrect or incomplete in any material respect, or the Government determines that the Applicant has failed to proceed promptly with Project financing or construction;
- (b) Concurrence by Government. The Applicant, having submitted to the Government any of the documents mentioned in Section 10 hereof which under the established procedures require the Government's prior approval, shall have proceeded to make related expenditures or incur related obligations without having been advised by the Government that the same are satisfactory; it being the purpose of this provision to insure that no action will be taken in the development of the Project which would result in legal or contractual violation rendering it impossible for the Government to make the grant hereunder or for the parties to accomplish the objects of the Grant Agreement;
- (c) Prohibited Interests. If any official of the Applicant who is authorized in such capacity and on behalf of the Applicant to negotiate, make, accept or approve, or to take any part in negotiating, making, accepting, or approving any architectural, engineering, inspection, construction, materials, supply, or equipment contract or any subcontract in connection with the construction of the Project, shall become directly or indirectly interested personally in any such contract or subcontract, or if any official, employee, architect, attorney, engineer or inspector of or for the Applicant who is authorized in such capacity and on behalf of the Applicant to exercise any legislative, executive, supervisory or other functions in connection with the construction of the Project, shall become directly or indirectly interested personally in any construction, materials, supply, equipment or insurance contract, in any subcontract or any other contract pertaining to the Project.

Section 3. Applicant's Funds. The Applicant shall initiate and prosecute to completion all proceedings necessary to enable the Applicant to provide its share of the Project Costs on or prior to the time that such funds are needed to meet project costs.

Section 4. Legal Matters. The Applicant shall take all actions necessary to enable it to finance, construct, and develop the Project in due time, form, and manner as required by law and the Grant Agreement.

Section 5. Prerequisites to Grant Disbursements. Prior to the Government disbursing any portion of the grant proceeds, the Applicant shall present satisfactory evidence that:

- (a) It has obtained, or can obtain, all land, rights-of-way, easements, permits, franchises, Federal, State, County, and Municipal approvals required in connection with the construction and operation of the Project, including approval of the final plans and specifications by the appropriate State authorities;
- (b) It has the funds or a firm and binding commitment to provide its share of the Project Costs;
- (c) It has deposited into the Construction Account, in addition to the grant proceeds, any portion then available of the funds to be furnished by the applicant to meet its share of the Project Costs and that it will promptly deposit any remaining portion of its share of Project Costs in order that all payments in connection with the Project can be made as the same become due;
- (d) The Project can be completed at a total cost satisfactory to the Government which will be within the amount of funds available therefor;
- (e) The applicant (1) has formally amended its capital improvement plan, budget or other schedule, or is in the process of so amending it, to incorporate the increase in its planned net expenditures for capital improvements pursuant to the resolution furnished with the grant application; (2) has secured, or is in the process of securing, approval of the amendments by any State or other public body having authority in such matters; and (3) has arranged for, or is proceeding expeditiously to obtain, the funds needed for such increase in expenditures.

Section 6. Grant Disbursements. The Applicant may requisition disbursements against the grant as follows:

- (1) 25% upon approval of the award of the construction contract(s).
- (2) 50% when construction is 50% complete.
- (3) 15% upon final inspection.
- (4) 10% after Project completion and audit, subject to adjustment to reflect the actual cost as determined by the Government.

Such requisitions shall be accompanied by such supporting data as the Government may require and shall be honored by the Government, subject to the provisions of the Grant Agreement. No request for review of a determination of the Government affecting the grant payable under the Agreement will be considered unless such request is received by the Government not later than three months following notice to the Applicant of such determination.

All accounting records including bank deposit slips, cancelled checks and other supporting documents and construction contract awards shall be retained intact for audit or inspection by the Government's authorized representatives.

**Section 7. Construction Account.** The Applicant shall set up in a Depository Bank, or with the fiscal agency of the Applicant fixed by law, a separate account or accounts (herein collectively called the "Construction Account") into which shall be deposited the proceeds of the Government grant and the funds required by the provisions of the Grant Agreement to be furnished by the Applicant to assure the payment of all Project Costs. Moneys in the Construction Account shall be expended only for such purposes as shall have been previously specified in the project cost estimates approved by the Government. The Applicant shall pay all Project Costs from the Construction Account.

Moneys in the Construction Account shall be secured by the Depository Bank in the manner prescribed by statutes relating to the securing of public funds. Where the moneys on deposit in the Construction Account exceed the estimated disbursements on account of the Project for the next 90 days, the Applicant may direct the Depository Bank to invest such excess funds in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States Government, which shall mature not later than 18 months after the date of such investment and which shall be subject to redemption at any time by the holder thereof. The earnings from any such investments shall be deposited in the Construction Account by the Applicant.

After completion of construction and payment of all costs of the Project any balance in the Construction Account shall remain therein pending determination by the Government of the total project cost and the Federal Grant. Such balance shall be used to refund promptly to the Government any overpayment made with respect to the Federal Grant. Any amount thereafter remaining shall be available for disposition by the Applicant in accordance with its other contractual agreements applicable State or local law or other governing conditions.

**Section 8. Prompt Procedure--Economic Construction.** The Applicant covenants and agrees that it will proceed promptly with all matters necessary to the financing and the development of the Project; and that the Project will be undertaken and developed in such manner that economy will be promoted in such development and in the construction work.

**Section 9. Approvals and Permits.** The Applicant shall obtain approvals and permits required by law as a condition precedent to the acquisition, construction, development, and operation of the Project.

**Section 10. Submission of Proceedings, Contract and Other Documents.** The Applicant shall submit to the Government such data, reports, records and documents relating to the construction, financing, and operation of the Project as the Government may require. Approval of the Government must be obtained prior to the assignment of any interest in or part of any contract relating to the Project.

**Section 11. Construction by Contract.** All work on the Project shall be done under contract and every opportunity shall be given for free, open and competitive bidding for each and every construction, material, and equipment contract. The Applicant shall give such publicity by advertisement or calls for bids by it for the furnishing to it of work, labor, materials, and equipment as required by applicable law and as will provide adequate competition; and the award of each contract therefor shall be made, after approval by the Government to the lowest responsible bidder as soon as practicable; Provided, that in the selection of equipment or materials the Applicant may, in the interest of standardization or ultimate economy, if the advantage of such standardization or such ultimate economy is clearly evident, award a contract to a responsible bidder other than the lowest in price. The Applicant shall obtain the concurrence of the Government before approving subcontracts relating to the Project.

(a) Contracts and subcontracts shall provide for submission of employment and other data relating to construction of the project as the Applicant may require.

(b) The Applicant shall include in each of its construction contracts a provision requiring the contractor insofar as practicable to give preference in the hiring of workers for the project to qualified local labor.

Section 12. Changes in Construction Contract. Any change in a construction contract shall be submitted to the Government for approval. Construction contracts shall include a provision specifying that the above requirement will be met.

Section 13. Contract Security. The Applicant shall require that each construction contractor shall furnish a performance bond in an amount at least equal to 100 percent of his contract price as security for the faithful performance of his contract and also a payment bond in an amount not less than 50 percent of his contract price or in a penal sum not less than that prescribed by State, territorial, or local law, as security for the payment of all persons performing labor on the Project under his contract and furnishing materials in connection with his contract. The performance bond and the payment bond may be in one or in separate instruments in accordance with local law.

Section 14. Insurance During Construction. The Applicant shall require that each of its construction contractors and his subcontractors shall maintain, during the life of his contract, Workmen's Compensation Insurance, Public Liability and Property Damage Insurance in amounts and on terms satisfactory to the Government. The Applicant shall maintain Builder's Risk Insurance (fire and extended coverage) on a 100 percent basis on the insurable portions of the project for the benefit of the owner, prime contractor, and all subcontractors as their interest may appear, until the project is completed and is accepted by the Applicant.

Section 15. (a) Wage Rates: Upon receipt of the list of wage rates determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (Davis-Bacon Act, as amended), the Applicant shall include such list in all contracts calling for work on the Project and require adherence thereto. The Applicant shall also require of each of its contractors that such list shall be posted at appropriate conspicuous points on the site of the Project. Unless otherwise required by law, wage rates need not be listed for non-manual workers, including executive, supervisory, administrative and clerical employees.

If, after the award of the contract, it becomes necessary to employ any person in a trade or occupation not classified in the above list, such person shall be paid at not less than a rate to be determined by the Secretary of Labor.

Such approved minimum rate shall be retroactive to the time of the initial employment of such person in such trade or occupation. The contractor shall notify the Applicant of his intention to employ persons in trades or occupations not classified in sufficient time for the Applicant to obtain approved rates for such trades or occupations.

(b) Contract Work Hours: The Applicant shall comply with the provisions of the Contract Work Hours Standards Act (P.L. 87-581) which provides that the Applicant will also require of its contractors that no laborer or mechanic shall be required or permitted to be employed in such work in excess of eight hours in any calendar day or in excess of forty hours in any workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, whichever is the greater number of over-time hours.

Section 16. Payment of Employees. The Applicant shall require of its contractors that all employees engaged in work on the Project be paid in full (less deductions made mandatory by law) not less often than once each week.

Section 17. Wage Underpayments and Adjustments. The Applicant shall require of each of its contractors that, in cases of underpayment of wages by the contractor, the Applicant may withhold from such contractor out of payments due, an amount sufficient to pay workers employed on the work covered by his contract the difference between the wages required to be paid under the contract and the wages actually paid such workers for the total number of hours worked and may disburse such amounts so withheld by it for and on account of the contractor to the respective employees to whom they are due.

Section 18. Anti-Kickback Statute. The so-called Anti-Kickback Statute, Public Law No. 324, 73rd Congress, approved June 13, 1934 (48 Stat. 1948 as amended), and the regulations issued pursuant thereto, are a part of the Grant Agreement, and the Applicant shall comply, and require each of its contractors employed in the construction, prosecution, or completion of the Project to comply therewith, and to cause his subcontractors to do likewise.

Section 19. Accident Prevention. The Applicant shall require of its contractors that precaution shall be exercised at all times for the protection of persons

(including employees) and property, and that hazardous conditions be guarded against or eliminated.

Section 20. Supervision and Inspection. The Applicant shall provide and maintain on its own behalf competent and adequate architectural or engineering services covering the supervision and inspection of the development and construction of the Project.

Section 21. Nondiscrimination. The Applicant shall require that there shall be no discrimination against any employee who is employed in carrying out the Project, or against any applicant for such employment, because of race, religion, color or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Applicant shall insert the foregoing provision of this Section in all its contracts for Project work and will require all of its contractors for such work to insert a similar provision in all subcontracts for Project work; Provided, that the foregoing provision of this Section shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

The Applicant shall post at the Project, in conspicuous places available to employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause.

Section 22. Payments to Contractors. Not later than the fifteenth day of each calendar month the Applicant shall make a partial payment to each construction contractor on the basis of a duly certified and approved estimate of the work performed during the preceding calendar month by the particular contractor, but shall retain until final completion and acceptance of all work covered by the particular contract a reasonable amount, specified in the contract, sufficient to insure the proper performance of the contract.

Section 23. Audit and Inspection. The Applicant shall require of its contractors that the Government's authorized representatives be permitted, and it will itself permit them to inspect or audit all work, materials, payrolls, records of personnel, invoices of materials and other relevant data and records appertaining to the development of the Project; and shall permit the Government's authorized

representatives to inspect or audit the books, records, and accounts of the Applicant pertaining to the Grant and the development of the Project.

Section 24. Signs. The Applicant shall cause to be erected at the site of the Project, and maintained during construction, signs satisfactory to the Government identifying the Project and indicating the fact that the Government is participating in the development of the Project.

Section 25. Operation of Project. The Applicant covenants that it will operate and maintain the Project or provide for the operation and maintenance thereof, to serve the objects and purposes for which the Grant has been made available under the Federal law and the terms of the Grant Agreement.

Section 26. Surety. The Applicant covenants that each of its officials or employees having custody of Project funds during acquisition, construction, and development of the Project, shall be bonded at all times in an amount at least equal to the total funds in his custody at any one time.

Section 27. Interest of Third Parties. The Grant Agreement is not for the benefit of third parties. The Government shall not be obligated or liable hereunder to any party other than the Applicant.

Section 28. Interest of Members of or Delegates to Congress. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Grant Agreement or to any benefit arising therefrom.

Section 29. Bonus or Commission. By execution of the Grant Agreement the Applicant represents that it has not paid and, also, agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the Grant hereunder.

Section 30. State or Territorial Law. Anything in the Grant Agreement to the contrary notwithstanding, nothing in the Grant Agreement shall require the Applicant to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable State or territorial law: Provided, That if any of the provisions of the Grant Agreement violate any applicable State or territorial law, or if compliance with the provisions of the Grant Agreement would require the Applicant to violate any applicable State or territorial law, the Applicant will at once notify the Government in writing in order that appropriate changes and modifications may be made by the Government and the Applicant to the end that the Applicant may proceed as soon as possible with the construction of the Project.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-115

A RESOLUTION ESTABLISHING RATES AND CONDITIONS FOR PLAY ON THE MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE AND RESCINDING RESOLUTION NO. ~~KXHEEX~~ 62-524.

WHEREAS, the Council finds that by reason of increased costs of maintenance of the Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course, said courses are now being operated at a deficit, and the rates for players using said courses should be increased,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. RATES. The rates for players upon the Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course are hereby established as follows:

Monthly Unlimited Family Ticket, during months of November through January (husband and wife)	\$14.00
Monthly Unlimited Family Ticket, during months of February through October (husband and wife)	16.00
Monthly Unlimited Individual Ticket, during months of November through January	10.00
Monthly Unlimited Individual Ticket, during months of February through October	12.00
Monthly Student Ticket	4.00
Weekdays, for 18 holes	1.50
<u>Late Afternoon Rates</u>	
After 3 o'clock P.M. any day, during months of November, December, January and February	1.00
After 4 o'clock P.M. any day, during months of March and April	1.00
After 5 o'clock P.M. any day, during such time as Pacific Daylight Saving Time is in effect	1.00
Weekends and holidays	2.00
Weekdays for 9 holes (applies only to the Modesto Municipal 9 Hole Golf Course)	1.00

SECTION 2. TICKETS (a) Monthly Tickets. Each monthly ticket issued will become invalid on the last day of the month issued and will not be validated for play on the golf courses until the appropriate monthly rate has been paid.

(b) Complimentary Tickets. Complimentary tickets without fee may be issued by or under the direction of the Professional Golf Course Instructor and Manager to visiting professionals or others, for services rendered, or when in his opinion it will be for the advantage or best interest of the course to issue such complimentary tickets.

(c) Student Tickets. Student tickets are to be issued only upon presentation by holder of a current student body card, and shall be issued only to students who have not yet reached their twenty-first birthday. Student's tickets will not be valid on Saturdays, Sundays and holidays before noon. Students wishing to play during these periods shall be subject to the regular green fees.

No children shall be permitted on the golf course under the age of eight years. Any child from age eight to eleven desiring to play golf shall be accompanied by the parent or adult.

SECTION 3. HOLIDAYS. "Holidays" as used herein, shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day and Christmas Day.

SECTION 4. SIGNS. The Professional Golf Course Instructor and Manager be, and he is hereby authorized and directed to post a sign in a conspicuous place informing all golfers of the established greens fees.

SECTION 5. EFFECTIVE DATE. Said rates as herein established are to be effective as of March 5, 1963.

SECTION 6. REPEALS. Resolution No. ~~XXXXX~~ adopted on August 7, 1961 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Shastid

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-116

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE LANE AND GENEVIE LANE FOR WIDENING OF TULLY ROAD (Project No. 55-9, Parcel 6074-5)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and George Lane and Genevie Lane

for widening of Tully Road (Project No. 55-9, Parcel 6074-5)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 19 63, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-117  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND TITLE INSURANCE AND TRUST COMPANY FOR RENTAL OF REAL PROPERTY TO THE CITY OF MODESTO (12th and I Street Parking Lot, northeast corner) FOR THE PERIOD MARCH 1, 1963 THROUGH DECEMBER 31, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the <sup>lease</sup>/agreement between the City of Modesto and Title Insurance and Trust Company

for rental of real property to the City of Modesto for the 12th and I Street Parking Lot, northeast corner, at a rental rate of \$80 per month for the period March 1, 1963 through December 31, 1963

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said <sup>lease</sup>/agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-118

A RESOLUTION AUTHORIZING THE GRANTING OF A UTILITY  
EASEMENT TO MODESTO IRRIGATION DISTRICT

WHEREAS, a utility easement is needed by the Modesto Irrigation District in order to provide utility service across a five foot parcel of land along the southerly boundary of the park adjacent to the Everett Grammar School in order to serve the area,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the granting of a utility easement across the south boundary of the park adjacent to Everett Grammar School to the Modesto Irrigation District be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-119

A RESOLUTION CONFIRMING THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE BUILDING LOCATED AT 102 SPRUCE STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (W. J. BROWN)

WHEREAS, the Uniform Building Code, 1958 Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203(a) of the Uniform Building Code, 1958 Edition, establishes a procedure whereby the City Council may order the Building Official to proceed with the demolishing and removing of buildings and structures which are unsafe or dangerous to human life and declared to be a public nuisance after the giving of due notice to the owners of said property, and

WHEREAS, the Council did, on September 17, 1962, adopt its Resolution No. 62-437, directing the Building Official to proceed with said work, as provided therein, and

WHEREAS, the Director of Public Works proceeded to complete the said work in accordance with Council Resolution No. 62-437, and

WHEREAS, March 4, 1963, at 4:30 P.M. in the Council Chambers, located in the City Hall, 801 11th Street, Modesto, California, was set as the time and place for hearing and passing upon a report of the Director of Public Works with respect to the demolishing and removing of the building located on said piece of property, and

WHEREAS, on the completion of said hearing, said Council confirmed the report of the Director of Public Works as submitted, and on file in the office of the City Clerk, the cost

of said work being determined in the total amount of Five Hundred Forty-Six and No/100ths (\$546.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of Five Hundred Forty-Six and No/100ths (\$546.00) Dollars, be assessed as a lien against the parcel of real property located at 102 Spruce Street in the City of Modesto, County of Stanislaus, State of California, and more particularly described as follows:

All of Lots 15 and 16 of Block 411 of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 411, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 203(e) of the Uniform Building Code, 1958 Edition, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The City Clerk shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the assessment book to the County Board of Equalization. The lien shall be collected in accordance with Section 203(e) of the Uniform Building Code and shall be collected in the manner provided for special assessments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by

Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

**AYES:** Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond

**NOES:** Councilmen: None

**ABSENT:** Councilmen: Shastid

**ATTEST:**   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 120

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS WALNUT ACRES ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

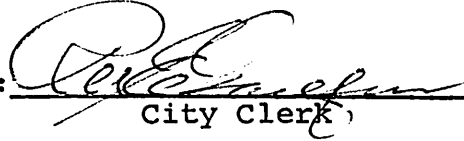
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid

ATTEST:

  
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Southeastern corner of the CRESTWOOD TERRACE ADDITION, as per description filed August 22, 1962, as Instrument 31905, Stanislaus County Records, said point being on the Southern line of Section 9; thence along a line which is the existing City Limits, the Eastern line of the Crestwood Terrace Addition, and the Western line of property conveyed to Harry T. Kullijian, et ux, by Deed recorded July 7, 1961, as Instrument 21612, Stanislaus County Records, North 0° 44' 30" West, 420.00 feet, to the Northeastern corner of the Crestwood Terrace Addition; thence along the existing City Limits and the Northern line of the Crestwood Terrace Addition, North 89° 30' West, 659.21 feet, to the Northwestern corner thereof and the Southwestern corner of property conveyed to Kenneth F. Duffin by Deed recorded December 14, 1962, as Instrument 46789, Stanislaus County Records; thence along the Western line of said Duffin property, North 0° 45' West, 240.00 feet, to the Northwestern corner thereof; thence along the Northern line of said Duffin property, South 89° 30' East, 659.25 feet, to the Northeastern corner thereof and the Western line of the Kullijian property; thence along the Western line of the Kullijian property, North 0° 44' 30" West, 681.13 feet, to the Northwestern corner thereof; thence along the Northern line of the Kullijian property, South 89° 16' 45" East, 1298.75 feet, to the Western line of a 40 foot Public Road known as Coffee Road; thence along the Western line of Coffee Road and an Eastern line of the Kullijian property, South 0° 43' 30" East, 228.83 feet, to a Southern line of the Kullijian property; thence along said Southern line, North 89° 30' West, 278.00 feet; thence along the Eastern line of the Kullijian property, South 0° 43' 30" East, 1082.38 feet, to a point which is 25 feet, measured at right angles, Northerly from the South line of Section 9; thence along the line of the Kullijian property, South 89° 30' East, 278.00 feet, to the Western line of Coffee Road; thence along the Western line of Coffee Road, South 0° 43' 30" East, 25.00 feet, to the South line of Section 9 and the Southern line of the Kullijian property; thence along the South line of Section 9 and the Southern line of the Kullijian property, North 89° 30' West, 1298.16 feet, to the point of beginning, containing 36.623 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 121

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTH WOOD ESTATES ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
City Clerk

(SEAL)

NORTH WOOD ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the NORTHLAND ESTATES ADDITION, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Southern line of said Woodrow Avenue, South  $89^{\circ} 04' 15''$  East, 922.28 feet, to a point on the Eastern line of property conveyed to Alfred L. Flory, et al, by Deed recorded December 14, 1962, as Instrument 46791, Stanislaus County Records; thence along the Eastern line of said Flory property, South  $0^{\circ} 54' 45''$  East, 641.98 feet, to the Southeastern corner of said Flory property; thence along the Southern line of said Flory property, North  $89^{\circ} 01' 45''$  West, 922.28 feet, to the Southwestern corner of said Flory property and the Southeastern corner of the Northland Estates Addition; thence along the Eastern line of the Northland Estates Addition, North  $0^{\circ} 54' 45''$  West, 641.31 feet, to the point of beginning, containing 13.578 Acres, more or less.

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

GENERAL FUND (101)

FROM: Planning (18) Salaries & Wages, Reg.	(110)	\$11,250
Parks & Rec. (36) St. Trees	" (110)	2,500
Public Wks, Eng. & Adm. (41)	" (110)	2,750
Public Wks, Garden Ref. (54)	" (110)	680
Office Services (58)	" (110)	500
		<u>17,680</u>
TO: City Attorney (110-13)	" (110)	700
City Clerk (110-14)	" (110)	300
City Hall (110-19)	" (110)	230
Fire (110-21)	" (110)	5,765
Police (110-22)	" (110)	2,455
Parks & Rec.-Recreation (110-32)	" (110)	205
Parks & Rec.-Youth Cntr (110-33)	" (110)	160
Parks & Rec.-Parks (110-35)	" (110)	490
Inspection (110-42)	" (110)	705
Electrical (110-43)	" (110)	1,720
Airport (110-46)	" (110)	230
Water (110-51)	" (110)	705
Streets (110-51)	" (110)	420
Sewers (110-52)	" (110)	260
Sewage Disposal (110-53)	" (110)	725
Parking & Traffic (Gen) (110-56)	" (110)	2,610
		<u>17,680</u>

To provide amounts estimated to be needed to June 30, 1963 for Salaries and Wages resulting from salary increase, effective January 1, 1963, and

SERVICE WORKING CAPITAL (512)

FROM: Service Division (48) Salaries & Wages, Reg.	(110)	\$140
TO: Service Division (48) O.A.S.D.I. Contributions	(424)	\$140

To adjust fringe benefit account to provide for estimated needs to June 30, 1963, resulting from salary increase, effective January 1, 1963, and

GENERAL FUND (101)

FROM: 9-Hole Muni Golf Course (37) Salaries & Wages, Reg.	(110)	\$500
Finance (15) Salaries & Wages, Reg.	(110)	3,000
Personnel (17) Salaries & Wages, Reg.	(110)	500
		<u>4,000</u>
TO: Ins. & Rtrmt (64) O.A.S.D.I. Contrib. (424)		1,500
Ins. & Rtrmt (64) S.E.R.S. Contrib. (425)		2,500
		<u>4,000</u>

To adjust fringe benefit accounts to provide for estimated needs to June 30, 1963, resulting from salary increase, effective January 1, 1963, and

SEWER SERVICE (212)

FROM: General Reserve (600)		\$5,000
TO: Maintenance Shop, Sewage Treatment Plant	(502)	\$5,000

To appropriate amount estimated to be needed to construct the maintenance shop (previously budgeted in Special Fund for Capital Outlays).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:   
CITY CLERK



MODESTO CITY COUNCIL  
RESOLUTION NO. 63-124

A RESOLUTION GRANTING RAY LOWELL A PERMIT TO ENCROACH ON THE PUBLIC  
RIGHT OF WAY

WHEREAS, Ray Lowell, 3001 Woodland Avenue, has filed a request for an encroachment permit to install one and one-half ( $1\frac{1}{2}$ ) inch ceramic tile on buildings located at the northwest corner of 13th and I Streets as follows: Seventy (70') feet on the building fronting I Street and Forty-five (45') feet on the building fronting 13th Street, and

WHEREAS, the Director of Public Works has recommended that permit be granted the applicant to install the one and one-half ( $1\frac{1}{2}$ ) inch ceramic tile,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A revocable permit is hereby granted to said applicant to place one and one-half ( $1\frac{1}{2}$ ) inch ceramic tile on the buildings at the northwest corner of 13th and I Streets as requested.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions permittee agrees, by acceptance of this permit, to faithfully perform, to-wit:

(a) Permittee, his successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, his successors and assigns, subject to the provisions of this resolution, shall comply with all laws of the City, including the securing of a building permit for the placement of the one and one-half ( $1\frac{1}{2}$ ) inch ceramic tile.

(c) Permittee, his successors and assigns, at his own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-125

A RESOLUTION INDICATING NO OBJECTION TO THE APPLICATION  
OF MODESTO MOTOR BUS SERVICE TO THE PUBLIC UTILITIES  
COMMISSION FOR INCREASED FARES

WHEREAS, Willis M. Kleinenbroich, owner, Modesto  
Motor Bus Service, has filed an application with the  
Public Utilities Commission seeking an increase in  
passenger fares, and


WHEREAS, Mr. Kleinenbroich has shown proof, both  
orally and documentary, that for the past number of years  
the Modesto Motor Bus Service has continuously operated  
at a loss and increases in costs of operation due to  
labor, parts, insurance, and maintenance make an increase  
in rates charged imperative,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that said Council has no objection to  
rate increases found by the Public Utilities Commission  
of the State of California to be proper under Motor Bus  
Service Application No. 45219.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
11th day of March, 1963, by Councilman Tabbert, who moved  
its adoption, which motion being duly seconded by Councilman  
Mitchell, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-126

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. IN THE AMOUNT OF \$13,017.30 FOR THE CONSTRUCTION OF MERCURY VAPOR STREET LIGHTING SYSTEM AT MODESTO JUNIOR COLLEGE

WHEREAS, Resolution No. 63-85, adopted by the Council of the City of Modesto on February 18, 1963, approved the plans and specifications for the construction of mercury vapor street lighting system at Modesto Junior College and authorized the calling for bids, and

WHEREAS, the bids received for the construction of mercury vapor street lighting system at Modesto Junior College were opened at 2:00 P.M., March 5, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

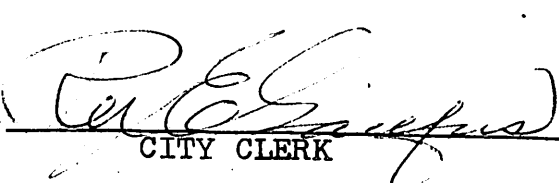
WHEREAS, the Director of Public Works has recommended that the bid of Ferrero Electric, Inc., in the amount of \$13,017.30 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Ferrero Electric, Inc., in the amount of \$13,017.30 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-127

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$6,126 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, MAINTENANCE SHOP, SEWAGE TREATMENT PLANT, VARIOUS TRUNKS AND SUBTRUNK EXTENSIONS TO JUNIOR COLLEGE LIGHTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:


SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: Maintenance Shop, Sewage Treatment Plant (502)	\$5,000
Various Trunks and Subtrunk Extensions (503)	<u>\$1,126</u>
	\$6,126
TO: Junior College Lights (503)	\$6,126

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-128

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SANITARY SEWER AND WATER LINE CARRIER PIPE CROSSING MODESTO FREEWAY AT CLAYTON AVENUE BY GEORGE REED, INC.

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary sewer and water line carrier pipe crossing Modesto Freeway at Clayton Avenue has been completed by George Reed, Inc.

in accordance with the contract agreement, dated January 28, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer and water line carrier pipe crossing Modesto Freeway at Clayton Avenue be accepted from said contractor George Reed, Inc.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-129

A RESOLUTION APPROVING REDUCTION OF THE PERFORMANCE BOND FILED BY WALLACE E. BLOMDAHL AND ANNA E. BLOMDAHL TO GUARANTEE IMPROVEMENTS IN SARATOGA MANOR NO. 5 SUBDIVISION

WHEREAS, Wallace E. and Anna E. Blomdahl, subdividers of Saratoga Manor No. 5 Subdivision, posted a performance bond with the City of Modesto to guarantee the improvements in the afore-said subdivision, and


WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of street pavement repair on various streets,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the performance bond filed by Wallace E. and Anna E. Blomdahl be reduced to the sum of \$1,000, and that the subdividers be required to file a performance bond with the City of Modesto in the above amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-130

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 16, 1963, AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING MEMBERS OF PRECINCT BOARDS FOR SAID GENERAL ELECTION

BE IT RESOLVED by the Council of the City of Modesto as follows:

(1) Pursuant to the Charter of the City of Modesto, a general municipal election shall be held on Tuesday, April 16, 1963, in the City of Modesto and in the Modesto City Schools District for the election of the following officers:

- (a) One (1) Mayor for full term of four (4) years.
- (b) One (1) Councilman (Chair 1) for full term of four (4) years.
- (c) One (1) Councilman (Chair 3) for full term of four (4) years.
- (d) One (1) Councilman (Chair 6) for full term of four (4) years, and
- (e) Three (3) members of the Board of Education of the Modesto City Schools District, for the full term of four (4) years each.

(2) The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Elections Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at the time may appoint a Board of Election or supply the place of any absent member thereof.

(3) Said election shall be held in all respects in conformity with the general election laws of the State of California insofar as the same may be applicable to and in conformity with the Charter of the City of Modesto. The polls at the polling places hereinabove designated shall be opened at 7 o'clock a.m. of said day of election and shall be kept open continuously thereafter until 7 o'clock p.m. of said day of election, when the polls shall be closed (except as provided in Section <sup>14436</sup>~~5054~~ of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(4) The returns of said election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at said election; and the Council shall meet at its usual meeting place and canvass said returns on Tuesday, the 23rd day of April, 1963 (being the first Tuesday after said election), at the hour of 4:00 P.M., and declare the result of said election.

For the purpose of holding said election, the said City of Modesto and that portion of the Modesto City School District, lying within the corporate limits of the City of Modesto, shall be and the same is hereby precincted and established into 38 Special Consolidated Election Precincts to be known and designated as follows:

- Special Consolidated Election Precinct No. 1
- Special Consolidated Election Precinct No. 2
- Special Consolidated Election Precinct No. 3
- Special Consolidated Election Precinct No. 4
- Special Consolidated Election Precinct No. 5
- Special Consolidated Election Precinct No. 6
- Special Consolidated Election Precinct No. 7
- Special Consolidated Election Precinct No. 8
- Special Consolidated Election Precinct No. 9
- Special Consolidated Election Precinct No. 10
- Special Consolidated Election Precinct No. 11
- Special Consolidated Election Precinct No. 12
- Special Consolidated Election Precinct No. 13
- Special Consolidated Election Precinct No. 14
- Special Consolidated Election Precinct No. 15
- Special Consolidated Election Precinct No. 16
- Special Consolidated Election Precinct No. 17
- Special Consolidated Election Precinct No. 18
- Special Consolidated Election Precinct No. 19
- Special Consolidated Election Precinct No. 20
- Special Consolidated Election Precinct No. 21
- Special Consolidated Election Precinct No. 22
- Special Consolidated Election Precinct No. 23
- Special Consolidated Election Precinct No. 24

Special Consolidated Election Precinct No. 25  
Special Consolidated Election Precinct No. 26  
Special Consolidated Election Precinct No. 27  
Special Consolidated Election Precinct No. 28  
Special Consolidated Election Precinct No. 29  
Special Consolidated Election Precinct No. 30  
Special Consolidated Election Precinct No. 31  
Special Consolidated Election Precinct No. 32  
Special Consolidated Election Precinct No. 33  
Special Consolidated Election Precinct No. 34  
Special Consolidated Election Precinct No. 35  
Special Consolidated Election Precinct No. 36  
Special Consolidated Election Precinct No. 37  
Special Consolidated Election Precinct No. 38

Said special consolidated election precincts have been established by consolidating the general election precincts within the City of Modesto, except as hereinafter noted, as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, now in force for general election purposes within the City, which said orders or resolution now on file and of record in the office of the Clerk of the Board of Supervisors of Stanislaus County, California, are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said precincts so established by said Board of Supervisors being herein referred to as "General Election Precincts"):

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 19, 20 and 21, have been consolidated and established into Special Consolidated Election Precinct No. 1.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 16, 17 and 18, have been consolidated and established into Special Consolidated Election Precinct No. 2.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 1, 2 and 12, have been consolidated and established into Special Consolidated Election Precinct No. 3.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 4, 8 and 13, have been consolidated and established into Special Consolidated Election Precinct No. 4.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 7, 9 and 10, have been consolidated and established into Special Consolidated Election Precinct No. 5.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 11, 54 and 101, have been consolidated and established into Special Consolidated Election Precinct No. 6.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 52 and 53, have been consolidated and established into Special Consolidated Election Precinct No. 7.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 6, 35 and 36, have been consolidated and established into Special Consolidated Election Precinct No. 8.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 55 and 83, have been consolidated and established into Special Consolidated Election Precinct No. 9.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 3, 5 and 34, have been consolidated and established into Special Consolidated Election Precinct No. 10.

Said general election Precincts so designated by the said Board of Supervisors as Modesto No. 32, 33 and 45, have been consolidated and established into Special Consolidated Election Precinct No. 11.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 48, 50 and 51, have been consolidated and established into Special Consolidated Election Precinct No. 12.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 43, 44 and 81, have been consolidated and established into Special Consolidated Election Precinct No. 13.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 79 and 80, have been consolidated and established into Special Consolidated Election Precinct No. 14.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 42 and 46, have been consolidated and established into Special Consolidated Election Precinct No. 15.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 49, 90 and 91, have been consolidated and established into Special Consolidated Election Precinct No. 16.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 66 and 78, have been consolidated and established into Special Consolidated Election Precinct No. 17.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 14 and 77, have been consolidated and established into Special Consolidated Election Precinct No. 18.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 73 and 104, have been consolidated and established into Special Consolidated Election Precinct No. 19.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 72 and 87, have been consolidated and established into Special Consolidated Election Precinct No. 20.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 67, 68 and 103, have been consolidated and established into Special Consolidated Election Precinct No. 21.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 70, 82 and 92, have been consolidated and established into Special Consolidated Election Precinct No. 22.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 74 and 96, have been consolidated and established into Special Consolidated Election Precinct No. 23.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 75 and 76, have been consolidated and established into Special Consolidated Election Precinct No. 24.

Said general election precincts so designated by the Said Board of Supervisors as Modesto No. 69, 86, 88 and 105, have been consolidated and established into Special Consolidated Election Precinct No. 25.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 63, 64 and 65, have been consolidated and established into Special Consolidated Election Precinct No. 26.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 15, 61 and 62, have been consolidated and established into Special Consolidated Election Precinct No. 27.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 57, 58 and 59, have been consolidated and established into Special Consolidated Election Precinct No. 28.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 37, 56 and 60, have been consolidated and established into Special Consolidated Election Precinct No. 29.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 22, 23 and 71, have been consolidated and established into Special Consolidated Election Precinct No. 30.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 24, 28 and 38, have been consolidated and established into Special Consolidated Election Precinct No. 31.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 25, 26 and 27, have been consolidated and established into Special Consolidated Election Precinct No. 32.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 29, 31, 41, 47 and 85, have been consolidated and established into Special Consolidated Election Precinct No. 33.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 30 and 40, have been consolidated and established into Special Consolidated Election Precinct No. 34.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 39, has been consolidated and established into Special Consolidated Election Precinct No. 35.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 84 and 97, have been consolidated and established into Special Consolidated Election Precinct No. 36.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 89, 94, 95, 98, 99 and 100, have been consolidated and established into Special Consolidated Election Precinct No. 37.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 93 and 102, have been consolidated and established into Special Consolidated Election Precinct No. 38.

For the purpose of holding said election (insofar as the election of members of the Board of Education of the Modesto City School District is concerned) the boundaries of the Modesto City School District are as follows, to-wit:

The boundaries of the Modesto City School District shall embrace all of the territory included and embraced within the exterior boundaries of the following elementary school districts of Stanislaus County, California, as established by the orders of the Board of Supervisors of Stanislaus County, and as the same appear upon the minutes of the said Board of Supervisors, to-wit: Salida Union, Stanislaus Union, Sylvan Union, Hart-Ransom Union, Empire Union, Shiloh, Paradise, as well as all the territory heretofore embraced within the exterior boundaries of the Modesto School District, the Modesto High School District and the Modesto Junior College District.

The territory included within said Modesto City School District, but outside of the corporate limits of the City of Modesto has been, for the purpose of said election, divided and established into 28 Special Consolidated Election Precincts and 1 Special Election Precinct to be known and designated as follows:

- Special Consolidated Election Precinct No. 39
- Special Consolidated Election Precinct No. 40
- Special Consolidated Election Precinct No. 41
- Special Consolidated Election Precinct No. 42
- Special Consolidated Election Precinct No. 43
- Special Consolidated Election Precinct No. 44
- Special Consolidated Election Precinct No. 45
- Special Consolidated Election Precinct No. 46
- Special Consolidated Election Precinct No. 47
- Special Consolidated Election Precinct No. 48
- Special Consolidated Election Precinct No. 49
- Special Consolidated Election Precinct No. 50
- Special Consolidated Election Precinct No. 51
- Special Consolidated Election Precinct No. 52
- Special Consolidated Election Precinct No. 53
- Special Consolidated Election Precinct No. 54

Special Consolidated Election Precinct No. 55  
Special Consolidated Election Precinct No. 56  
Special Consolidated Election Precinct No. 57  
Special Consolidated Election Precinct No. 58  
Special Consolidated Election Precinct No. 59  
Special Consolidated Election Precinct No. 60  
Special Consolidated Election Precinct No. 61  
Special Consolidated Election Precinct No. 62  
Special Consolidated Election Precinct No. 63  
Special Consolidated Election Precinct No. 64  
Special Consolidated Election Precinct No. 65  
Special Consolidated Election Precinct No. 66

The designation and boundaries of said Special Consolidated Election Precincts and Special Election Precinct have been established and defined as follows:

Said general election precincts designated by the said Board of Supervisors as Beck, Hans, Jack and Rose, have been consolidated and established into Special Consolidated Election Precinct No. 39.

Said general election precincts so designated by the said Board of Supervisors as Joy and Kent, have been consolidated and established into Special Consolidated Election Precinct No. 40.

Said general election precincts so designated by the said Board of Supervisors as Bob and Yale, have been consolidated and established into Special Consolidated Election Precinct No. 41.

Said general election precincts so designated by the said Board of Supervisors as Ford and Jan, have been consolidated and established into Special Consolidated Election Precinct No. 42.

Said general election precincts so designated by the said Board of Supervisors as Dawn, High and Palm, have been consolidated and established into Special Consolidated Election Precinct No. 43.

Said general election precincts so designated by the said Board of Supervisors as Bill, Kay and Paul, have been consolidated and established into Special Consolidated Election Precinct No. 44.

Said general election precincts so designated by the said Board of Supervisors as Dora, John and Wynn, have been consolidated and established into Special Consolidated Election Precinct No. 45.

Said general election precincts designated by the said Board of Supervisors as Benson, Inez, Ladd and Oden, have been consolidated and established into Special Consolidated Election Precinct No. 46.

Said general election precincts designated by the said Board of Supervisors as Beard, Fields, and Spenker, have been consolidated and established into Special Consolidated Election Precinct No. 47.

Said general election precincts designated by the said Board of Supervisors as Bird, Lynn and Stan, have been consolidated and established into Special Consolidated Election Precinct No. 48.

Said general election precincts designated by the said Board of Supervisors as Jolliff and Pine, have been consolidated and established into Special Consolidated Election Precinct No. 49.

Said general election precincts designated by the said Board of Supervisors as Franklin and Robertson, have been consolidated and established into Special Consolidated Election Precinct No. 50.

Said general election precincts designated by the said Board of Supervisors as Erie, Kerr and Wade, have been consolidated and established into Special Consolidated Election Precinct No. 51.

Said general election precincts designated by the said Board of Supervisors as Alma and Burbank, have been consolidated and established into Special Consolidated Election Precinct No. 52.

Said general election precincts designated by the said Board of Supervisors as Blum and Huff, have been consolidated and established into Special Consolidated Election Precinct No. 53.

Said general election precincts designated by the said Board of Supervisors as Earl, Fern and Jim, have been consolidated and established into Special Consolidated Election Precinct No. 54.

Said general election precincts designated by the said Board of Supervisors as Dunn, Fair and Nora, have been consolidated and established into Special Consolidated Election Precinct No. 55.

Said general election precincts designated by the said Board of Supervisors as Foit, Judd and Page, have been consolidated and established into Special Consolidated Election Precinct No. 56.

Said general election precincts designated by the said Board of Supervisors as Ivy, Lacy and Webb, have been consolidated and established into Special Consolidated Election Precinct No. 57.

Said general election precinct designated by the said Board of Supervisors as Caswell, Ring and Shaw, have been consolidated and established into Special Consolidated Election Precinct No. 58.

Said general election precincts designated by the said Board of Supervisors as Empire, West Empire, Gail, Goodwin, Laurel Lodge, Ron, Root , and that portion of the general election precinct designated by said Board of Supervisors as Claus and West Waterford, which lies within the boundaries of the Empire Union School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 59.

Said general election precincts designated by the said Board of Supervisors as Moss, Nita, Sylvan, Vet, and that portion of the general election precinct designated by said Board of Supervisors as Ruby, which lies within the boundaries of the Sylvan Union School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 60.

Said general election precincts designated by the said Board of Supervisors as Coffee, Dix, Pike, and that portion of the general election precincts designated by said Board of Supervisors as Abby and Claus, which lies within the boundaries of the Sylvan Union School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 61.

Said general election precincts designated by the said Board of Supervisors as McHenry, Nash, Opal, Prescott, Wall, and that portion of the general election precinct designated by said Board of Supervisors as Ruby, which lies within the boundaries of the Stanislaus Union School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 62.

Said general election precincts designated by the said Board of Supervisors as Salida No. 1, Salida No. 2, Salida No. 3 East, and West Salida, which lay within the boundaries of the Salida Union School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 63.

Said general election precincts designated by the said Board of Supervisors as Carmichael, Don, Tod, Wood, Hart and Maze, which lay within the boundaries of the Hart-Ransom Union School District of

Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 64.

Said general election precincts designated by the said Board of Supervisors as Mac and Paradise, which lay within the boundaries of the Paradise School District of Stanislaus County, have been consolidated and established into Special Consolidated Election Precinct No. 65.

Said general election precinct designated by the said Board of Supervisors as Shiloh, has been consolidated and established into Special Consolidated Election Precinct No. 66.

The following places have been by said City Council fixed and designated as and for the places of holding said election within the said City of Modesto and the following named persons have been designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District and will conduct the same, to-wit:

Special Consolidated Election Precinct No. 1 (M19-M20-M21)

Polling Place: The L.M. Morris Company  
1107 Eye Street

PRECINCT BOARD

Inspector: Mrs. Christine Wood  
Judge: Mrs. Lottie Savercool  
Clerk: Mrs. Grace E. Darling  
Clerk: Mrs. Lillian A. Cook

Special Consolidated Election Precinct No. 2 (M16-M17-M18)

Polling Place: The Fire House  
416 Downey Avenue

PRECINCT BOARD

Inspector: Mrs. Gladys R. Caskey  
Judge: Mrs. Rose Mae Wells  
Clerk: Mrs. Eileen Orvis  
Clerk: Mrs. Dorothy Ann Clark

Special Consolidated Election Precinct No. 3 (M1-M2-M12)

Polling Place: The Modesto Irrigation District  
Building  
1231 Eleventh Street

PRECINCT BOARD

Inspector: Mrs. Ada Dallas Carroll  
Judge: Mrs. Clara K. Andre  
Clerk: Mrs. Leta Duggins  
Clerk: Mrs. Lydia B. Drennan

Special Consolidated Election Precinct No. 4 (M-4-M8-M13)

Polling Place: The Latter Day Saints Church  
Basement  
Needham and Elmwood Avenues

PRECINCT BOARD

Inspector: Mrs. Muirel E. Welt  
Judge: Mrs. Eva M. Hagedorn  
Clerk: Mrs. Ann Osborne  
Clerk: Mrs. Alice Damin

Special Consolidated Election Precinct No. 5 (M7-M9-M10)

Polling Place: R. Giovannetti Residence  
422 Bodem Avenue

PRECINCT BOARD

Inspector: Mrs. Marjory L. Giovannetti  
Judge: Mrs. Martha Lehman  
Clerk: Mrs. Ruth B. Wilson  
Clerk: Mrs. Gaye Motley

Special Consolidated Election Precinct No. 6 (M11-M54-M101)

Polling Place: The John Muir School  
Lucerne Avenue and Coffee Road

PRECINCT BOARD

Inspector: Mrs. Dorothy E. Rix  
Judge: Mrs. Lillian Tatoyan  
Clerk: Mrs. Laura H. Elloyd  
Clerk: Mrs. Imogene Sawyer

Special Consolidated Election Precinct No. 7 (M52-M53)

Polling Place: Walter Fleshman Residence  
701 Castle Street

PRECINCT BOARD

Inspector: Mrs. Anita J. Fleshman  
Judge: Mrs. Irene K. Hicks  
Clerk: Mrs. Emily M. Turner  
Clerk: Mrs. Marguerite E. Dunlop

Special Consolidated Election Precinct No. 8 (M6-M35-M36)

Polling Place: Willard Thomas Residence  
636 Duncan Avenue

PRECINCT BOARD

Inspector: Mrs. Georgia L. Thomas  
Judge: Mrs. F. Estella Steger  
Clerk: Mrs. Grace Scoon  
Clerk: Mrs. Leah E. Elliott

Special Consolidated Election Precinct No. 9 (M55-M83)

Polling Place: Don L. Tomlins Residence  
1539 Florida Avenue

PRECINCT BOARD

Inspector: Mrs. Sumiye Suzuki  
Judge: Mrs. Jo Ann O'Neal  
Clerk: Mrs. Josephine Tomlins  
Clerk: Mrs. Rita M. Caldeira

Special Consolidated Election Precinct No. 10 (M3-M5-M34)

Polling Place: The Boy Scout Club House  
Enslens Park

PRECINCT BOARD

Inspector: Mrs. Sarah A. Jessen  
Judge: Mrs. Virginia L. Lee  
Clerk: Mrs. Florence I. Long  
Clerk: Mrs. Marie Fagan

Special Consolidated Election Precinct No. 11 (M32-M33-M45)

Polling Place: Mrs. Mary Hirseland Residence  
915 Coldwell Avenue

PRECINCT BOARD

Inspector: Mrs. Mary F. Hirseland  
Judge: Mrs. Jane R. Disney  
Clerk: Mrs. Pearl Johansen  
Clerk: Mrs. Georgia M. Reuhl

Special Consolidated Election Precinct No. 12 (M48-M50-M51)

Polling Place: The Enslens School  
515 Coldwell Avenue

PRECINCT BOARD

Inspector: Mrs. Mildred R. Boothe  
Judge: Mrs. Geraldine V. Harris  
Clerk: Mrs. Zola Hoagland  
Clerk: Mrs. Frances B. Grimes

Special Consolidated Election Precinct No. 13 (M43-M44-M81)

Polling Place: Richard B. Eaton Residence  
1429 Princeton Avenue

PRECINCT BOARD

Inspector: Mrs. Helen E. Vager  
Judge: Mrs. Mary A. Harmon  
Clerk: Mrs. Edith K. Eaton  
Clerk: Mrs. Elizabeth T. Carner

Polling Place: Robert Kohler Residence  
1505 West Roseburg Avenue

PRECINCT BOARD

Inspector: Mrs. Esther Mae Kohler  
Judge: Mrs. Mildred M. Magill  
Clerk: Mrs. Sophia J. Armstrong  
Clerk: Mrs. Lily M. Lystra

Special Consolidated Election Precinct No. 15 (M42-M46)

Polling Place: John Bomberger Residence  
1114 Amherst Avenue

PRECINCT BOARD

Inspector: Miss Sadie A. Bomberger  
Judge: Mrs. Anna B. Lacy  
Clerk: Mrs. Iva H. Allen  
Clerk: Mrs. Helen Berdot

Special Consolidated Election Precinct No. 16 (M49-M90-M91)

Polling Place: E. F. Soderstrom Residence  
1335 Magnolia Avenue

PRECINCT BOARD

Inspector: Mrs. Mary E. Soderstrom  
Judge: Mrs. Margery L. De Lugg  
Clerk: Mrs. Theresa E. Doll  
Clerk: Mrs. Doris I. Bader

Special Consolidated Election Precinct No. 17 (M66-M78)

Polling Place: The Congregational Church  
Orangeburg and College Avenues

PRECINCT BOARD

Inspector: Mrs. Helene Throssell  
Judge: Mrs. Esther A. Hovey  
Clerk: Mrs. Beatrice G. Loer  
Clerk: Mrs. Claire C. Lundberg

Special Consolidated Election Precinct No. 18 (M14-M77)

Polling Place: H. Merkel Residence  
1550 Bronson

PRECINCT BOARD

Inspector: Mrs. Tabea Merkel  
Judge: Mrs. Gertrude C. Reed  
Clerk: Mrs. Betty F. Carlson  
Clerk: Mrs. Thelma M. Bandy

Special Consolidated Election Precinct No. 19 (M73-M104)

Polling Place: The Garrison Elementary School  
Nurse's Room  
Corner of Teresa and Martin Streets

PRECINCT BOARD

Inspector: Mrs. Patsy J. McElhaney  
Judge: Mrs. Ruby F. Duarte  
Clerk: Mrs. Twanda J. Kretz  
Clerk: Mrs. Ruth Colvin

Special Consolidated Election Precinct No. 20 (M72-M87)

Polling Place: Mary E. Snow Residence  
1529 Teresa Street

PRECINCT BOARD

Inspector: Mrs. Willma A. Grant  
Judge: Mrs. La Dean F. Messer  
Clerk: Mrs. Eula B. Lowery  
Clerk: Mrs. Mary E. Snow

Special Consolidated Election Precinct No. 21 (M67-M68-M103)

Polling Place: Hazel Mahoney Residence  
1305 Glenwood Drive

PRECINCT BOARD

Inspector: Mrs. Hazel C. Mahoney  
Judge: Mrs. Audrey U. Fine  
Clerk: Mrs. Bertha C. Wilson  
Clerk: Mrs. Mary E. Kirkish

Special Consolidated Election Precinct No. 22 (M70-M82-M92)

Polling Place: Lee Bloxham Residence  
2010 Sherwood Avenue

PRECINCT BOARD

Inspector: Mrs. June F. Bloxham  
Judge: Mrs. Marjorie D. Underwood  
Clerk: Mrs. Ila Mae Evans  
Clerk: Mrs. Margaret B. Santos

Special Consolidated Election Precinct No. 23 (M74-M96)

Polling Place: The Beard Elementary School  
915 Bowen Avenue

PRECINCT BOARD

Inspector: Mrs. Ruth M. Martin  
Judge: Mrs. Genevieve Johnson  
Clerk: Mrs. Mildred R. Bernacchi  
Clerk: Mrs. Mary Lea Wilson

Polling Place: Don Willard Residence  
1822 Monticello Avenue

PRECINCT BOARD

Inspector: Mrs. Maxine M. Willard  
Judge: Mrs. Donnabelle Z. Losher  
Clerk: Mrs. Phyllis J. Threlfall  
Clerk: Mrs. Harriet T. Jolley

Special Consolidated Election Precinct No. 25 (M69-M86-M88-M105)

Polling Place: Warren England Residence  
1425 Mt. Vernon Drive

PRECINCT BOARD

Inspector: Mrs. Anna M. England  
Judge: Mrs. Lavonia F. Krieg  
Clerk: Mrs. Betty J. Harger  
Clerk: Mrs. Theo L. Roberts

Special Consolidated Election Precinct No. 26 (M63-M64-M65)

Polling Place: Mrs. Rosaline M. Ross Residence  
2010 Haddon Avenue

PRECINCT BOARD

Inspector: Mrs. Rosaline M. Ross  
Judge: Mrs. Laverna A. Phoenix  
Clerk: Mrs. Evelyn M. Williamson  
Clerk: Mrs. Gladys B. Powell

Special Consolidated Election Precinct No. 27 (M15-M61-M62)

Polling Place: The LaLoma Junior High School  
1800 Encina Avenue

PRECINCT BOARD

Inspector: Mrs. Lelah A. Graves  
Judge: Mrs. Thelma R. Breckenridge  
Clerk: Mrs. Dorothy L. Miner  
Clerk: Mrs. Ardeth M. Smith

Special Consolidated Election Precinct No. 28 (M57-M58-M59)

Polling Place: Gerald Curtice Residence  
1325 Encina Avenue

PRECINCT BOARD

Inspector: Mrs. Iris S. Bird  
Judge: Mrs. Catherine V. Turpen  
Clerk: Mrs. Elva G. Henderson  
Clerk: Mrs. Hilda E. Hamilton

Polling Place:

The Wilson School  
Nurse's Room  
201 Wilson Avenue

PRECINCT BOARD

Inspector: Mrs. Juanita Bystrom  
Judge: Mrs. Matilda M. Condit  
Clerk: Mrs. Livia M. Lucks  
Clerk: Mrs. Sadie I. King

Special Consolidated Election Precinct No. 30 (M22-M23-M71)

Polling Place: Modesto City Schools  
Administration Building  
426 Locust Street

PRECINCT BOARD

Inspector: Mrs. Anna L. Starr  
Judge: Mrs. Emma M. Brown  
Clerk: Mrs. Pearl A. Duncan  
Clerk: Mrs. Louise C. Netherton

Special Consolidated Election Precinct No. 31 (M24-M28-M38)

Polling Place: The Washington School  
Washington and Eye Streets

PRECINCT BOARD

Inspector: Mrs. Beatrice A. Hoover  
Judge: Mrs. Edwina B. Mielenz  
Clerk: Mrs. Henrietta Masciorini  
Clerk: Mrs. Vivian F. Barber

Special Consolidated Election Precinct No. 32 (M25-M26-M27)

Polling Place: The Fire House  
Second Street

PRECINCT BOARD

Inspector: Mrs. Johnnie C. Day  
Judge: Mrs. Letha G. McFarland  
Clerk: Mrs. Louise W. Olmstead  
Clerk: Mrs. Maola Wooley

Special Consolidated Election Precinct No. 33 (M29-M31-M41-M47-M85)

Polling Place: Ed A. Craig Residence  
131 Madera Avenue

PRECINCT BOARD

Inspector: Mrs. Esther E. Craig  
Judge: Mrs. Ina L. Houston  
Clerk: Mrs. Lola A. Isola  
Clerk: Mrs. Antionette M. Podesto

Polling Place:

James L. Sweeney Residence  
405 Colorado Avenue

PRECINCT BOARD

Inspector: Mrs. Daisy A. Sweeney  
Judge: Mrs. Mary Ann Bettencourt  
Clerk: Mrs. Josephine A. White  
Clerk: Mrs. K. May Sleeman

Special Consolidated Election Precinct No. 35 (M39)

Polling Place: The James Marshall School  
Nurse's Room  
515 Sutter Avenue

PRECINCT BOARD

Inspector: Mrs. Laura A. McNulty  
Judge: Mrs. Vera N. Marlett  
Clerk: Mrs. Genevie N. Reed  
Clerk: Mrs. Janet R. McMillen

Special Consolidated Election Precinct No. 36 (M84-M97)

Polling Place: Chester Link Residence  
317 Ribier Avenue

PRECINCT BOARD

Inspector: Mrs. Patrecia N. Link  
Judge: Mrs. Evelyn Hubbard  
Clerk: Mrs. Lyla M. Swan  
Clerk: Mrs. Doris M. Bird

Special Consolidated Election Precinct No. 37 (M89-M94-M95-M98-M99-M100)

Polling Place: The Standiford School  
605 Tokay Avenue

PRECINCT BOARD

Inspector: Mrs. Sandra S. Barber  
Judge: Mrs. Neva B. Switzer  
Clerk: Mrs. Johnna L. Reich  
Clerk: Mrs. Gertrude M. Shirley

Special Consolidated Election Precinct No. 38 (M93-M102)

Polling Place: Leo Crismon Residence  
2013 Carver Road

PRECINCT BOARD

Inspector: Mrs. Myrta G. Crismon  
Judge: Mrs. Betty S. Watson  
Clerk: Mrs. Flossie Brown  
Clerk: Mrs. Margie Smith

The following places have been by said City Council fixed and designated as and for the holding of said general school election in that portion of the Modesto City School District, which lies outside of the corporate limits of the City of Modesto, and the following named persons have been so designated to act as officers of election for said election within said territory, to-wit:

Special Consolidated Election Precinct No. 39 (Beck-Hans-Jack-Rose)

Polling Place: County Auditorium, Center No. 3  
2115 Scenic Drive

PRECINCT BOARD

Inspector: Mrs. Janice L. Bowen  
Judge: Mrs. Rose C. Mowrey  
Clerk: Mrs. Alma C. Snedigar  
Clerk: Mrs. Irene A. Stowers

Special Consolidated Election Precinct No. 40 (Joy-Kent)

Polling Place: Vanice Kehrer Residence  
1514 Locke Road

PRECINCT BOARD

Inspector: Mrs. Vanice A. Kehrer  
Judge: Mrs. Katherine S. Berg  
Clerk: Mrs. Any G. Tucker  
Clerk: Mrs. Alice I. Yonan

Special Consolidated Election Precinct No. 41 (Bob-Yale)

Polling Place: The John Sutter School  
1440 Sunrise Avenue

PRECINCT BOARD

Inspector: Mrs. Cornelia Heersink  
Judge: Mrs. Hazel M. Walts  
Clerk: Mrs. Florence M. Hodgkins  
Clerk: Mrs. Mabel Atkinson

Special Consolidated Election Precinct No. 42 (Ford-Jan)

Polling Place: Mrs. Martha Seablom Residence  
931 El Vecino Avenue

PRECINCT BOARD

Inspector: Mrs. Martha Seablom  
Judge: Mrs. Dorothy Mae Herr  
Clerk: Mrs. Alfrieda Holland  
Clerk: Mrs. Thelma Seablom

Polling Place: Ernest Peet Residence  
1236 Melrose Avenue

PRECINCT BOARD

Inspector: Mrs. Gertrude B. King  
Judge: Mrs. Mable C. Biedenweg  
Clerk: Mrs. Pattie V. Boyer  
Clerk: Mrs. Dorretta M. Peet

Special Consolidated Election Precinct No. 44 (Bill-Kay-Paul)

Polling Place: The El Vista School  
450 El Vista Avenue

PRECINCT BOARD

Inspector: Mrs. Faye A. McSparin  
Judge: Mrs. Evelyn M. Adams  
Clerk: Mrs. Ida B. Wilson  
Clerk: Mrs. Frances E. Riley

Special Consolidated Election Precinct No. 45 (Dora-John-Wynn)

Polling Place: Hal C. Stotts Residence  
Rt. 7, 2439 Yosemite Boulevard

PRECINCT BOARD

Inspector: Mrs. Kathryn V. Stotts  
Judge: Mrs. Jean A. Turner  
Clerk: Mrs. Faye E. Scott  
Clerk: Mrs. Dorothy Cathcart

Special Consolidated Election Precinct No. 46 (Benson-Inez-Ladd-Oden)

Polling Place: The Orville Wright School  
Monterey Blvd. and Thrasher Avenue

PRECINCT BOARD

Inspector: Mrs. Dorothy D. Love  
Judge: Mrs. Wilma A. Turley  
Clerk: Mrs. Mary C. Crawford  
Clerk: Mrs. Louise Thompson

Special Consolidated Election Precinct No. 47 (Beard-Fields-Spenker)

Polling Place: M. Rodrigues Residence  
318 South Santa Ana

PRECINCT BOARD

Inspector: Mrs. Mildred Rodrigues  
Judge: Mrs. Pansy E. Bayless  
Clerk: Mrs. Irene M. Ensley  
Clerk: Mrs. Mary C. Biddle

Special Consolidated Election Precinct No. 48 (Bird-Lynn-Stan)

Polling Place: L. W. Bither Residence  
514 Laurel Street

PRECINCT BOARD

Inspector: Mrs. Helene M. Bither  
Judge: Mrs. Doris A. Morgan  
Clerk: Mrs. Marion F. Detamore  
Clerk: Mrs. Irene Costley

Special Consolidated Election Precinct No. 49 (Jolliff-Pine)

Polling Place: R. E. Davison Residence  
612 California Avenue

PRECINCT BOARD

Inspector: Mrs. Clarisina H. Leer  
Judge: Mrs. Alice Davison  
Clerk: Mrs. Gertrude E. Truman  
Clerk: Mrs. Synthia M. Green

Special Consolidated Election Precinct No. 50 (Franklin-Robertson)

Polling Place: B. F. Pedego Residence  
603 Colorado Avenue

PRECINCT BOARD

Inspector: Mrs. Mary L. Rumsby  
Judge: Mrs. Signa M. Pedego  
Clerk: Mrs. Hilda R. Sylvia  
Clerk: Mrs. Madie L. Westfall

Special Consolidated Election Precinct No. 51 (Erie-Kerr-Wade)

Polling Place: The Housing Authority Building  
1701 Robertson Road

PRECINCT BOARD

Inspector: Mrs. Zettie Mae Wilkins  
Judge: Mrs. Martha E. Jensen  
Clerk: Mrs. Barbara J. Young  
Clerk: Mrs. J. Marie Conrad

Special Consolidated Election Precinct No. 52 (Alma-Burbank)

Polling Place: The Burbank School  
1135 Paradise Road

PRECINCT BOARD

Inspector: Mrs. Lillian D. Smith  
Judge: Mrs. Frances I. Brill  
Clerk: Mrs. Aileen R. Knipper  
Clerk: Mrs. Ella W. Hopkins

Polling Place:

The Paradise Reformed Church  
1417 Harris Street

PRECINCT BOARD

Inspector: Mrs. Katherine J. Nicolai  
Judge: Mrs. Madge A. Hoffner  
Clerk: Mrs. Elizabeth H. Lolloch  
Clerk: Mrs. Athena Pavakis

Special Consolidated Election Precinct No. 54 (Earl-Fern-Jim)

Polling Place: H. J. Ten Brink Residence  
1524 Ohio Avenue

PRECINCT BOARD

Inspector: Mrs. Ruby K. Ten Brink  
Judge: Mrs. Ramona W. Tanner  
Clerk: Mrs. Mattie D. Crow  
Clerk: Mrs. Evelyn L. Lollich

Special Consolidated Election Precinct No. 55 (Dunn-Fair-Nora)

Polling Place: The Tuolumne School  
707 Herndon Road

PRECINCT BOARD

Inspector: Mrs. Ethel Mae Bell  
Judge: Mrs. Esther Van Valin  
Clerk: Mrs. Bertha Anderson  
Clerk: Mrs. Elizabeth C. Fox

Special Consolidated Election Precinct No. 56 (Foit-Judd-Page)

Polling Place: The Shackelford School  
Crows Landing Road

PRECINCT BOARD

Inspector: Mrs. Marian E. Rose  
Judge: Mrs. Wilma Cecil Seaman  
Clerk: Mrs. Beatrice L. Collins  
Clerk: Mrs. Evelyn M. King

Special Consolidated Election Precinct No. 57 (Ivy-Lacy-Webb)

Polling Place: The Bret Harte School  
909 Bret Harte

PRECINCT BOARD

Inspector: Mrs. Ada. L. Barber  
Judge: Mrs. Geneva Bodiford  
Clerk: Mrs. Eva Cosby  
Clerk: Mrs. Ollie M. Sherman

Polling Place:

The Fairview School  
Whitmore Avenue

PRECINCT BOARD

Inspector: Mrs. Daisy P. Pearson  
Judge: Mrs. Edna Willmirth  
Clerk: Mrs. Jennie R. Adkins  
Clerk: Mrs. Katharine I. Peavy

Special Consolidated Election Precinct No. 59 (Empire,-West Empire-  
Gail-Goodwin-Laurel Lodge-Ron-Root-Claus-West Waterford)

Polling Place: The Empire Community Club House  
Empire

PRECINCT BOARD

Inspector: Mrs. Ullila Johansen  
Judge: Mrs. Ollie B. Richmond  
Clerk: Mrs. Alice S. Rifenburg  
Mrs. Erma J. Dooley

Special Consolidated Election Precinct No. 60 (Moss-Nita-Sylvan-Vet-Ruby

Polling Place: The Sylvan Clubhouse  
Sylvan and McHenry Avenues

PRECINCT BOARD

Inspector: Mrs. Kathlene Z. Scuitto  
Judge: Mrs. Lucile M. Amerine  
Clerk: Mrs. Margaret G. Howell  
Clerk: Mrs. Marilyn E. Streeter

Special Consolidated Election Precinct No. 61 (Coffe-Dix-Pike-Abby-  
Claus)

Polling Place: The Sylvan Union School  
2908 Coffee Road

PRECINCT BOARD

Inspector: Mrs. Alma G. Drake  
Judge: Mrs. Clementina E. Urisini  
Clerk: Mrs. Verda M. Couchman  
Clerk: Mrs. Josephine Bonfiglio

Special Consolidated Election Precinct No. 62 (McHenry-Nash-Opal-  
Prescott-Wall-Ruby)

Polling Place: The Prescott Hall  
Carver Road

PRECINCT BOARD

Inspector: Mrs. Dorothy Vieira  
Judge: Mrs. Carmen Flinders  
Clerk: Mrs. Opal Robinson  
Clerk: Mrs. Wanda Littlepage

Polling Place: The Salida Union School  
Finney Road  
Salida

PRECINCT BOARD

Inspector: Mrs. Aileen J. Serna  
Judge: Mrs. Pauline R. Williams  
Clerk: Mrs. Donia L. Coffey  
Clerk: Mrs. Edna Bea Crabtree

Special Consolidated Election Precinct No. 64 (Carmichael-Don-Tod-Wood-Hart-Maze)

Polling Place: The Hart-Ransom School  
Shoemake and Dakota Roads

PRECINCT BOARD

Inspector: Mrs. Hellen M. Cesmat  
Judge: Mrs. Mary A. Lasater  
Clerk: Mrs. Mary B. Baucher  
Clerk: Mrs. Barbara F. Hart

Special Consolidated Election Precinct No. 65 (Mac-Paradise)

Polling Place: The Paradise School  
Pauline and California Avenues

PRECINCT BOARD

Inspector: Mrs. Marie Plumlee  
Judge: Mrs. Nila Mendonza  
Clerk: Mrs. Nancy M. Rademaker  
Clerk: Mrs. Geraldine Polumsky

Special Consolidated Election Precinct No. 66 (Shiloh)

Polling Place: The Shiloh School House  
Paradise Road

PRECINCT BOARD

Inspector: Mrs. Ida M. Sciarini  
Judge: Mrs. Marie B. Bizzini  
Clerk: Mrs. Agnes Anderholden  
Clerk: Mrs. Anna M. Dufton

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-131

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION AGENCY FOR FEDERAL AID PARTICIPATION AT MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the submission of an application to the Federal Aviation Agency for federal funds in the amount of \$10,939.67 to defray part of the total cost of taxiway lighting at the Modesto City-County Airport be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Ross Miller, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-132

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
FRANK DENNY FOR WATER SERVICE TO UNIT NO. 1 OF BEL AIR NO. 3  
SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Frank Denny

for water service to Unit No. 1 of Bel Air No. 3 Subdivision

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 11th day of  
March, 1963, by Councilman Tabbert, who moved its  
adoption, which motion being duly seconded by Councilman Johansen,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

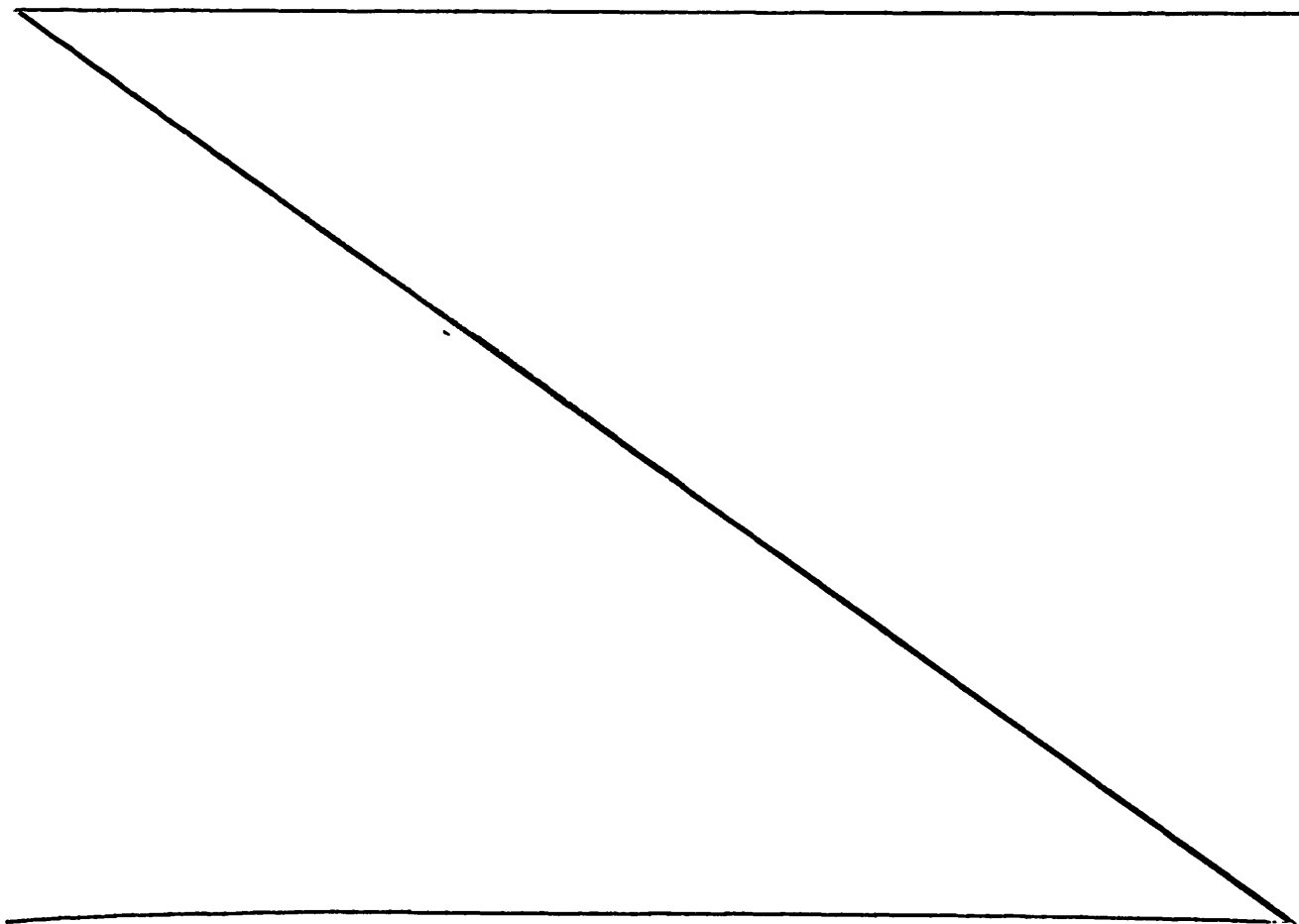
  
CITY CLERK

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS NORTH WOOD ESTATES ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on February 27, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as NORTH WOOD ESTATES ADDITION, and described as follows:



NORTH WOOD ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the NORTHLAND ESTATES ADDITION, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Southern line of said Woodrow Avenue, South 89° 04' 15" East, 922.28 feet, to a point on the Eastern line of property conveyed to Alfred L. Flory, et al, by Deed recorded December 14, 1962, as Instrument 46791, Stanislaus County Records; thence along the Eastern line of said Flory property, South 0° 54' 45" East, 641.98 feet, to the Southeastern corner of said Flory property; thence along the Southern line of said Flory property, North 89° 01' 45" West, 922.28 feet, to the Southwestern corner of said Flory property and the Southeastern corner of the Northland Estates Addition; thence along the Eastern line of the Northland Estates Addition, North 0° 54' 45" West, 641.31 feet, to the point of beginning, containing 13.578 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on February 26, 1963, consider the proposed annexation boundaries of said NORTH WOOD ESTATES ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 22nd day of April, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor  
pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:   
City Clerk

(SEAL)

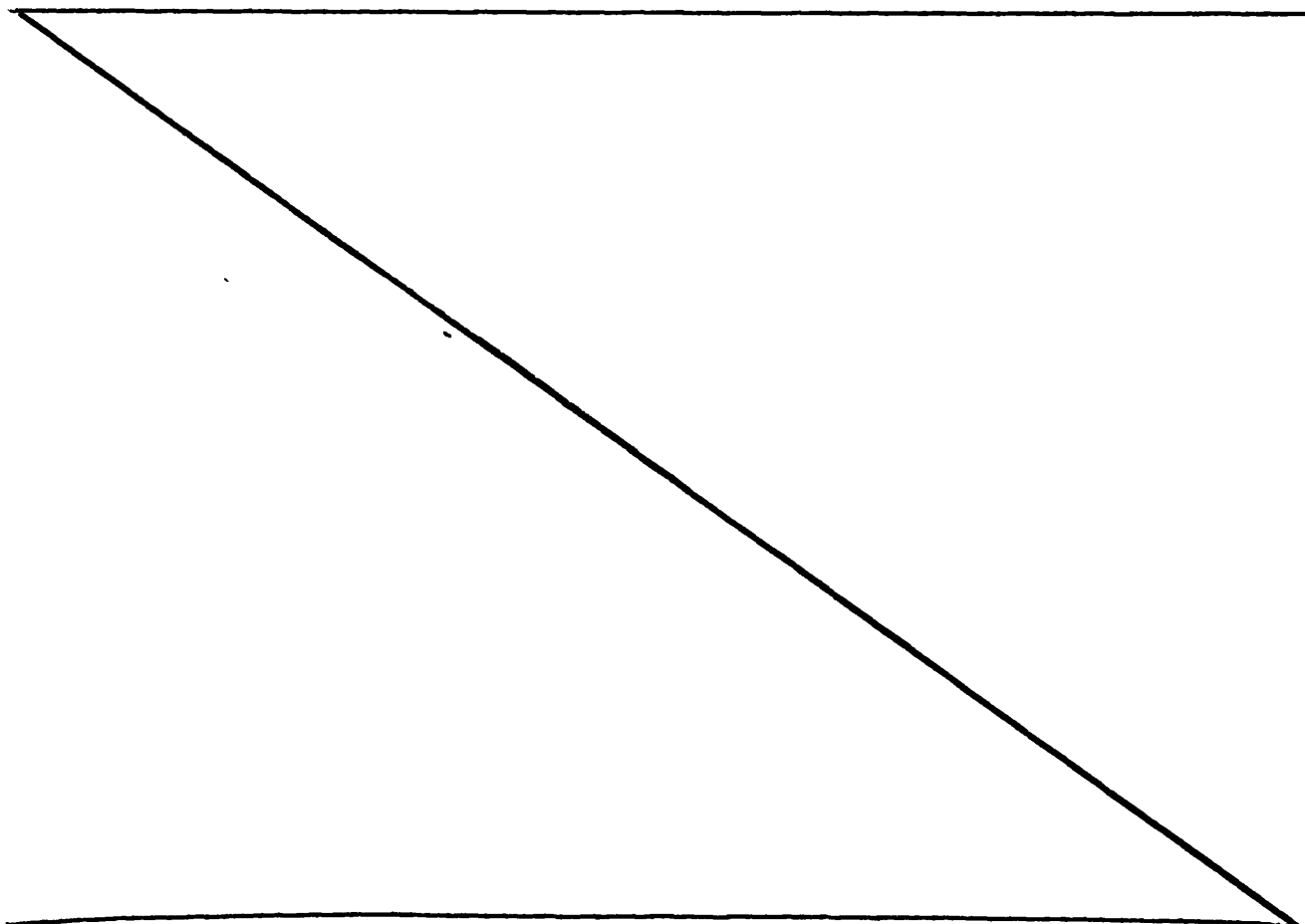
MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 134

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WALNUT ACRES ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on February 28, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as WALNUT ACRES ADDITION, and described as follows:



All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Southeastern corner of the CRESTWOOD TERRACE ADDITION, as per description filed August 22, 1962, as Instrument 31905, Stanislaus County Records, said point being on the Southern line of Section 9; thence along a line which is the existing City Limits, the Eastern line of the Crestwood Terrace Addition, and the Western line of property conveyed to Harry T. Kullijian, et ux, by Deed recorded July 7, 1961, as Instrument 21612, Stanislaus County Records, North 0° 44' 30" West, 420.00 feet, to the Northeastern corner of the Crestwood Terrace Addition; thence along the existing City Limits and the Northern line of the Crestwood Terrace Addition, North 89° 30' West, 659.21 feet, to the Northwestern corner thereof and the Southwestern corner of property conveyed to Kenneth F. Duffin by Deed recorded December 14, 1962, as Instrument 46789, Stanislaus County Records; thence along the Western line of said Duffin property, North 0° 45' West, 240.00 feet, to the Northwestern corner thereof; thence along the Northern line of said Duffin property, South 89° 30' East, 659.25 feet, to the Northeastern corner thereof and the Western line of the Kullijian property; thence along the Western line of the Kullijian property, North 0° 44' 30" West, 681.13 feet, to the Northwestern corner thereof; thence along the Northern line of the Kullijian property, South 89° 16' 45" East, 1298.75 feet, to the Western line of a 40 foot Public Road known as Coffee Road; thence along the Western line of Coffee Road and an Eastern line of the Kullijian property, South 0° 43' 30" East, 228.83 feet, to a Southern line of the Kullijian property; thence along said Southern line, North 89° 30' West, 278.00 feet; thence along the Eastern line of the Kullijian property, South 0° 43' 30" East, 1082.38 feet, to a point which is 25 feet, measured at right angles, Northerly from the South line of Section 9; thence along the line of the Kullijian property, South 89° 30' East, 278.00 feet, to the Western line of Coffee Road; thence along the Western line of Coffee Road, South 0° 43' 30" East, 25.00 feet, to the South line of Section 9 and the Southern line of the Kullijian property; thence along the South line of Section 9 and the Southern line of the Kullijian property, North 89° 30' West, 1298.16 feet, to the point of beginning, containing 36.623 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on February 26, 1963, consider the proposed annexation boundaries of said WALNUT ACRES ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 22nd day of April, 1963, at the hour of 8:10 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-135

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON AN UNCLASSIFIED USE PERMIT TO CLYDA RAMOS TO CONDUCT CHARM AND IMPROVEMENT CLASSES AT 2520 McHENRY AVENUE

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the City Council, recommended the approval of the following application for an unclassified use permit, to Clyda Ramos to conduct charm and improvement classes at 2520 McHenry Avenue

and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 11th Street in the City of Modesto at 8:15 P.M. on April 8, 1963.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2.2206 (b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-136

A RESOLUTION OPPOSING LEGISLATION PROPOSED UNDER A.B. 1194 AND  
A.B. 610

WHEREAS, the City Council of the City of Modesto has reviewed the provisions of Assembly Bill 1194 regarding hours of work for firemen and of Assembly Bill 610 regarding fire fighters' civil service system, and

WHEREAS, it is the considered judgment of the Modesto City Council that the legislation proposed under these bills represents a direct invasion of the home rule rights of cities to establish working conditions of city employees, including hours, salary, and other benefits, and to establish and administer their own civil service or merit systems according to the needs of their individual communities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Council expresses vigorous opposition to the legislation proposed under A.B. 1194 and A.B. 610.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Assemblyman John G. Veneman, Senator Hugh P. Donnelley and to the League of California Cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST

  
CITY CLERK

A RESOLUTION COMMENDING THE RESERVE POLICE FOR CONTRIBUTIONS TO COMMUNITY WELFARE AND SAFETY AND COMMENDING CAPTAIN ALBERT PEDERSEN FOR HIS OUTSTANDING CONTRIBUTION TO THE RESERVE POLICE.

WHEREAS, Captain Albert Pedersen has for twenty-two (22) years devoted unselfish, unceasing personal effort to the Modesto Reserve Police, and

WHEREAS, under Captain Pedersen's leadership the Modesto Reserve Police contributes numerous hours to enforce laws and regulations of the City of Modesto and to insure and increase the health, safety and welfare of its citizens, and

WHEREAS, the Modesto Reserve Police was formed in the year 1940 and at the present time there are approximately forty-eight (48) officers in the organization who are private citizens from all walks of life and who devote many hours of their own time, apart from their places of employment or business, to the Modesto Police Reserve without any pay whatsoever, and

WHEREAS, the Modesto Reserve Police, under Captain Pedersen's leadership, work constantly with the Modesto Police Department, performing whatever duties might be requested in the way of enforcing the laws, searching for missing persons, apprehending escaped convicts, aiding during times of disaster and helping with the various community activities taking place in the city, and

WHEREAS, during the year 1962 alone, the Reserve Police served a total of Eight Thousand, Two Hundred Eighty-two (8,282) man hours of time for the Modesto Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that each and every man serving on the Modesto Police Reserve be commended for his untiring work on said organization which so greatly contributes to the health, safety and general welfare of our community.

BE IT FURTHER RESOLVED that Captain Albert Pedersen be recognized and commended for his outstanding civic contribution and unlimited personal efforts in working with the Modesto Reserve Police and adding so much to the welfare of our community.

BE IT FURTHER RESOLVED that duly authenticated copies of this resolution be presented to Captain Albert Pedersen and to those officers who devoted so many of their personal hours to the Reserve Police during 1962, in recognition of the performance of outstanding services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Mayor Pro Tempore VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, and Mayor Pro Tempore VanderWall.

NOES: Councilmen: None.

ABSENT: Councilmen: Mayor Hammond.

ATTEST:

  
\_\_\_\_\_  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-138

A RESOLUTION APPOINTING DAVID W. McAULEY A MEMBER OF THE LIBRARY AND CULTURE COMMISSION (For a term ending January 1, 1966)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that David W. McAuley be, and he is hereby appointed a member of the Library and Culture Commission for a term ending January 1, 1966.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-139

A RESOLUTION APPOINTING RAY C. ABST A MEMBER OF THE LIBRARY  
AND CULTURE COMMISSION (For a term ending January 1, 1965)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Ray C. Abst be, and he is hereby appointed a member of the Library and Culture Commission for a term ending January 1, 1965.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and Culture Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, Mayor pro tempore VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Hammond

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-140

A RESOLUTION GRANTING DRIVEWAY VARIANCES TO HUMBLE OIL AND REFINING COMPANY (Property located at 5th and I Streets)

WHEREAS, Humble Oil and Refining Company has requested a variance to the provisions of Sections 7-1.104(a) and 7-1.104(c) of the Modesto Municipal Code to permit the continuance of four driveways (with relocation of two of the existing four driveways) presently existing on property located at the southwest corner of Fifth and I Streets, on which a new service station facility is proposed, and

WHEREAS, Humble Oil and Refining Company has filed with the Director of Public Works a plot plan designating the precise dimensions and location of the four driveways, and

WHEREAS, Section 7-1.104(a) of the Modesto Municipal Code provides that driveways shall not exceed thirty (30'<sup>feet</sup>), in width unless a variance is approved by the Council, and

WHEREAS, Section 7-1.104(c) of the Modesto Municipal Code provides that driveways shall not exceed forty (40%) per cent of the frontage of any street of the lot or parcel of land to be served thereby, and

WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires the curb cuts for full utilization of the service station facilities proposed to be installed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Humble Oil and Refining Company for a variance to Sections 7-1.104(a) and 7-1.104(c) of the Modesto Municipal Code to permit continuance of four driveways (with relocation of two of the existing four driveways) presently existing on property located at the southwest corner of Fifth and I Streets, in accordance with dimensions and locations indicated on the plot plan submitted by Humble Oil and Refining Company on file in the office of the Director of Public Works be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

A RESOLUTION GRANTING A PERMIT TO SPORTSMEN OF STANISLAUS FOR USE OF DEL WEBB FIELD FOR EXHIBITION BASEBALL GAME BETWEEN THE SAN FRANCISCO GIANTS AND THE CLEVELAND INDIANS ON APRIL 4, 1963

WHEREAS, Sportsmen of Stanislaus has filed a request with the Council for permission to use Del Webb Field on April 4, 1963 for an exhibition baseball game between the San Francisco Giants and the Cleveland Indians,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to use Del Webb Field on April 4, 1963 for exhibition baseball game between the San Francisco Giants and the Cleveland Indians, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths (\$100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Two hundred thousand and no/100ths (\$200,000) Dollars on account of one occurrence; and

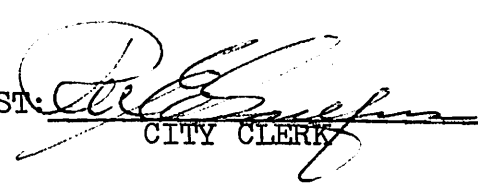
Property Damage Insurance, in an amount not less than Twenty-five thousand and no/100ths (\$25,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 142

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.  
(Block 2016, Lot E)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870

et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on December 3, 1962,

adopt its Resolution No. 62-591, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of

Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS March 18, 1963, at 4:30 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Eighty-Eight and 10/100ths (\$188.10)/ <sup>Dollars</sup>.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Eighty-Eight and 10/100ths/ <sup>(\$188.10)</sup> Dollars, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

Lot "E" of THE FIRST RESUBDIVISION OF EL CAMINO PARK, as per map filed April 15, 1927, in Volume 11 of Maps, Page 3, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-143

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES TO BEL AIR NO. 3 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for the construction of water lines to Bel Air No. 3 Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 2, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

(SEAL)

A RESOLUTION AUTHORIZING EXECUTION OF A GRANT DEED TO MODESTO IRRIGATION DISTRICT FOR RIGHT OF WAY FOR THE RELOCATION OF M.I.D. LATERAL NO. 3 AND ACCEPTING A QUITCLAIM DEED FROM THE MODESTO IRRIGATION DISTRICT FOR THAT PORTION OF THE EXISTING M.I.D. LATERAL NO. 3 RIGHT OF WAY WHICH IT NO LONGER NEEDS.

WHEREAS, the Modesto Irrigation District has relocated its M.I.D. Lateral No. 3 along the Briggsmore Avenue right of way just east of Prescott Avenue as provided in an agreement entered into between the City of Modesto, County of Stanislaus and Modesto Irrigation District dated December 31, 1962, and

WHEREAS, said agreement provides that the City will execute a Grant Deed granting the needed right of way to the Modesto Irrigation District to accommodate the relocation of its Lateral No. 3, and

WHEREAS, as the result of the relocation of a portion of the existing M.I.D. Lateral No. 3 certain right of way exists which is no longer needed by the Modesto Irrigation District and pursuant to the agreement above mentioned, it desires to quitclaim said right of way to the city,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. EXECUTION OF GRANT DEED. The granting of a new right of way along Briggsmore Avenue just east of Prescott Avenue in which the Modesto Irrigation District has relocated M.I.D. Lateral No. 3 be, and it is hereby authorized, and the Mayor and the City Clerk are hereby authorized on behalf of the city to execute and attest respectively a deed granting said right of way hereinafter described to the Modesto Irrigation District:

All that portion of Section 18, Township 3 South, Range 9 East, M.D.B.&M., described as follows:

Commencing at the Southeastern corner of Lot 10 of the Knapp Tract as per map filed November 16, 1904, in Volume 2 of Maps, Page 2, Stanislaus County Records; thence along the Eastern line of said Lot 10, North  $00^{\circ} 42'$  West, 51.31 feet, to the Southern line of the Modesto Irrigation District Lateral No. 3; thence along said Southern line, North  $84^{\circ} 15'$  West, 25.09 feet, to the true point of beginning; thence Southwesterly along a tangent curve concave to the Southeast, having a Radius of 950.00 feet, a Central Angle of  $64^{\circ} 09' 30''$ , an Arc Length of 1063.79 feet, to its point of tangency on the Southeastern line of Lateral No. 3; thence along said Southeastern line, North  $31^{\circ} 35' 30''$  East, 429.35 feet; thence Northeasterly along a tangent curve concave to the Southeast, having a Radius of 265.00 feet, a Central Angle of  $3^{\circ} 38' 11''$ , an Arc Length of 16.82 feet; thence Northeasterly along a non-tangent curve which is concentric with the above mentioned 950.00 foot Radius curve, said non-tangent curve being concave to the Southeast, having a Radius of 1050.00 feet, a Central Angle of  $13^{\circ} 47' 28''$ , an Arc Length 252.74 feet, to a point on the Southern line of Lateral No. 3; thence Northeasterly along said Southern line on a curve concave to the South, having a Radius of 265.00 feet, a Central Angle of  $3^{\circ} 38' 11''$ , an Arc Length of 16.82 feet, said curve being a continuation of the above mentioned 265.00 foot Radius curve; thence continuing along the Southern line of Lateral No. 3, South  $84^{\circ} 15'$  East, 429.35 feet, to the point of beginning, containing 1.249 Acre, more or less.

SECTION 2. ACCEPTANCE OF QUITCLAIM DEED. The city is hereby authorized to accept a quitclaim deed from the Modesto Irrigation District for certain right of way hereinafter described which it no longer needs as the result of the relocation of a portion of its existing M.I.D. Lateral No. 3:

All that portion of Section 18, Township 3 South, Range 9 East, M.D.B.&M., being a portion of the Modesto Irrigation District Lateral No. 3, described as follows:

Commencing at the Southeastern corner of Lot 10 of the Knapp Tract as per map filed November 16, 1904, in Volume 2 of Maps, Page 2, Stanislaus County Records; thence along the Eastern line of said Lot 10, North  $00^{\circ} 42'$  West, 151.95 feet, to the Northern line of Lateral No. 3; thence along the Northern line of Lateral No. 3, North  $84^{\circ} 15'$  West, 13.79 feet, and the true point of beginning; thence continuing along the Northern line of Lateral No. 3, North  $84^{\circ} 15'$  West, 429.35 feet; thence on a tangent curve concave to the Southeast, having a Radius of 365.00 feet, a

Central Angle of 64° 09' 30", an Arc Length of 408.72 feet; thence South 31° 35' 30" West, 429.35 feet; thence leaving the Northern line of Lateral No. 3 Northeasterly on a tangent curve concave to the Southeast, having a Radius of 1050.00 feet, a Central Angle of 25° 11' 01", an Arc Length of 461.51 feet, to a point on the Southern line of Lateral No. 3; thence Northeasterly along the Southern line of Lateral No. 3, on a curve concave to the Southeast, having a Radius of 265.00 feet, a Central Angle of 56° 53' 08", an Arc Length of 263.10 feet; thence leaving the Southern line of Lateral No. 3 Northeasterly along a curve concave to the Southeast, having a Radius of 1050.00 feet, a Central Angle of 25° 11' 01", an Arc Length of 461.51 feet, said curve being a continuation of the above mentioned 1050.00 foot Radius curve, to the point of beginning, containing 1.460 Acre, more or less.

SECTION 3. RECORDATION. The City Clerk is hereby authorized to record said quitclaim deed in the Office of the County Recorder of Stanislaus County.

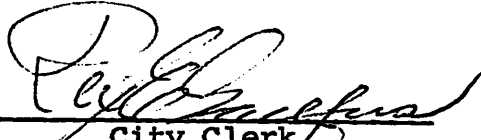
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-145

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS AND THE STATE OF CALIFORNIA FOR TRAFFIC SIGNALS AT U.S. HIGHWAY 99, WOODLAND AND COLDWELL AVENUES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the County of Stanislaus and the State of California

for traffic signals at U.S. Highway 99, Woodland and Coldwell Avenues

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-146

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,400  
FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE  
TO TRAFFIC SIGNAL, U.S. 99-COLDWELL-WOODLAND

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:


SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	\$3,400
TO:	Traffic Signal, U.S. 99- Coldwell-Woodland (503)	\$3,400

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
18th day of March, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-147

AMENDMENT TO  
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
UNITED AIR LINES FOR THE LEASE OF PROPERTY AT MODESTO CITY-COUNTY  
AIRPORT (UAL CONTRACT NO. 3245-3)

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amendment to  
that the/agreement between the City of Modesto and United Air Lines  
(UAL Contract No. 3245-3)


for lease of property at Modesto City-County Airport

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 18th day of  
March, 19 63, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Patton,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

A RESOLUTION GRANTING A PERMIT TO THE STANISLAUS COUNTY BRANCH OF THE AMERICAN CANCER SOCIETY TO DISPLAY A STREET BANNER ACROSS THE INTERSECTION OF ELEVENTH AND J STREETS FROM APRIL 22ND TO MAY 1ST, 1963.

WHEREAS, the Stanislaus County Branch of the American Cancer Society has filed a request with the Council for permission to display a banner across Eleventh and J Streets for the week of April 22nd, 1963, until May 1st, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to display a street banner across the intersection of Eleventh and J Streets for the period April 22nd through May 1st, 1963, to publicize the American Cancer Society Fund Raising Campaign, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted subject to each of the conditions hereinafter set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform, to wit:

(a) All such banners and decorations shall be of a type approved, and shall be installed in the manner prescribed by the City Manager. The City Manager shall have the authority to place whatever conditions or restrictions on the permit and the installation as he may deem necessary to protect the public safety. Before any such banner or decoration shall be placed over and across any street in the city, clearance therefor shall first be obtained from the City Manager.

(b) Prior to exercising this permit, Permittee shall furnish to the City Manager written evidence of its willingness to indemnify and hold the city harmless, from and against any and all costs, damages or liabilities arising out of the erection, maintenance or display of said banners or decoration.

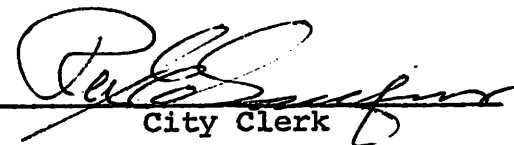
SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-149

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER MAINS IN SHERWOOD FOREST NO. 2 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-106, on March 4, 1963, approving the plans and specifications for the installation of water mains in Sherwood Forest No. 2 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 19th day of March, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by BEPCO, INC., in the sum of \$31,931.75, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$6,561.02, thus effecting a savings to the taxpayers of approximately \$25,370.73, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to

the aforesaid notice be, and they are hereby rejected and the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-150

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$73 FROM  
LIBRARY, GENERAL RESERVE TO LIBRARY ADDITIONS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

LIBRARY (201)

FROM:	Library (62)	
	General Reserve (600)	\$73
TO:	Library (62)	
	Library Additions (505)	\$73

To appropriate for expenditure amounts received as  
donations in memory of Eleanor Dennett

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
25th day of March, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Patton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 151

A RESOLUTION OF THE CITY OF MODESTO ESTABLISHING  
FLAT-RATE CHARGES FOR WATER SERVICE TO THE  
CATHERINE E. EVERETT SCHOOL.

WHEREAS, a request has been received from Modesto City Schools for the establishment of flat-rate water charges for the Catherine E. Everett Elementary School, and

WHEREAS, a flat-rate service will be helpful both to the City and the School District in respect to the problem of metering;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges be established for the Catherine E. Everett Elementary School in accordance with the number of pupils enrolled in the school as of the 31st day of October of each year as follows:

- (1) 1 to 300 students - - - - - \$132.00 per year
- (2) 301 to 600 students - - - - - \$172.50 per year

BE IT FURTHER RESOLVED that the billing date for said flat-rate water service charges shall be November 1st of each year.

BE IT FURTHER RESOLVED that the School District shall promptly notify City of any change in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 152

A RESOLUTION EXTENDING THE LIMITS IMPOSED  
BY THE DEVELOPMENT SCHEDULE APPROVED AS  
PART OF INTERIM PLANNED-DEVELOPMENT ZONE,  
(I)P-D(12). (SPENCER ADDITION)

WHEREAS, by Ordinance No. 558-C.S., effective  
January 7, 1963, the Council amended Section 31 of the  
Zoning Map to establish Interim Planned-Development zoning,  
(I)P-D(12), for the property known as the Spencer Addition,  
and

WHEREAS, the development schedule approved as part  
of said (I)P-D(12) Zone called for construction to begin on  
or before April 1, 1963, and be completed on or before June 1,  
1965, and

WHEREAS, a letter has been received from the property  
owner, H. B. Monighan, requesting an extension of the limits  
imposed by the development schedule to permit time for finalizing  
of the construction loan, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal  
Code provides that upon the recommendation of the Planning  
Commission and for good cause shown by the property owner, the  
Council may extend the limits imposed by the development schedule,  
and

WHEREAS, after consideration of the request on March  
19, 1963, it was determined by the Planning Commission that  
good cause has been shown by the applicant for his inability  
to meet the approved development schedule, and

WHEREAS, by Resolution No. 921, adopted March 19,  
1963, the Planning Commission recommended to the Council  
that the limits imposed by the development schedule approved  
as part of Interim Planned-Development Zone, (I)P-D(12),  
be extended to provide that construction begin on or before  
September 1, 1963, and be completed on or before November 1, 1965,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 63-12, adopted January 7, 1963, as part of Interim Planned-Development Zone, (I)P-D(12), shall be extended as follows:

(a) Construction shall begin on or before September 1, 1963, and be completed on or before November 1, 1965.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 63-12 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

**NOES:** Councilmen: None

**ABSENT:** Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-153

A RESOLUTION AUTHORIZING THE TRANSFER OF \$100,000 FROM THE GENERAL FUND OF THE CITY OF MODESTO TO THE SPECIAL FUND FOR CAPITAL OUTLAYS AND PROVIDING FOR THE REPAYMENT THEREOF

WHEREAS, it has been determined that there is in the Unappropriated Reserve of the General Fund an amount of One Hundred Thousand and No/100ths (\$100,000.00) Dollars available for transfer to the Special Fund for Capital Outlays for capital outlay purposes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of One Hundred Thousand and No/100ths (\$100,000.00) Dollars be and is hereby transferred on a loan basis from the Unappropriated Reserve of the General Fund to the Special Fund for Capital Outlays to be used for the construction of the Police Building and Communications Center.

BE IT FURTHER RESOLVED that said sum of One Hundred Thousand and No/100ths (\$100,000.00) Dollars shall be repaid from the Special Fund for Capital Outlays to the General Fund out of Sales Tax Revenues.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take necessary steps to implement provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 154

A RESOLUTION APPROPRIATING ADDITIONAL REVENUES  
FOR EXPENDITURE DURING THE 1962-63 FISCAL YEAR  
AND TRANSFERRING APPROPRIATED RESERVES AND  
ALLOCATING THEM FOR CAPITAL OUTLAY PURPOSES.

WHEREAS, it is anticipated that an additional sum of Three Hundred Fifty-Four Thousand Six Hundred and No/100ths Dollars (~~\$354,600.00~~) not heretofore appropriated will be received during the 1962-63 fiscal year from a project grant under Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act, and deposited into the Special Fund for Capital Outlays, and

WHEREAS, the Council desires to appropriate said funds for expenditure during the 1962-63 fiscal year and allocate them for capital outlay purposes, and

WHEREAS, the Council desires to increase the appropriation for the Police and Communications Building to conform to the Federal Application for funds, as approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Three Hundred Fifty-Four Thousand Six Hundred and No/100ths (\$354,600.00) Dollars, which is estimated to be received from a project grant under Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act, during the 1962-63 fiscal year not heretofore appropriated is hereby appropriated as follows:

502 Police Building and Communications Center in the amount of \$354,600.00

BE IT FURTHER RESOLVED that the amount of One Hundred Sixty-Four Thousand One Hundred and No/100ths (\$164,100.00) Dollars is hereby transferred from the General Reserve of the Special Fund for Capital Outlays as follows:

502 Police Building and Communications Center in the amount of \$164,100.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-155

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$119 FROM GENERAL FUND, GENERAL RESERVE TO SEWERS, MISCELLANEOUS STORM DRAINS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	\$119
TO:	Sewers (52) Miscellaneous Storm Drains (503)	\$119

To provide funds per agreement, dated February 11, 1963, for the assumption by the City of Emmanuel A. and Alberta C. Wilken's drainage assessment in exchange for immediate use of property dedicated pursuant to Paragraph I of the judgment entered on October 9, 1962, effective immediately upon the making of the payment in the manner and amount described in the agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-156

A RESOLUTION OPPOSING PROPOSED LEGISLATION CONTAINED IN A.B. 1632

WHEREAS, the City Council of the City of Modesto has reviewed the provisions of proposed Assembly Bill 1632 requiring an ordinance ordering submission to the electors of a bond issue for the purpose of financing construction of more than one building or unit of a project to specify the exact location and cost of each building or unit, and prohibiting diversion of bond proceeds from one building or unit of a project to another or changing location from that described in the ordinance, and

WHEREAS, the City Council believes that these provisions are unduly and unnecessarily restrictive and that existing State regulations governing bond procedures for acquisition of land and construction of buildings are workable and adequate, and

WHEREAS, the provisions of A.B. 1632 would place public agencies at a substantial disadvantage both in negotiating for sites for public buildings and in economical use of construction funds derived from bond issues,


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Council expresses vigorous opposition to the legislation proposed under A.B. 1632.

BE IT FURTHER RESOLVED that the City Clerk be directed to send copies of this resolution to Assemblyman John G. Veneman, Senator Hugh P. Donnelly and to the League of California Cities.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-157

A RESOLUTION ACCEPTING THE RESIGNATION OF MODESTO CITY  
MANAGER ROSS MILLER, EFFECTIVE APRIL 30, 1963

BE IT HEREBY RESOLVED by the Council of the City  
of Modesto that the resignation of Modesto City Manager  
Ross Miller, effective April 30, 1963 be, and it is  
hereby accepted.

The foregoing resolution was introduced at a  
regular meeting of the Council of the City of Modesto  
held on the 25th day of March, 1963, by Councilman  
VanderWall, who moved its adoption, which motion being  
duly seconded by Councilman Shastid, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-158

A RESOLUTION APPOINTING JOHN C. KEEFE AS CITY MANAGER,  
EFFECTIVE MAY 1, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto that John C. Keefe be and he is hereby appointed City Manager of the City of Modesto, effective May 1, 1963, at a salary to be established at a later date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-159

A RESOLUTION COMMENDING ROSS MILLER FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO AS ITS CITY MANAGER

WHEREAS, effective April 30, 1963, Ross Miller will terminate twelve years of service as City Manager of the City of Modesto, and

WHEREAS, Ross Miller has served in that capacity since June 15, 1951, when he became Modesto's first City Manager under the new City Charter establishing a Council-Manager form of city government, and

WHEREAS, throughout these years he has rendered outstandingly able service to the City of Modesto and has helped make possible tremendous gains in community achievement, and

WHEREAS, Council, staff, and citizens alike have been heartened by his spirit, helped by his wisdom, and sparked by his zest for doing,

NOW, THEREFORE, BE IT RESOLVED that the City Council, on behalf of the citizens of Modesto, expresses to Ross Miller its sincere appreciation for his years of devoted service to the City of Modesto, and for his vigorous contribution to civic achievement and cooperative community endeavor.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Ross Miller, and to have issued to Mr. Miller a Certificate of Service to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1963, By Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-160

A RESOLUTION ACCEPTING THE BID OF HARRIS CONSTRUCTION COMPANY IN THE AMOUNT OF \$517,000 FOR THE CONSTRUCTION OF A POLICE-COMMUNICATIONS CENTER BUILDING IN THE CITY OF MODESTO

WHEREAS, Resolution No. 63-105, adopted by the Council of the City of Modesto on February 25, 1963, approved the plans and specifications for the construction of a Police-Communications Center Building in the City of Modesto and authorized the calling for bids, and

WHEREAS, the bids received for the construction of a Police-Communications Center Building in the City of Modesto were opened at 2:00 P.M., March 26, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Harris Construction Company in the amount of \$517,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Harris Construction <sup>Company</sup> in the amount of \$517,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-161

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALLING FOR BIDS FOR CONSTRUCTION OF WATER MAINS IN BRENT-  
WOOD ESTATES UNIT NO. 1 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for con-  
struction of water mains in Brentwood Estates Unit No. 1  
Subdivision,  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to  
call for public competitive sealed bids for the above named  
project, to be opened in the office of the City Clerk, 801 11th  
Street, in the City of Modesto, on April 16, 1963 at 2:30 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council at  
its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 1st  
day of April, 1963, by Councilman Johansen,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-162

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF A MAINTENANCE BUILDING AT THE SEWAGE TREATMENT PLANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for construction of a maintenance building at the Sewage Treatment Plant, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 16, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-163

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR CONSTRUCTION OF A SUBTRUNK SEWER ON CARVER ROAD AND ON DEBONAIRE DRIVE TO BRENTWOOD ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for construction of a subtrunk sewer on Carver Road and on Debonaire Drive to Brentwood Estates Subdivision, copies of which are on file, are hereby approved and accepted.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 16, 1963 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-164

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT GRANTING THE CITY A RIGHT TO CONSTRUCT AND MAINTAIN A FOOT BRIDGE ACROSS M.I.D. LATERAL NO. 3 AT SHERWOOD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District granting the City a right to construct and maintain a foot bridge across M.I.D. Lateral No. 3 at Sherwood Avenue

~~FOR~~

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-165

A RESOLUTION APPROVING THE FINAL MAP OF THE  
BROOKDALE PARK NO. 4 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, John E. Hirleman, Jr.

~~are~~ <sup>is</sup> possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 5.0 acres, known as  
the Brookdale Park No. 4 Subdivision,  
and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 6th day of November,  
19 62, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Brookdale Park No. 4 Subdivision  
meets all of the provisions of the California  
Subdivision Map Act and the provisions of the Modesto Municipal Code  
relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Brookdale Park No. 4 Subdivision  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of Two Thousand Two Hundred Fifty-Two and  
90/100ths (\$2,252.90) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Ten  
Thousand Eight Hundred and no/100ths (\$10,800.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-166

A RESOLUTION AUTHORIZING ACCEPTANCE OF A PLANTING EASEMENT FOR THE PURPOSE OF MAINTAINING STREET TREES AT 1405 CONCORD AVENUE, MODESTO ( Owner, Leslie G. Knoles)

WHEREAS, Leslie G. Knoles has requested that the City provide a planting easement at 1405 Concord Avenue for the purpose of maintaining street trees, and


WHEREAS, Ordinance No. 480-C.S. provides that the City can provide a planting easement for the purpose of maintaining, planting or removing street trees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the acceptance of a planting easement at 1405 Concord Avenue, owner, Leslie G. Knoles, for the purpose of maintaining street trees be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman VanderWall who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-167

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND KENNETH LEE AND LOIS ARLENE PARKER FOR WIDENING OF ROSEBURG AVENUE (Project No. 55-16, Parcel 833-2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Kenneth Lee and Lois Arlene Parker

for widening of Roseburg Avenue (Project No. 55-16, Parcel 833-2)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO 63-168

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
THE INSTALLATION OF WATER LINES IN BEL AIR NO. 3 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted  
Resolution No. 63-143, on March 18, 1963, approving the  
plans and specifications for the installation of water lines in  
Bel Air No. 3 Subdivision

and directed the City Clerk to advertise for sealed proposals for  
doing said work, and providing that bids be submitted on the 2nd  
day of April, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolu-  
tion, thereafter duly and regularly caused a notice to be published  
in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the  
cost of such work to be performed by city forces for the sum of  
\$7,339.40, which cost estimate has been approved by the City  
Manager, and

WHEREAS, the Council declares and determines that, in its  
opinion, based upon the estimate approved by the City Manager, the  
work in question may be performed better and more economically by  
the City with its own employees,

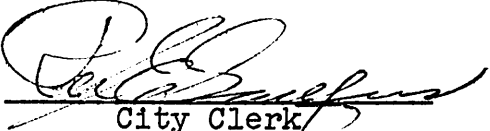
NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that, in accordance with the provisions of Section 1307  
of the Charter of the City of Modesto, the City Manager is hereby  
authorized to proceed to have the work in question performed by the  
City by its own employees.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 8th  
day of April, 1963, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman  
Johansen, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-169

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR THE FURNISHING OF LIQUID ASPHALT TO THE CITY OF MODESTO FOR THE PERIOD MAY 15, 1963 THROUGH MAY 14, 1964

WHEREAS, the Finance Department called for written and sealed bids for the furnishing of various grades of liquid asphalt to the City of Modesto for the period May 15, 1963 through May 14, 1964, and

WHEREAS, the bids received for the various grades of liquid asphalt were opened at 2:00 P.M. on March 25, 1963 and later tabulated by the Purchasing Agent for the consideration of the Council, and


WHEREAS, the Director of Finance has recommended that the low bids of George Reed be accepted as the lowest responsible bids for the various grades of liquid asphalt,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids of George Reed for various grades of liquid asphalt for the period beginning May 15, 1963, through May 14, 1964 be, and they are hereby accepted, and the Purchasing Agent instructed to purchase the annual needs at the rates specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall, Mayor  
Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-170

A RESOLUTION TERMINATING PROCEEDINGS FOR THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY KNOWN AS LORENZEN PARK ADDITION TO THE CITY OF MODESTO, IN ACCORDANCE WITH SECTION 35007 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

WHEREAS, Section 35007 of the Government Code of the State of California authorizes the City Council to terminate annexation proceedings, and

WHEREAS, the Council finds and determines that the proposed annexation proceedings are not in the public interest at this time,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all proceedings for the annexation of the Lorenzen Park Addition, described in Resolution No. 63-79, adopted by the Council on February 11, 1963, and Resolution No. 63-99, adopted by the Council on February 25, 1963, be terminated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall and Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell and Patton

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 171

A RESOLUTION GRANTING AN UNCLASSIFIED USE  
PERMIT TO CLYDA RAMOS FOR CHARM AND SELF-  
IMPROVEMENT CLASSES, 2520 MCHENRY AVENUE.

WHEREAS, a verified application for an unclassified use permit for charm and self-improvement classes at 2520 McHenry Avenue was filed by Clyda Ramos on February 15, 1963, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto, at 2:00 P.M. on March 5, 1963, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 906, recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto, at 8:15 P.M. on April 8, 1963, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. The proposed use would be compatible with other uses in the immediate area;
2. The parcel contains adequate area for sufficient off-street parking and the proposed use is one that will not appreciably add to the existing traffic problems on McHenry Avenue; and

3. The property is located at the intersection of a major and a collector street and the proposed use would provide a transition between the major street and the residential uses to the east,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to Clyda Ramos for charm and self-improvement classes at 2520 McHenry Avenue, subject to the following conditions:

1. That the property owner immediately dedicate to the City twenty-five (25') feet for the widening of McHenry Avenue and ten (10') feet for the widening of Floyd Avenue.

2. That curb, gutter, sidewalk and street surfacing be installed to City standards on McHenry and Floyd Avenues.

3. That the construction of all improvements required by Condition No. 2 be completed on or before June 8, 1964, and that for the purpose of guaranteeing the faithful performance of this condition, a cash deposit, corporate surety bond, or savings and loan certificate in an amount to be determined by the City Engineer be filed either by the applicant or the property owner with the City Clerk within thirty (30) days following the adoption of this resolution granting said unclassified use permit.

4. That five (5) off-street parking spaces be provided and improved in accordance with Section 10-2.1807 of the Modesto Municipal Code, and the design of the parking area be approved by the Director of Parking and Traffic.

5. That all vehicular ingress and egress be limited to Floyd Avenue and that both the property owner and the applicant be required upon demand to execute the necessary legal documents to carry out the provisions of this condition and Condition No. 1.

6. That ~~the use be~~ reviewed one year from the date of final approval of the application,

7. That failure to comply with any or all of the above conditions shall constitute grounds for the revocation of this unclassified use permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Johansen, Shastid, Tabbert, VanderWall and Mayor Hammond

**NOES:** Councilmen: None

**ABSENT:** Councilmen: Mitchell and Patton

**ATTEST:**   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-172

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE BURBANK-PARADISE COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Small Addition)

WHEREAS, a portion of the Burbank-Paradise County Fire Pro-  
tection District was annexed to the City of Modesto by Ordinance  
No. 573 -C.S., adopted on March 25, 1963, and

WHEREAS, said territory officially became a part of the  
City on March 27, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the Burbank-  
Paradise County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 8th day of  
April, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by

Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastis, Tabbert, Vandortall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:   
City Clerk

(SEAL)

SMALL ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being described as Lots 58 and 59, Excepting the South 70.00 feet of Lot 58, of the FIRST ADDITION TO SUNSET ACRES, as per map filed March 18, 1911, in Volume 5 of Maps, at Page 27, Stanislaus County Records, and more particularly described as follows:

Commencing at a point on the existing City Limits as established by the Southwestern corner of the Ball Park-Golf Course Addition, as per description filed February 21, 1940, as Instrument 1997, Stanislaus County Records, said point being on the Center Line of a Public Road known as Rouse Avenue; thence along the Western line of the Ball Park-Golf Course Addition, North, 466.00 feet, to a point which is 70.00 feet North of the Southeast corner of Lot 58 of said First Addition to Sunset Acres, and the true point of beginning; thence continuing along the existing City Limits, North, 194.00 feet, to the Northeast corner of Lot 59 of said First Addition to Sunset Acres; thence along the Northern line of Lot 59, South 89° 45' West, 300.00 feet, to the Eastern line of Sunset Boulevard; thence along the Eastern line of Sunset Boulevard, South, 194.00 feet, to a point 70.00 feet North of the Southwestern corner of Lot 58; thence along a line parallel with and 70.00 feet Northerly from the Southern line of Lot 58, North 89° 45' East, 300.00 feet to the point of beginning, containing 1.336 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-173

A RESOLUTION REJECTING THE CLAIM OF CEDORA BRASHER AGAINST THE  
CITY OF MODESTO

WHEREAS, Cedora Brasher filed a claim for damages against the City of Modesto on November 16, 1962, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Cedora Brasher against the City of Modesto in the amount of \$51,947.05 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-174

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO FLYING CIRCUS FOR USE OF CITY OWNED PROPERTY AT THE INTERSECTION OF HILLSIDE DRIVE AND CONEJO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Flying Circus, a nonprofit organization

for use of city owned property at the intersection of Hillside Drive and Conejo Avenue for the purpose of flying and exhibiting model airplanes and holding various contests pertaining to customary activities of model airplanes and flying


be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall, Mayor  
Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-175

A RESOLUTION APPROVING AN AGREEMENT WITH THE COUNTY OF STANISLAUS RELATING TO THE ACQUISITION OF OPEN SPACE LAND WITHIN THE MODESTO URBAN AREA

WHEREAS, an agreement between the City of Modesto and the County of Stanislaus has been prepared approving the City's policy of acquiring open-space land to meet community needs as far as possible in advance of complete development, and providing for acquisition by the City of Modesto of open-space land within the Modesto Urban Area,


NOW, THEREFORE, BE IT RESOLVED that said agreement be and is hereby approved and reference is hereby made to a copy of said agreement on file in the office of the City Clerk in the City of Modesto.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be, and they are hereby authorized to execute and attest, respectively, said agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

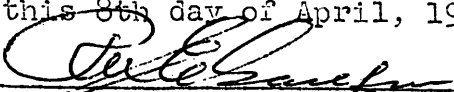
ATTEST:

  
Rex E. Gailfus, City Clerk

State of California }  
County of Stanislaus } ss.  
City of Modesto }

I, Rex E. Gailfus, City Clerk of the City of Modesto, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 63-175 adopted at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 8th day of April, 1963.

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-176

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN W. O'BRYANT FOR THE RENTAL OF CITY OWNED PROPERTY AT 213-215 ELM STREET COMMENCING APRIL 1, 1963

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John W. O'Bryant

for the rental of city owned property at 213-215 Elm Street, commencing April 1, 1963, on a month to month tenancy at a rental rate of \$85 per month


be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall, Mayor  
Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-177

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,789  
FROM GENERAL FUND, GENERAL RESERVE, TO CITY CLERK AND  
AUDITOR, ADVERTISING LEGAL AND OTHERS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	\$1,789
TO:	City Clerk and Auditor (14) Advertising Legal and Others (230)	\$1,789

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
8th day of April, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-178

A RESOLUTION APPOINTING G. DALE SMITH A MEMBER OF THE BOARD OF ZONING ADJUSTMENT (For a term expiring January 1, 1966)

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, Wilbur H. Nichols resigned from the Board of Zoning Adjustment on February 4, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that G. Dale Smith be, and he is hereby appointed a member of the Board of Zoning Adjustment, for a term expiring January 1, 1966.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-179

A RESOLUTION GRANTING A PERMIT TO SALVATION ARMY TO DISPLAY BANNERS ACROSS CITY STREETS DURING SALVATION ARMY WEEK MAY 19 TO MAY 26, 1963

WHEREAS, Captain James F. Schaal, Commanding Office of the Salvation Army, has filed a request with the Council for permission to display banners across city streets in the downtown district to publicize Salvation Army Week for the period May 19 to May 26, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to display banners across city streets in the downtown district for the period May 19 to May 26, 1963, to publicize Salvation Army Week at locations to be worked out with the approval of the city staff so that the banners will not interfere with the California Relay Banners, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-180

A RESOLUTION AUTHORIZING EXERCISING OF OPTION ON  
CONTRACT WITH UNITED STATES PIPE & FOUNDRY COMPANY  
FOR ADDITIONAL PIPE

WHEREAS, Resolution No. 62-440, adopted by the Council of the City of Modesto on September 24, 1962, accepted the bid of United States Pipe & Foundry Company for pipe for the fiscal year 1962-63, and

WHEREAS, the bid specifications for said pipe authorized the option of purchasing an additional 30% over the contract quantities, and

WHEREAS, the Purchasing Officer has requested authorization to purchase 6,000 feet of 6" cast iron pipe,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the contract option with United State Pipe & Foundry Company be exercised to purchase 6,000 feet of 6" cast iron pipe at \$1.85 per foot, per contract dated September 24, 1962.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman Shastid who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-181

A RESOLUTION AUTHORIZING EXERCISING OF OPTION ON  
CONTRACT WITH JOHNS-MANVILLE SALES CORPORATION FOR  
ADDITIONAL PIPE

WHEREAS, Resolution No. 62-442, adopted by the  
Council of the City of Modesto on September 24, 1962,  
accepted the bid of Johns-Manville Sales Corporation  
for pipe for the fiscal year 1962-63, and

WHEREAS, the bid specifications for said pipe  
authorized the option of purchasing an additional 30%  
over the contract quantities, and

WHEREAS, the Purchasing Officer has requested  
authorization to purchase 1,500 feet of 10" cement  
asbestos pipe,

NOW, THEREFORE, BE IT RESOLVED by the Council of  
the City of Modesto that the contract option with Johns-  
Manville Sales Corporation be exercised to purchase  
1,500 feet of 10" cement asbestos pipe at \$2.53 per foot,  
per contract dated September 24, 1962.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
15th day of April, 1963, by Councilman Shastid, who  
moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and the  
resolution adopted by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-182

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR INSTALLATION OF A SPRINKLER SYSTEM AT THE GARRISON PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for installation of a sprinkler system at the Garrison park site,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 30, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 19 63, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-183

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE SOUTHERN PACIFIC COMPANY FOR THE IMPROVEMENT OF THE H STREET RAILROAD CROSSING PROTECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The Southern Pacific Company

for the improvement of the H Street Railroad Crossing Protection

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 184

A RESOLUTION AMENDING RESOLUTION NO. 63-61  
ENTITLED "A RESOLUTION FIXING THE COMPENSATION  
FOR SPECIFIED POSITIONS IN THE CITY SERVICE."

WHEREAS, by Resolution No. 63-158 adopted March 25, 1963, the Council of the City of Modesto appointed John C. Keefe, City Manager of the City of Modesto effective May 1, 1963, and

WHEREAS, the City Council desires at this time to fix the compensation of John C. Keefe to become effective when he assumes the duties of the office of the City Manager effective May 1, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. SALARIES. The ranges of monthly salaries for department heads and Council appointees, except the salary for the City Manager, established January 1, 1963, by Resolution No. 63-61 are hereby continued in effect.

SECTION 2. SALARY OF CITY MANAGER. Provisions of Resolution No. 63-61 notwithstanding, the salary range for the position of City Manager is hereby amended as follows, effective May 1, 1963:

City Manager - \$17,004 per annum

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

**A RESOLUTION ESTABLISHING CHARGES AND FEES  
FOR ACTIVITIES AND SERVICES AT THE MODESTO  
CITY-COUNTY AIRPORT, AND RESCINDING RESOLUTION  
NO. 60-395.**

WHEREAS, Section 7-3.401 of the Modesto Municipal Code, as amended by Ordinance No. 572-C.S., adopted March 25, 1963, authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. 1 . . . . \$25.00 per unit per month.

Hangar No. 2 . . . . 27.00 per unit per month.

(b) Storage Hangars:

Hangar No. 1 . . . . . \$120.00 per month.

Hangar No. 2 . . . . . 120.00 per month.

Hangar No. 3 . . . . . 126.00 per month.

Hangar No. 5 . . . . . 180.00 per month.

SECTION 2. TIE DOWN FEES. Tie down charges and fees at the Modesto City-County Airport are hereby established as follows, payable in advance:

(a) Tie Downs - Permanent - Single

Engine . . . . . \$ 8.50 per month.

(b) Tie Downs - Permanent - Light

Twins . . . . . 15.00 per month.

(c) Tie Downs - Permanent - Heavy

Twins . . . . . 20.00 per month.

(d) Tie Downs - Permanent - All 4

Engine Aircraft . . . . . 25.00 per month.

(e) Tie Downs - Transient - Single

Engine . . . . . .50 per day.

- (f) Tie Downs - Transient - Light  
Twins . . . . . \$ 1.00 per day.
- (g) Tie Downs - Transient - Heavy  
Twins . . . . . 1.50 per day.
- (h) Tie Downs - All 4 Engine Aircraft 2.50 per day.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport is hereby established as follows:

- (a) Office Building No. 1 . . . . . \$16.00 per month.
- (b) Office Building No. 2 . . . . . 26.00 per month.

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Airport shall pay a landing fee as follows:

- (a) All Light Twin Engine Aircraft . . \$ 4.00 per landing.
- (b) DC 3 . . . . . 7.50 per landing.
- (c) Convair and C 46 . . . . . 10.00 per landing.
- (d) All 4 Engine Aircraft . . . . . 14.00 per landing.
- (e) All multi-engine aircraft, not based at Modesto City-

County Airport, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES.

Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport shall pay to the City the sum of One Hundred Fifty and no/100ths (\$150.00) Dollars per year, payable in advance, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable on a fiscal year basis.

SECTION 6. TEMPORARILY BASED COMMERCIAL SERVICES.

Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport, shall pay to the City a license fee in the sum of One Hundred Fifty and no/100ths (\$150.00) Dollars, payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths (\$90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 7. EFFECTIVE DATE. The charges and fees established by this resolution shall become effective on and after April 24, 1963.

SECTION 8. REPEALS. Resolution No. 60-395, adopted October 27, 1960, is hereby rescinded, effective April 24, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

A RESOLUTION CERTIFYING AVAILABILITY OF FUNDS  
FOR CONSTRUCTION OF POLICE-COMMUNICATIONS  
BUILDING, MODESTO, CALIFORNIA, H. H. F. A.  
PROJECT APW-CALIF.-38G.

WHEREAS, the City of Modesto has applied to the Housing and Home Finance Agency of the United States of America for a grant of funds to assist in the construction of a proposed Police-Communications Building, and

WHEREAS, the City has executed a grant agreement providing for the allocation of funds from H. H. F. A. for this project in the amount of Three Hundred Fifty-Four Thousand, Five Hundred and No/100ths (\$354,500.00) Dollars, and

WHEREAS, heretofore, by Ordinance No. 512-C.S. adopted on June 25, 1962, entitled "An Ordinance Adopting the Budget for the City of Modesto for the Fiscal Year Ending June 30, 1963, and Providing for Certain Transfers of Funds", the sum of One Hundred Sixty-Two Thousand, Five Hundred and No/100ths (\$162,500.00) Dollars was appropriated to Account No. 502 entitled "Police Building and Communications Center" for the purpose of financing the construction of the Police-Communications Building, and

WHEREAS, heretofore, by Resolution No. 63-153 adopted March 25, 1963, the Council of the City of Modesto transferred and appropriated One Hundred Thousand and No/100ths (\$100,000.00) Dollars from the General Fund for the construction of the above proposed project as per contract documents dated December 21, 1962, revised February 15, 1963, eliminating Alternatives Nos. 1, 2 and 3 as contained in Addendum No. 1 to the Specifications, Project No. APW-Calif.-38G, all as set forth in the contract documents entitled "Contract Documents and Specifications for Police & Communications Building, Modesto, California", and

WHEREAS, heretofore, by Resolution No. 63-154 adopted March 25, 1963, the Council of the City of Modesto appropriated the additional sum of Five Hundred Eighteen Thousand, Seven Hundred and No/100ths (\$518,700.00) Dollars for the construction of the

above proposed project as per contract documents dated December 21, 1962, revised February 15, 1963, eliminating Alternatives Nos. 1, 2 and 3 as contained in Addendum No. 1 to the Specifications, Project No. APW-Calif.-38G, all as set forth in the contract documents entitled "Contract Documents and Specifications for Police & Communications Building, Modesto, California", and

WHEREAS, the City of Modesto by Resolution No. 63-160 has accepted the bid of Harris Construction Company in the amount of Five Hundred Seventeen Thousand and No/100ths (\$517,000.00) Dollars for the construction of said Police-Communications Building, Project APW-Calif.-38G, and authorized the execution of a contract in accordance with said bid and the above referred to contract documents,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that additional funds, if any, required for the construction and completion of the Police-Communications Building, Modesto, California, Project APW-Calif.-38G in excess of funds heretofore set aside and in excess of grant funds from H. H. F. A. will be supplied by the City if and when needed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: JOHANSEN, MITCHELL, PATTON, SHASTID, TABBERT, VANDERWALL, MAYOR HAMMOND

NOES: Councilmen: NONE

ABSENT: Councilmen: NONE

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 187

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A DOCUMENT ENTITLED "CERTIFICATE AS TO PROJECT SITE, RIGHTS OF WAY, AND EASEMENTS" IN CONNECTION WITH THE CONSTRUCTION OF THE POLICE-COMMUNICATIONS BUILDING, PROJECT NO. APW-CALIF.-38G.

WHEREAS, the City of Modesto has applied to and has been given a grant in aid by the Housing and Home Finance Agency in connection with the construction of a Police-Communications Building for the City of Modesto, Project APW-Calif.-38G, and

WHEREAS, one of the contract documents necessary to complete and to qualify for this grant in aid is the furnishing of a certificate with respect to title in the City of Modesto as to the project site, rights of way, and easements, providing for the site for the construction of said proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

That certain document described above, entitled "Certificate as to Project Site, Rights of Way, and Easements" for Project No. APW-Calif.-38G, is hereby approved, and the City Attorney of the City of Modesto is authorized to execute said documents on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-188

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect swill within the City by James T. Adams, on April 5, 1963, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect swill shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of said Code,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that 8:15 P.M., Monday, April 22, 1963, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect swill within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-189

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY RICHARD C. SMITH ON THE REZONING OF PROPERTY LOCATED IN BLOCK 6601 (NORTHWEST CORNER OF TULLY AND BRIGGSMORE)

WHEREAS, the Modesto City Planning Commission held a public hearing in the Council Chambers, located in the City Hall, 801 11th Street, in the City of Modesto, on February 5, 1963, with further consideration on February 19, March 19 and April 2, 1963, for the purpose of considering an application for an amendment to Section 18 of the Zoning Map, filed by Richard C. Smith, 1817 Tully Road, Modesto, on December 19, 1963, to reclassify from Multiple-Family Zone, R-3, to Planned Development Zone, P-D, the following property:

Parcels 32, 33 and 36 in Block 6601 on the northwest corner of Tully and Briggsmore, and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 923, denying the request for the amendment to Section 18 of the Zoning Map, and

WHEREAS, on April 8, 1963, Richard C. Smith filed an appeal with the City Clerk on the decision of the Planning Commission denying the request for rezoning, and

WHEREAS, Section 10-2.2112 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Commission denying an application for an amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Planning Commission be set for Monday, May 13, 1963 at 8:00 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-190

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,750  
FROM IN LIEU PARKING, GENERAL RESERVE TO REFUNDS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

IN LIEU PARKING (326)

FROM:	General Reserve (600)	\$3,750
TO:	Refunds (436)	\$3,750

To provide appropriation for refunding to Bank of California,  
National Association, payment made by them June 24, 1959, in  
accordance with agreement approved by Council June 24, 1959,  
Resolution 59-280.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
15th day of April, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-191

A RESOLUTION EXPRESSING APPRECIATION TO THE CENTRAL CALIFORNIA ART LEAGUE FOR PAINTING MURALS ON THE WALLS OF THE CITY HALL PARKING GARAGE

WHEREAS, members of the Central California Art League have painted on the walls of the City Hall Parking Garage murals depicting the economy and character of the Modesto area, and

WHEREAS, these murals are colorful and attractive decorations of this public facility, and

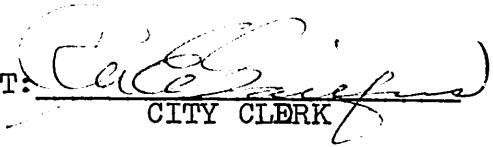
WHEREAS, they represent an unusual contribution by the participating artists toward the interest and pleasure of their fellow citizens,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Central California Art League be commended for instituting and carrying out this project, and that the artists who executed the murals be thanked for their generous contribution of talent and time.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-192

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE CONSTRUCTION OF SUBTRUNK SEWERS ON CARVER ROAD AND DEBONAIRE DRIVE TO BRENTWOOD ESTATES UNIT NO. 1 SUBDIVISION

WHEREAS, Resolution No. 63-163, adopted by the Council of the City of Modesto on April 1, 1963, approved the plans and specifications for the construction of subtrunk sewers on Carver Road and Debonaire Drive to Brentwood Estates No. 1 and authorized the calling for bids, and

WHEREAS, the bids received for the construction of subtrunk sewers on Carver Road and Debonaire Drive to Brentwood Estates No. 1 were opened at 2:15 P.M., April 16, 1963 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of \$11,937.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed, Inc.

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-193

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE CONSTRUCTION OF WATER LINES IN BRENTWOOD ESTATES NO. 1 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-161, on April 1, 1963, approving the plans and specifications for the construction of water lines in Brentwood Estates No. 1 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 16th day of April, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$10,848.04, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Shastid, who moved

its adoption, which motion being duly seconded by Councilman  
Patton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-194

A RESOLUTION ACCEPTING THE BID OF SAM A. JONES FOR THE CONSTRUCTION  
OF A SEWAGE TREATMENT PLANT MAINTENANCE BUILDING

WHEREAS, Resolution No. 63-162, adopted by the Council  
of the City of Modesto on April 1, 1963, approved the  
plans and specifications for the construction of a Sewage Treatment  
Plant Maintenance Building  
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of a Sewage  
Treatment Plant Maintenance Building  
were opened at 2:00 P.M., April 16, 1963, and later tabulated by  
the Public Works Department for the consideration of the Council,  
and

WHEREAS, the Director of Public Works has recommended that  
the bid of Sam A. Jones in the amount of \$3,818

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Sam A. Jones  
be accepted, the minor irregularity of one dollar in the bid bond  
be waived,

~~RESOLVED~~ and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 22nd day of  
April, 1963, by Councilman Shastid, who  
moved its adoption, which motion being duly seconded by Councilman  
Johansen, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-195

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR INSTALLATION OF A SPRINKLER SYSTEM AT THE CALIFORNIA-FRANKLIN PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for installation of a sprinkler system at the California-Franklin park site, copies of which are on file, are hereby accepted and approved.

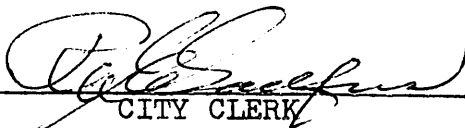
Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 3, 1963 at 10:00 A.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-196

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND W. G. AND BELVA F. McMANUS FOR WIDENING OF ROSEBURG AVENUE (Project No. 55-16, Parcel 833-1)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and W. G. and Belva F. McManus

for widening of Roseburg Avenue (Project No. 55-16, Parcel 833-1)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 197

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE MCHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Crestview No. 3 Addition)

WHEREAS, a portion of the McHenry-Dry Creek County **Fire Pro-**  
**tection District** was annexed to the City of Modesto by Ordinance  
No. 576 -C.S., adopted on April 8, 1963, and

WHEREAS, said territory officially became a part of the  
City on April 10, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the McHenry-  
Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 22nd day of  
April, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by

Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, being a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, and the Southeastern corner of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records; thence along the Northern line of the Lorenzen Addition and the existing City Limits, North  $89^{\circ} 58'$  West, 150.02 feet, to the Southeastern corner of the Crestview Addition, as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records; thence along the Eastern line of said Crestview Addition and the existing City Limits, North 108.34 feet, to the Northeastern corner of the Crestview Addition; thence along the Northern line of the Crestview Addition and the existing City Limits, West 70.00 feet, to the Southeastern corner of the Crestview No. 2 Addition, as per description filed February 5, 1963, as Instrument 4470, Stanislaus County Records; thence along the Eastern line of the Crestview No. 2 Addition and the existing City Limits, North  $10^{\circ} 35' 05''$  West, 65.86 feet, and North  $12^{\circ} 20'$  East, 159.83 feet, to the Northeastern corner of Crestview No. 2 Addition, and the Northern line of Downey Park No. 1 Subdivision; thence along the Northern line of the Downey Park No. 1 Subdivision and its Easterly extension, East 184.35 feet, to the Northeastern corner of said subdivision; thence along the Eastern line of said subdivision, South  $0^{\circ} 35'$  East, 330.43 feet, to the point of beginning, containing 1.429 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 198

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE WOODLAND AVENUE COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Catherine Everett  
School Addition)

WHEREAS, a portion of the Woodland Avenue County **Fire Pro-**  
tection District was annexed to the City of Modesto by Ordinance  
No. 577 -C.S., adopted on April 8, 1963, and

WHEREAS, said territory officially became a part of the  
City on April 10, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the Woodland  
Avenue County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 22nd day of  
April, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by

Councilman Johansen, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

CATHERINE EVERETT SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of the Northeast quarter of Section 18, Township 3 South Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northwestern corner of the BLOMDAHL ADDITION, as per description filed June 14, 1962, as Instrument 23005, and by the Southeastern corner of the CORNWELL ADDITION, as per description filed December 29, 1960, as Instrument 36792, Stanislaus County Records, said point being on the Western line of a 40-foot Public Road known as Carver Road; thence along the existing City Limits and the Eastern line of the Cornwell Addition, North  $0^{\circ} 46' 30''$  West, 661.47 feet, to a point on the Easterly extension of the Northern line of Mount Vernon Drive, as shown on the map of the Skylane Park Unit No. 2 Subdivision, as per map filed December 5, 1961, in Volume 19 of Maps, Page 89, Stanislaus County Records; thence South  $89^{\circ} 12' 09''$  East, 20.01 feet, to the Center Line of Carver Road; thence North  $89^{\circ} 13' 30''$  East, 20.00 feet, to a point on the Eastern line of Carver Road and the Northwestern corner of property conveyed to Arthur J. Wylie, et ux, by Deed recorded June 14, 1962, as Instrument 23133, Stanislaus County Records; thence along the Northern line of said Wylie property, North  $89^{\circ} 13' 30''$  East, 25.00 feet; thence on a tangent curve concave to the North, having a Radius of 1070.00 feet, a Central Angle of  $10^{\circ} 25' 27''$ , and a Length of 194.67 feet; thence North  $78^{\circ} 48' 03''$  East, 527.19 feet; thence on a tangent curve concave to the South, having a Radius of 930.00 feet, a Central Angle of  $12^{\circ} 18' 12''$ , and a Length of 199.70 feet; thence South  $88^{\circ} 53' 45''$  East, 8.38 feet, to the Northeastern corner of the Wylie property; thence along the Eastern line of the Wylie property, South  $0^{\circ} 26' 15''$  East, 20.00 feet, to the Northwestern corner of property conveyed to the Modesto City School District of Stanislaus County, by Final Judgment in Condemnation recorded January 26, 1962, as Instrument 3412, Stanislaus County Records; thence along the Northern line of the School property, South  $88^{\circ} 53' 45''$  East, 580.97 feet, to a point on the existing City Limits as established by the Western line of the GREGORY GARDENS NO. 3 ADDITION, as per description filed March 4, 1958, as Instrument 5409, Stanislaus County Records; thence along the existing City Limits as established by the said Gregory Gardens No. 3 Addition and by the GREGORY GARDENS ADDITION, as per description filed August 30, 1955, as Instrument 25171, Stanislaus County Records, South  $0^{\circ} 35' 15''$  East, 792.34 feet, to a point on the East-West quarter line of Section 18, said point being on the existing City Limits as established by the Northern line of the GREGORY GARDENS NO. 2 ADDITION, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence along the existing City Limits, the quarter line of Section 18 and the Northern line of Gregory Gardens No. 2 Addition, North  $89^{\circ} 12' 15''$  West, 323.77 feet, to the Northeastern corner of the aforementioned Blomdahl Addition; thence continuing along the quarter line and the existing City Limits as established by the Blomdahl Addition, North  $89^{\circ} 12' 15''$  West, 1239.01 feet, to the Western line of Carver Road and the point of beginning, containing 28.188 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-199

A RESOLUTION ACCEPTING THE CONSTRUCTION OF RELOCATION OF FREEWAY  
STREET LIGHTING BY INDUSTRIAL ELECTRICAL COMPANY

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of relocation of freeway street lighting

has been completed by Industrial Electrical Company

in accordance with the contract agreement, dated December 3, 1962.

NOW, THEREFORE, BE IT RESOLVED that the construction of  
relocation of freeway street lighting  
be accepted from said contractor Industrial Electrical Company

that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 22nd day of  
April, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman VanderWall,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 

CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-200

A RESOLUTION AUTHORIZING THE RELEASE OF THE GENERAL INSURANCE COMPANY OF AMERICA SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN CAMPUS EDGE NO. 2 SUBDIVISION

WHEREAS, Joe Nunes, Jr., and Kathryn Nunes, subdividers of Campus Edge No. 2 Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the General Insurance Company of America Subdivision Bond No. 354316 in the sum of \$15,500 filed by Joe Nunes, Jr., and Kathryn Nunes to guarantee the improvements in Campus Edge No. 2 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 201

A RESOLUTION STATING THERE HAS BEEN NO DECREASE IN THE TOTAL AMOUNT OF PLANNED CAPITAL EXPENDITURES FOR THE FISCAL YEARS COVERED BY THE GRANT AGREEMENT WITH THE HOUSING AND HOME FINANCE AGENCY FOR AID IN FINANCING THE CONSTRUCTION OF THE POLICE-COMMUNICATIONS BUILDING, PROJECT NO. APW-CALIF.-38G.

WHEREAS, the City of Modesto, (herein called the "Applicant") has entered into a Grant Agreement with the Housing and Home Finance Agency (herein called the "Government") to aid in financing the construction of the Police-Communications Building, Project No. APW-Calif.-38G, and

WHEREAS, said Grant Agreement requires the Applicant, as a condition precedent to the disbursement of any grant funds by the Government, to present satisfactory evidence that its capital improvement plan, budget or other schedule has been formally amended, or is in the process of being amended, to increase its planned net expenditures for capital improvements by an amount approximately equal to the non-Federal funds required to complete the project, and

WHEREAS, the status of the project is such that it is deemed necessary to request a disbursement of grant funds by the Government,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto, that there has been no decrease in the total amount of planned capital expenditures for the fiscal year ending June 30, 1963, and such total amount of planned capital expenditures is hereby increased for the fiscal year ending June 30, 1963, by Three Hundred Fifty-Four Thousand, Five Hundred and no/100ths (\$354,500.00) Dollars.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

**NOES:** Councilmen: None

**ABSENT:** Councilmen: None

**ATTEST:**

  
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-202

A RESOLUTION DESIGNATING CITY MANAGER JOHN C. KEEFE THE AUTHORIZED OFFICER TO SIGN LEGAL DOCUMENTS WITH THE HOUSING AND HOME FINANCE AGENCY RELATIVE TO THE POLICE-COMMUNICATIONS BUILDING (Effective May 1, 1963)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that John C. Keefe, City Manager of the City of Modesto be, and he is hereby designated the authorized officer to sign legal documents with the Housing and Home Finance Agency relative to the Police-Communications Building, effective May 1, 1963.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to send two (2) certified copies of this resolution to the Housing and Home Finance Agency.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 203

A RESOLUTION ESTABLISHING RATES FOR THE USE OF THE SWIMMING POOLS AT THE MODESTO HIGH SCHOOL, DOWNEY HIGH SCHOOL AND THE MODESTO JUNIOR COLLEGE DURING THE SUMMER VACATION SEASONS WHILE POOLS ARE BEING OPERATED BY THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 61-267.

WHEREAS, the City of Modesto has entered into agreements with the Modesto High School District of Stanislaus County and the Modesto Junior College District of Stanislaus County for the joint financing of the construction of swimming pools at Modesto High School, Downey High School and the Modesto Junior College, and

WHEREAS, said agreements provide that the City shall have the sole and exclusive use of said swimming pools during the respective school summer vacation seasons, and

WHEREAS, the City desires to establish reasonable fees to be charged to the public for the use of the pools and facilities at said swimming pools,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following rates are hereby established for the use of the swimming pools during the summer vacation seasons while they are under the control and supervision of the Department of Parks and Recreation of the City of Modesto:

Registration Fee, Lessons . . . . .	\$ 2.00
Adult Admissions, 18 years and over . . . . .	.40
Child Admissions, 17 years and under. . . . .	.25
Season Tickets:	
Family . . . . .	20.00
Adult, 18 years and over . . . . .	12.50
Child, 17 years and under. . . . .	9.00
Pool Rental Charges, first hour . . . . .	10.00
Each additional hour . . . . .	5.00

SECTION 2. This resolution shall become effective as of June 1, 1963.

SECTION 3. Resolution No. 61-267 adopted by the Council on June 5, 1961, is hereby rescinded as of June 1, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-204

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING IN THE MATTER OF GRANTING LICENSE FOR THE COLLECTION OF SWILL IN THE CITY OF MODESTO

WHEREAS, application was filed with the City Clerk for license to collect swill within the City by James T. Adams, on April 5, 1963, and

WHEREAS, Section 5-5.15 of the Modesto Municipal Code provides that no license to collect swill shall be granted by the Council except after a public hearing on said application, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that 8:20 P.M., Monday, May 13, 1963, in the Council Chambers of the City is hereby fixed as the time and place for a public hearing upon said application for license to collect swill within the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20 OF THE ZONING MAP (Laconte)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, in the Council Chamber for the purpose of considering an amendment to Section 20 of the Zoning Map (Laconte) to reclassify from one-family zone, R-1, to Multiple-Family, R-3,

the following described property:

That parcel measuring 130 feet by 182.84 feet, which includes the south one half of Roseburg Avenue adjacent thereto, which lies 255 feet west of the center line of McHenry Avenue,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 932 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:05 P.M., Monday, May 13, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21 OF THE ZONING MAP (Fair Addition)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, in the Council Chamber for the purpose of considering an amendment to Section 21 of the Zoning Map (Fair Addition) to reclassify from One-Family Zone, R-1, to General Commercial Zone, C-2,

the following described property:

Properties located on the east side of McHenry Avenue from south of Fairmont Avenue to East Roseburg Avenue,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 928 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:10 P.M., Monday, May 13, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1963, by Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Hammond  
NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31 OF THE ZONING MAP (Gant Addition)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, in the Council Chamber for the purpose of considering an amendment to Section 31 of the Zoning Map (Gant Addition) to reclassify from One-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1,

the following described property:

That property located on the West side of Franklin Street at Paradise Avenue, known as the Gant Addition,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 927 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:30 P.M., Monday, May 20, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Hammond

NOES: Councilmen: None      ABSENT: Councilmen: None

ATTEST:

  
City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20 OF THE ZONING MAP (Ray Gada)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, in the Council Chamber for the purpose of considering an amendment to Section 20 of the Zoning Map (Ray Gada) to reclassify from One-Family Zone, R-1, to General Commercial Zone, C-2,

the following described property:

Lot 9, Block 6060, being located west of McHenry Avenue on the north side of Coolidge Avenue,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 930 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:35 P.M., Monday, May 20, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None      ABSENT: Councilmen: None

ATTEST:

  
City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19 OF THE ZONING MAP (Hall and Stensaas)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, in the Council Chamber for the purpose of considering an amendment to Section 19 of the Zoning Map (Hall and Stensaas) to reclassify from One-Family Zone, R-1, to Multiple-Family Zone, R-3,

the following described property:

That property located immediately south of Clayton Avenue and immediately west of Carver Road,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 929 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:40 P.M., Monday, May 20, 1963, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

[Signature]  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-210

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$60,000  
FOR DEVELOPMENT OF CALIFORNIA-FRANKLIN, GARRISON AND  
KEWIN PARK SITES

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)	
FROM: Park Dev., Plans & Eng.(503)	\$5,000
Unappro. Fund Bal (95)	25,000
Disposal (Garbage & Refuse)	5,000
Purch.land for land fill (501)	
Var.trunk & sbtrnk ext (503)	10,974
Hatch Rd Realign (503)	4,500
Dryden Pk/Neece Dr Ent(503)	2,000
Park Acquis No/Sylvan School, New Site, Nghbrhd #4 (501)	7,000
Crbs,gtrs & sdwlks, var parks (503)	<u>526</u>
	\$60,000
TO: Calif-Franklin Park Site (503)	\$27,200
Garrison Park Site (503)	23,400
Kewin Park (503)	<u>9,400</u>
	\$60,000

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
22 day of April, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-211

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JACKSON B. AND MERNA BROUGHTON WHEREIN THE CITY AGREES TO SELL ITS REMAINDER INTEREST IN PROPERTY AT 115 DOWNEY AVENUE, MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jackson B. and Merna Broughton, wherein the City agrees to sell its remainder interest in property at 115 Downey Avenue, Modesto

~~xxx~~

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-212

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS  
OF RETURNS AND RESULT OF GENERAL MUNICIPAL ELECTION  
HELD ON TUESDAY, APRIL 16, 1963

WHEREAS, the Council of the City of Modesto duly called and ordered held in said City and in Modesto City School District on Tuesday, the 16th day of April 1963, a General Municipal Election to elect one (1) Mayor for full term of four (4) years, and one (1) Councilman (Chair 1) for full term of four (4) years, and one (1) Councilman (Chair 3) for full term of four (4) years, and one (1) Councilman (Chair 6) for full term of four (4) years, and three (3) members of the Board of Education of the Modesto City School District, for the full term of four (4) years, and for the purpose of voting upon

"A RESOLUTION PROPOSING CHARTER AMENDMENTS ON THE MOTION OF THE COUNCIL, CALLING A SPECIAL MUNICIPAL CHARTER AMENDMENT ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY A PROPOSAL TO AMEND THE CHARTER OF SAID CITY BY AMENDING SECTION 601 OF ARTICLE VI RELATING TO POWERS AND DUTIES OF THE MAYOR; ADDING SECTION 604 TO ARTICLE VI RELATING TO SALARY FOR THE MAYOR; AND AMENDING SECTION 703 OF ARTICLE VII RELATING TO COMPENSATION FOR COUNCILMEN; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME AND PROVIDING FOR NOTICE THEREOF; AND CONSOLIDATING SAID SPECIAL MUNICIPAL CHARTER AMENDMENT ELECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD APRIL 16, 1963."

WHEREAS, the Council of the City of Modesto duly ordered consolidated with said General Municipal Election and Modesto City School District election, a Special Municipal Charter Amendment Election, and

WHEREAS, said General Municipal Election and said consolidated Special Municipal Charter Amendment Election were held on Tuesday, April 16, 1963, in accordance with law and the proceedings of said Council and the votes thereat received and canvassed and the returns thereof ascertained, determined, and declared in all respects as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the City Clerk of the City of Modesto be, and he is hereby instructed to enter this resolution on the minutes of this Council as a statement of the results of said elections.

2. That the whole number of votes cast at said General Municipal Election was 10,550 votes.

(a) That the total number of votes cast at said election in said City was 7,947 votes.

(b) That the total number of votes cast outside of the city limits of said City and inside said Modesto City School District was 2,603 votes.

MAYOR AND COUNCILMEN

Special Consolidated Election Precinct No.	MAYOR			COUNCILMEN (Full Term)				
	Henry G. Anderson	E. R. Brown	Peter W. Johansen	<u>Scattering</u>	(Chair 1) Richard VanderWall	(Chair 1) <u>Scattering</u>	(Chair 3) William R. Mitchell	(Chair 3) <u>Scattering</u>
Absentee Votes	40	5	38		68		60	1
1	64	11	67		111		104	1
2	83	7	107		158	2	157	
3	89	12	117		179	2	178	1
4	115	12	83		169		170	
5	83	13	108		159		151	
6	101	17	136		222		219	
7	93	7	88		163		161	
8	122	12	129		217		215	
9	70	13	107		161		156	
10	140	7	102		209		199	
11	171	12	201		321		314	
12	182	21	160		295		291	
13	121	14	132		232		215	1
14	120	18	169		248		248	

CANDIDATES

MAYOR AND COUNCILMEN

Special Consolidated Election Precinct No.	MAYOR			COUNCILMEN (Full Term)				
	Henry G. Anderson	E. R. Brown	Peter W. Johansen	Scattering	(Chair 1) Richard VanderWall	(Chair 1) Scattering	(Chair 3) William R. Mitchell	(Chair 3) Scattering
15	133	6	123		232		205	
16	102	10	124		186		183	
17	73	16	138		192		191	
18	56	13	122		174		171	
19	34	32	66		109		105	2
20	46	17	47		90	2	90	
21	91	17	159		244		236	
22	162	10	133		273		273	
23	58	11	79		122		123	2
24	62	18	127		181		179	
25	68	25	98		158		157	
26	67	13	105		158		161	
27	63	10	122		172		166	
28	141	4	125		208		208	1
29	111	7	107		184	2	181	1
30	53	15	40		84		81	
31	58	20	79		136		129	
32	44	13	61		99		100	
33	64	10	100		144		136	
34	55	5	93		126		127	

CANDIDATES

MAYOR AND COUNCILMEN:

Special Consolidated Election Precinct No.	MAYOR		MAYOR AND COUNCILMEN:			COUNCILMEN (Full Term)		
	<u>Henry G. Anderson</u>	<u>E. R. Brown</u>	<u>Peter W. Johansen</u>	<u>Scattering</u>	(Chair 1) <u>Richard VanderWall</u>	(Chair 1) <u>Scattering</u>	(Chair 3) <u>William R. Mitchell</u>	(Chair 3) <u>Scattering</u>
35	17	4	53		65		65	
36	36	9	87		114		113	
37	61	11	138		185		183	
38	22	7	48		71		66	

CANDIDATES

COUNCILMEN AND BOARD OF EDUCATION

BOARD OF EDUCATION (Full Term)

COUNCILMEN

Special  
Consolidated  
Election  
Precinct No.

(Chair 6)  
William R.  
Patton

(Chair 6)  
Warren C.  
Boswell

(Chair 6)  
Scattering

Cecil G.  
Plummer

Fred G.  
Thiemann

Harriette  
Kirschen

Wendell  
W. Page

Walter  
E. Regan

Scatter

Absentee Votes

1

2

3

4

5

6

7

8

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11

12

13

14

15

16

17

18

19

53

84

118

120

152

94

153

130

141

105

173

245

224

123

148

159

131

113

121

56

26

50

72

87

50

82

84

54

112

84

71

120

118

133

146

92

96

106

68

73

2

1

2

1

81

110

154

186

168

170

215

165

219

143

220

317

298

219

235

222

196

181

172

94

68

70

96

122

123

124

139

116

149

106

161

238

205

154

179

136

142

123

103

60

32

72

124

106

90

110

111

68

141

91

90

153

143

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100

105

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184

148

167

135

98

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106

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48

69

74

74

80

69

103

94

115

89

92

162

157

113

120

123

117

101

85

62

CANDIDATES

COUNCILMEN AND BOARD OF EDUCATION

BOARD OF EDUCATION (Full Term)

COUNCILMEN

Special  
Consolidated  
Election  
Precinct No.

(Chair 6)  
William R.  
Patton

(Chair 6)  
Warren C.  
Boswell

(Chair 6)  
Scattering

Cecil G.  
Plummer

Fred G.  
Thiemann

Harriette  
Kirschen

Wendell  
W. Page

Walter  
E. Regan

Scatter

20	47	58		80	61	45	48	53
21	160	103		222	136	108	148	132
22	177	114	1	251	196	122	143	127
23	80	63	2	113	82	83	75	62
24	105	97		165	123	102	99	88
25	96	84	1	125	95	114	84	87
26	107	70		153	103	105	79	59
27	104	85		164	99	105	99	77
28	159	103		224	152	128	109	120
29	133	89	4	184	122	108	103	101
30	63	38		90	48	61	30	46
31	88	67		114	75	94	60	72
32	71	44		91	53	65	46	53
33	116	47		144	87	82	79	75
34	94	55		117	76	87	64	50
35	50	25		60	37	42	31	25
36	61	59		95	73	72	59	56
37	100	103		167	116	115	105	99
38	40	34		60	42	40	30	38
39				96	79	41	59	60

CANDIDATES

BOARD OF EDUCATION (Full Term)

Special  
Consolidated  
Election  
Precinct No.

Cecil G.  
Plummer

Fred G.  
Thiemann

Harriette  
Kirschen

Wendell  
W. Page

Walter  
E. Regan

Scatter

40

84

62

40

49

50

1

41

44

36

32

20

20

42

61

45

36

32

30

43

81

61

54

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24

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15

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57

14

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11

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58

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35

36

23

CANDIDATES

BOARD OF EDUCATION (Full Term)

Special  
Consolidated  
Election  
Precinct No.

Cecil G.  
Plummer

Fred G.  
Thiemann

Harriette  
Kirschen

Wendell  
W. Page

Walter  
E. Regan

Scattered

59

381

337

165

184

200

60

163

128

83

80

82

61

109

94

49

62

73

62

117

93

63

60

45

1

63

88

78

48

46

37

64

115

107

59

69

53

65

115

86

49

62

46

66

40

39

21

13

11

3. That the total number of votes cast at said election on the following Proposed Amendments to the Charter of the City of Modesto were:

	<u>YES</u>	<u>NO</u>
(a) Proposition No. 1	4927	2345
(b) Proposition No. 2	1585	5676
(c) Proposition No. 3	1610	5664

4. That the names of the persons voted for for the respective offices to be filled, for which the ballots were cast, and the number of votes given in each precinct and by absentee voters to each of said persons were as follows:

<u>CANDIDATES</u>	<u>TOTAL VOTE</u>
<u>MAYOR</u>	
Henry G. Anderson	3,271
E. R. Brown	484
Peter W. Johansen	4,118
<u>COUNCILMEN - Chair 1</u>	
Richard VanderWall	6,619
<u>COUNCILMEN - Chair 3</u>	
William R. Mitchell	6,467
<u>COUNCILMEN - Chair 6</u>	
William R. Patton	4,494
Warren C. Boswell	3,062
<u>BOARD OF EDUCATION</u>	
Cecil G. Plummer	8,460
Fred G. Thiemann	6,050
Harriette Kirschen	4,869
Wendell W. Page	4,843
Walter E. Regan	4,476

5. That at said general municipal election the following named persons received the largest number of votes for the following offices, respectively, and were, therefore, duly elected to the respective offices for which they were respectively candidates, and each of said persons having received the largest number of votes cast for any person for such office is hereby declared to be duly and regularly elected to such office, respectively, for the term commencing April 24, 1963, and the City Clerk is hereby directed to issue a Certificate

of Election to each of said persons, certifying his election to the office appearing after his name, and to administer to each of said persons the oath of office prescribed by the Consitution and laws of the State of California and the Charter of said City, to wit:

PETER W. JOHANSEN	MAYOR for four year term
RICHARD VANDERWALL	COUNCILMAN (Chair 1) for four year term
WILLIAM R. MITCHELL	COUNCILMAN (Chair 3) for four year term
WILLIAM R. PATTON	COUNCILMEN (Chair 6) for four year term
CECIL G. PLUMMER	MEMBER OF BOARD OF EDUCATION for four year term
FRED G. THIEMANN	MEMBER OF BOARD OF EDUCATION for four year term
HARRIETTE KIRSCHEN	MEMBER OF BOARD OF EDUCATION for four year term

6. That at said general municipal election the following proposed Charter Amendment was submitted to the electors of said City and that the number of votes given in said City for and against said proposal, including the absentee votes, was as follows:

CITY OF MODESTO CHARTER AMENDMENT PROPOSITION  
NO. 1:

Shall the Charter of the City of Modesto be amended by amending Section 601 of Article VI relating to powers and duties of the Mayor, all as provided in said Section 601, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?

Total Vote "YES"	Total Vote "NO"
4,927	2,345

7. That the number of votes cast in each precinct for and against said Charter Amendment Proposition No. 1, including absentee vote, was as follows:

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
Absentee Vote	44	26
1	83	38
2	125	52

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
3	120	72
4	118	69
5	114	68
6	155	80
7	123	55
8	170	73
9	122	61
10	159	75
11	230	126
12	217	109
13	166	81
14	214	75
15	162	72
16	142	78
17	159	61
18	131	57
19	77	48
20	63	35
21	188	70
22	223	67
23	95	45
24	145	52
25	121	54
26	105	71
27	131	49
28	154	95
29	124	87
30	64	34
31	82	58
32	73	28
33	93	60

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
34	96	45
35	43	28
36	88	34
37	150	42
38	<u>58</u>	<u>15</u>
TOTAL	4,927	2,345

8. That a majority of all of the votes cast at said general municipal election on said proposed Charter Amendment No. 1 were in favor of said proposition, and that said proposition was approved.

9. That at said general municipal election the following proposed Charter Amendment was submitted to the electors of said City and that the number of votes given in said City for and against said proposal, including absentee vote, was as follows:

**CITY OF MODESTO CHARTER AMENDMENT PROPOSITION NO. 2**

	<u>Total Vote "YES"</u>	<u>Total Vote "NO"</u>
Shall the Charter of the City of Modesto be amended by adding Section 604 to Article VI relating to salary for the Mayor, all as provided in Section 604, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	1585	5676

10. That the number of votes cast in each precinct for and against said Charter Amendment Proposition No. 2, including absentee vote, was as follows:

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
Absentee Vote	36	34
1	22	94
2	45	133
3	39	154
4	34	157
5	32	151
6	56	180
7	47	130
8	61	188

Precinct

Proposed Initiative  
Ordinance

	<u>YES</u>	<u>NO</u>
9	34	148
10	46	186
11	87	265
12	75	251
13	55	193
14	56	235
15	70	167
16	33	187
17	55	162
18	38	146
19	24	103
20	16	86
21	60	196
22	68	219
23	22	119
24	45	151
25	34	141
26	32	144
27	36	143
28	59	190
29	53	151
30	19	80
31	27	114
32	25	77
33	27	121
34	31	109
35	14	57
36	28	92
37	28	164
38	<u>16</u>	<u>58</u>
<b>TOTAL</b>	<b>1,585</b>	<b>5,676</b>

11. That a majority of all of the votes cast at said general municipal election on said proposed Charter Amendment Proposition No. 2 were not in favor of said proposition, and that said proposition was denied.

12. That at said general municipal election the following proposed Charter Amendment was submitted to the electors of said City and that the number of votes given in said City for and against said proposal, including absentee vote, was as follows:

**CITY OF MODESTO CHARTER AMENDMENT PROPOSITION  
NO. 3**

	<u>Total Vote "YES"</u>	<u>Total Vote "NO"</u>
Shall the Charter of the City of Modesto be amended by amending Section 703 of Article VII relating to compensation for the Councilmen, all as provided in Section 703, the text of which is set forth in Section 5 of Resolution No. 63-64, adopted by the Council of the City on Monday, February 4, 1963, and on file in the office of the City Clerk?	1610	5664

13. That the number of votes cast in each precinct for and against said Charter Amendment Proposition No. 3, including absentee vote, was as follows:

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
Absentee Vote	33	37
1	25	93
2	42	131
3	40	155
4	37	154
5	36	147
6	53	183
7	49	128
8	56	191
9	39	143
10	45	188
11	88	268
12	71	258
13	56	190
14	51	235

<u>Precinct</u>	<u>Proposed Initiative Ordinance</u>	
	<u>YES</u>	<u>NO</u>
15	64	177
16	34	186
17	56	162
18	43	146
19	26	99
20	16	86
21	61	197
22	77	212
23	24	116
24	46	150
25	32	144
26	34	142
27	35	145
28	57	192
29	56	153
30	19	81
31	31	108
32	22	82
33	30	120
34	33	107
35	18	53
36	30	88
37	27	163
38	<u>18</u>	<u>54</u>
TOTAL	1,610	5,664

14. That a majority of all of the votes cast at said general municipal election on said proposed Charter Amendment No. 3 were not in favor of said proposition, and that said proposition was denied.

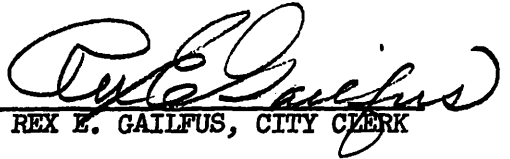
The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 23rd day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES            Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, and Mayor Hammond

NOES:           Councilmen: None

ABSENT:        Councilmen: Shastid

ATTEST:



REX E. GAILFUS, CITY CLERK

(SEAL)

CLERK'S CERTIFICATE


I, REX E. GAILFUS, City Clerk of the City of Modesto, California, DO HEREBY CERTIFY that the foregoing resolution is a full, true and correct copy of a resolution duly adopted at a special meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 23rd day of April, 1963, of which meeting all of the members thereof had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman VanderWall, and was thereupon, upon motion of Councilman VanderWall, seconded by Councilman ~~XXXXXXXX~~ Tabbert, adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None ABSENT: Councilmen: Shastid

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in Book \_\_\_\_\_ of Resolutions. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of the City of Modesto this 24<sup>th</sup> day of April 1963.

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-213

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULT OF VOTES CAST FOR SCHOOL GOVERNING BOARD MEMBERS AT THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 16, 1963

WHEREAS, said General Municipal Election and said School Governing Board Member Election were held on Tuesday, April 16, 1963, in accordance with law and the proceedings of said Council and the votes thereat received and canvassed and the returns thereof ascertained, determined, and declared in all respects as required by law, and

WHEREAS, the City Council of the City of Modesto, having been authorized to canvass the results of School Governing Board Member Elections within the exterior boundaries of the Modesto High School and Junior College Districts,

We hereby find and certify as follows:

Empire Union School District

Francis D. Walter	332
Haig Arkelian, Jr.	146
Sarah M. Chastain	175
Nathan Inglima	267
Dorothy H. Perkins	24
Scattering	0

Hart-Ransom Union School District

Full Term

Stanley D. Adkins	119
Louis W. Pelucca	129
Scattering	1

Short Term

Clyde W. Perdue	90
Floyd H. Rydalch	52
Scattering	0

Paradise School District

Full Term

Robert M. Sorensen	75
Scattering	65

Short Term

Max A. Lander	83
Scattering	56

Salida Union School District

George K. Cowles	90
William Pirrone	97
Scattering	1

Shiloh School District

E. W. (Bill) Sciarini	51
Scattering	0

Sylvan Union School District

H. W. (Hal) Sconyers	508
Raymond M. Hayes	396
Gretchen Umland Kingsbury	282
Scattering	0

Stanislaus Union School District

Rupert B. Heitman	181
Howard A. Hennings	192
Scattering	0

The County Superintendent of Schools will publicly confirm the canvass of the returns of said governing board members elected at his office, located at Stanislaus County Center No. 3, Scenic Drive and Old Oakdale Road, near Modesto, California, on April 24, 1963, at 10:00 o'clock a.m.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 23rd day of April, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY MUNICIPAL AND  
GOVERNING BOARD ELECTION

APRIL 16, 1963

COPY OF OFFICIAL CANVASS

- - - 0 - - -

NUMBER OF SPECIAL PRECINCTS	-(in city-38--outside city-28)	66.
REGISTERED VOTERS	(in city) 17,379 (outside city) 15,512 Total	32,891
TOTAL VOTES	(in city 7,947) (outside city 2,603) Total	10,550

MAYOR

Henry G. Anderson	3,271
E. R. Brown	484
Peter W. Johansen	4,118
Scattering	0

COUNCILMEN- Chair 1

Richard Vanderwall	6,619
Scattering	8

COUNCILMEN- Chair 3

William R. Mitchell	6,467
Scattering	10

COUNCILMEN- Chair 6

William R. Patton	4,494
Warren C. Boswell	3,062
Scattering	14

BOARD OF EDUCATION

Cecil G. Plummer	8,460
Fred G. Thiemann	6,050
Harriette Kirschen	4,869
Wendell W. Page	4,843
Walter E. Regan	4,476
Scattering	3

CHARTER AMENDMENTS

Proposition No. 1	
Yes	4,927
No	2,345
Proposition No. 2	
Yes	1,585
No	5,676
Proposition No. 3	
Yes	1,610
No	5,664

EMPIRE

Francis D. Walter	332
Haig Arakelian, Jr.	146
Sarah M. Chastain	175
Nathan Inglima	267
Dorothy H. Perkins	24
Scattering	0

HART-RANSOMFULL TERM

Stanley D. Adkins	119
Louis W. Pellucca	129
Scattering	1

SHORT TERM

Clyde W. Perdue	90
Floyd H. Rydalch	52
Scattering	0

PARADISEFULL TERM

Robert M. Sorensen	75
Scattering	65

SHORT TERM

Max A. Lander	83
Scattering	56

SALIDA

George K. Cowles	90
William Pirrone	97
Scattering	1

SHILOH

E. W. (Bill) Sciarini	51
Scattering	0

SYLVAN

H. W. (Hal) Sconyers	508
Raymond M. Hayes	396
Gretchen Umland Kingsbury	282
Scattering	0

STANISLAUS

Rupert B. Heitman	181
Howard A. Hennings	192
Scattering	0

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-214

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS  
AND RENTAL OF POLLING PLACES FOR THE GENERAL MUNICIPAL  
ELECTION HELD ON APRIL 16, 1963

BE IT RESOLVED by the Council of the City of  
Modesto as follows:

SECTION 1. A payment of \$18 to each inspection  
official and \$15 to each judge and clerk who served at  
the General Municipal Election held in the City of  
Modesto and the Modesto City School District on April  
16, 1963, is hereby authorized, and

SECTION 2. A payment of \$15 for the rental of  
each polling place at said election is hereby authorized.

The foregoing resolution was introduced at a special  
meeting of the Council of the City of Modesto held on the  
23rd day of April, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-215

A RESOLUTION COMMENDING ROSS MILLER FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO AS ITS CITY MANAGER

WHEREAS, effective April 30, 1963, Ross Miller will terminate twelve years of service as City Manager of the City of Modesto, and

WHEREAS, Ross Miller has served in that capacity since June 15, 1951, when he became Modesto's first City Manager under the new City Charter establishing a Council-Manager form of city government, and

WHEREAS, throughout these years he has rendered outstandingly able service to the City of Modesto and has helped make possible tremendous gains in community achievement, and

WHEREAS, Council, staff, and citizens alike have been heartened by his spirit, helped by his wisdom, and sparked by his zest for doing,

NOW, THEREFORE, BE IT RESOLVED that the City Council, on behalf of the citizens of Modesto, expresses to Ross Miller its sincere appreciation for his years of devoted service to the City of Modesto, and for his vigorous contribution to civic achievement and cooperative community endeavor.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Ross Miller, and to have issued to Mr. Miller a Certificate of Service to the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto, held on the 23rd day of April, 1963, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-216

A RESOLUTION COMMENDING DON D. HAMMOND FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO

WHEREAS, Don D. Hammond has served the City of Modesto from April, 1955 to April, 1959 as City Councilman and from April, 1959 to April, 1963 as Mayor, and

WHEREAS, he has brought to both these offices outstanding ability, sincerity, integrity and dedication, and in both has rendered community service of the highest quality,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto, on behalf of all the citizens of Modesto, does hereby express to Don D. Hammond its sincere appreciation for the many civic achievements he has helped make possible, and for his vigorous, forthright, progressive leadership as Mayor of Modesto.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Don D. Hammond.

BE IT FURTHER RESOLVED that the City Clerk be directed to issue a Certificate of Service to Don D. Hammond.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION GRANTING A PERMIT TO THE MODESTO JUNIOR CHAMBER OF COMMERCE TO HOLD A CIRCUS AT DEL WEBB FIELD ON JUNE 3, 1963

WHEREAS, the Modesto Junior Chamber of Commerce has filed a request with the Council for permission to hold its annual circus at Del Webb Field on June 3, 1963

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to hold its annual circus at Del Webb Field on June 3, 1963 from 10:00 A.M. to 12:00 midnight subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths (\$100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Three hundred thousand and no/100ths (\$300,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten thousand and no/100ths (\$10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-218

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR IMPROVEMENT OF ROSEBURG AVENUE BETWEEN CARVER ROAD AND MILLS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for improvement of Roseburg Avenue between Carver Road and Mills Avenue,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 21, 1963 at 2:15 P.M.

and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-219

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR DRILLING, CASING, TESTING AND DEVELOPMENT OF ONE DEEP WELL FOR THE CITY OF MODESTO (Deep Well No. 27 - newly acquired park property north of Sherwood School)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for drilling, casing, testing and development of one deep well for the City of Modesto (Deep Well No. 27 - newly acquired park property north of Sherwood School), copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 21, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, ~~XXXXXXXX~~, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: ~~NONE~~ Shastid

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO. (PORTION OF BLOCK 2126, SEVERIN AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage of Severin Avenue

---

---

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows:

All that portion of Lot 10 of Severin Colony as per map filed July 18, 1908 in Volume 3 of Maps, Page 47, Stanislaus County Records, except all of Block 2126 of the Rosa Tract as per map filed August 16, 1949 in Volume 16 of Maps, Page 61, Stanislaus County Records,

to construct or cause to be constructed curb and gutter  
along the street frontage of the property/~~properties~~ hereinabove des-  
cribed, all of said construction to be in accordance with City of  
Modesto standards for such construction work.

SECTION 2. The 20th day of May, 1963,  
at 4:45 o'clock P.M. in the Council Chambers, located in the City  
Hall, 801 Eleventh Street, Modesto, California, is set as the time  
and place where the Council will hear and pass upon objections or pro-  
tests, if any, which may be raised by any property owner or other in-  
terested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby autho-  
rized to implement the provisions of this resolution in accordance  
with the procedure contained in Chapter 27, Part 3, Division 7 of the  
Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 6th day of  
May, 1963, by Councilman Tabbert, who  
moved its adoption, which motion being duly seconded by Councilman  
Shastid, was upon roll call carried and the resolu-  
tion adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT 7TH AND L STREETS AND AT GRANGER AND McHENRY AVENUES BY INDUSTRIAL ELECTRICAL COMPANY

WHEREAS, a report has been filed by the Director of <sup>Parking and Traffic</sup> ~~Public Works~~ that the construction of traffic signals and street lights at 7th and L Streets and at Granger and McHenry Avenues has been completed by Industrial Electrical Company

in accordance with the contract agreement, dated January 7, 1963

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lights at 7th and L Streets and at Granger and McHenry Avenues be accepted from said contractor Industrial Electrical Company

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-222

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA FOR MODERNIZATION OF TRAFFIC SIGNALS AT NEEDHAM, DOWNEY AND McHENRY AVENUES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State of California

for the modernization of traffic signals at Needham, Downey and McHenry Avenues

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 19 63, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-223

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE, TO TRAFFIC SIGNAL MODERNIZATION, NEEDHAM, McHENRY AND DOWNEY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	General Reserve (600)	\$1,000
TO:	Traffic Signal Modernization Needham, McHenry & Downey (503)	\$1,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (North Wood  
Estates Addition)

WHEREAS, a portion of the McHenry-Dry Creek County **Fire Pro-**  
tection District was annexed to the City of Modesto by Ordinance  
No. 580 -C.S., adopted on April 22, 1963, and

WHEREAS, said territory officially became a part of the  
City on April 24, 1963, and

WHEREAS, the Health and Safety Code of the State of Cali-  
fornia provides that whenever any portion of such a District is  
included within a city by reason of annexation, such portion may  
be withdrawn from the District by the filing with the State Board  
of Equalization, the governing body of the District, and the County  
Assessor of copies of a resolution of the legislative body of the  
city, describing the included portion, and declaring such portion  
withdrawn, and

WHEREAS, it is to the best interests of the residents in  
the area of said Fire District which has been annexed to the City  
that the area be withdrawn from said Fire District and provided  
fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the McHenry-  
Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is  
hereby directed to file a certified copy of this resolution with  
the State Board of Equalization, the governing body of said Fire  
Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 6th day of  
May, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by

Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

NORTH WOOD ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the NORTHLAND ESTATES ADDITION, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Southern line of said Woodrow Avenue, South 89° 04' 15" East, 922.28 feet, to a point on the Eastern line of property conveyed to Alfred L. Flory, et al, by Deed recorded December 14, 1962, as Instrument 46791, Stanislaus County Records; thence along the Eastern line of said Flory property, South 0° 54' 45" East, 641.98 feet, to the Southeastern corner of said Flory property; thence along the Southern line of said Flory property, North 89° 01' 45" West, 922.28 feet, to the Southwestern corner of said Flory property and the Southeastern corner of the Northland Estates Addition; thence along the Eastern line of the Northland Estates Addition, North 0° 54' 45" West, 641.31 feet, to the point of beginning, containing 13.578 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 225

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO. (Walnut Acres Addition)

WHEREAS, a portion of the McHenry-Dry Creek County Fire Protection District was annexed to the City of Modesto by Ordinance No. 581 -C.S., adopted on April 22, 1963, and

WHEREAS, said territory officially became a part of the City on April 24, 1963, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the State Board of Equalization, the governing body of the District, and the County Assessor of copies of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto, be withdrawn from the boundaries of the McHenry-Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, and the Assessor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by

Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Southeastern corner of the CRESTWOOD TERRACE ADDITION, as per description filed August 22, 1962, as Instrument 31905, Stanislaus County Records, said point being on the Southern line of Section 9; thence along a line which is the existing City Limits, the Eastern line of the Crestwood Terrace Addition, and the Western line of property conveyed to Harry T. Kullijian, et ux, by Deed recorded July 7, 1961, as Instrument 21612, Stanislaus County Records, North  $0^{\circ} 44' 30''$  West, 420.00 feet, to the Northeastern corner of the Crestwood Terrace Addition; thence along the existing City Limits and the Northern line of the Crestwood Terrace Addition, North  $89^{\circ} 30'$  West, 659.21 feet, to the Northwestern corner thereof and the Southwest corner of property conveyed to Kenneth F. Duffin by Deed recorded December 14, 1962, as Instrument 46789, Stanislaus County Records; thence along the Western line of said Duffin property, North  $0^{\circ} 45'$  West, 240.00 feet, to the Northwestern corner thereof; thence along the Northern line of said Duffin property, South  $89^{\circ} 30'$  East, 659.25 feet, to the Northeastern corner thereof and the Western line of the Kullijian property; thence along the Western line of the Kullijian property, North  $0^{\circ} 44' 30''$  West, 681.13 feet, to the Northwestern corner thereof; thence along the Northern line of the Kullijian property, South  $89^{\circ} 16' 45''$  East, 1298.75 feet, to the Western line of a 40 foot Public Road known as Coffee Road; thence along the Western line of Coffee Road and an Eastern line of the Kullijian property, South  $0^{\circ} 43' 30''$  East, 228.83 feet, to a Southern line of the Kullijian property; thence along said Southern line, North  $89^{\circ} 30'$  West, 278.00 feet; thence along the Eastern line of the Kullijian property, South  $0^{\circ} 43' 30''$  East, 1082.38 feet, to a point which is 25 feet, measured at right angles, Northerly from the South line of Section 9; thence along the line of the Kullijian property, South  $89^{\circ} 30'$  East, 278.00 feet, to the Western line of Coffee Road; thence along the Western line of Coffee Road, South  $0^{\circ} 43' 30''$  East, 25.00 feet, to the South line of Section 9 and the Southern line of the Kullijian property; thence along the South line of Section 9 and the Southern line of the Kullijian property, North  $89^{\circ} 30'$  West, 1298.16 feet, to the point of beginning, containing 36.623 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-226

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN CAMPUS TRACT NO. 2 SUBDIVISION

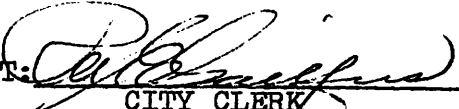
WHEREAS, Randolph and Mary Sanders, subdividers of Campus  
Tract No. 2 Subdivision, have deposited with the City of  
Modesto a cash deposit of \$1,500 to guarantee the improve-  
ments in Campus Tract No. 2 Subdivision, and

WHEREAS, the Director of Public Works has reported that  
the improvements have been completed in the aforesaid subdivision  
to his satisfaction, and has recommended the release of the cash  
deposit,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of  
the City of Modesto that the cash deposit in the amount of \$1,500  
deposited by the subdividers of Campus Tract No. 2 Subdivision  
be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 6th day of May,  
1963, by Councilman Shastid, who moved its adoption, which  
motion being duly seconded by ~~Councilman~~ <sup>Mayor</sup> Johansen, was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-227

A RESOLUTION APPROVING THE FINAL MAP OF THE  
CRESTWOOD TERRACE NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, George B. Pierrou and Jeanette L. Pierrou, husband and wife, and Kenneth F. Duffin and Helen T. Duffin, husband and wife, are possessed of a tract of land situate in the City of Modesto,

County of Stanislaus, consisting of 3.9 acres, known as the Crestwood Terrace No. 2 Subdivision,

and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of February, 1963, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Crestwood Terrace No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the Crestwood Terrace No. 2 Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Six Hundred Sixty-Four and 70/100ths (\$664.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Eleven Thousand, Seven Hundred and No/100ths (\$11,700.00) Dollars.


BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-228

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRONTIER SAVINGS AND LOAN FOR THE INSTALLATION OF WATER LINES IN ROBIN HOOD ESTATES SUBDIVISION SUBJECT TO AMENDMENT OF AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Frontier Savings and Loan, a corporation for installation by the City of water lines in Robin Hood Estates Subdivision be, and it is hereby approved, subject to the condition that Frontier Savings and Loan, a corporation, agrees to annex the subdivision to the City of Modesto when possible to do so.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 229

A RESOLUTION PETITIONING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO EXCLUDE ALL PROPERTY WITHIN THE INCORPORATED LIMITS OF THE CITY OF MODESTO FROM COUNTY TAX LEVY FOR SUPPORT OF FIRE PROTECTION IN THE COUNTY PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 25643.

WHEREAS, the County of Stanislaus does now, and for many years prior hereto has levied a County tax each fiscal year upon property within the County, including property within the corporate limits of the City of Modesto, assessed for tax purposes, to provide county funds for structural fire protection of areas in the County, and

WHEREAS, Government Code Section 25643 provides that the Board of Supervisors shall exclude from such tax levy property within the incorporated limits of an incorporated city having an organized fire department in operation and existence and providing adequate structural fire protection within such incorporated city, and

WHEREAS, this Council finds that the City of Modesto does now, and for many years prior hereto has had an organized fire department in operation and existence, which is providing adequate fire protection to all property within the incorporated limits of said city, and no additional benefit in fire protection is received or required by such property from structural fire protection given by the County of Stanislaus,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That this Council does hereby petition the Board of Supervisors of the County of Stanislaus, pursuant to the provisions of Section 25643 of the Government Code of the State of California, to exclude all property within the incorporated limits of the City of Modesto, including all property which may hereafter be annexed to said city prior to a tax levy being made

thereupon, from a tax levy to provide county funds for structural fire protection of areas in the County of Stanislaus,

2. The City Clerk is hereby directed to certify and forward to the Clerk of the Board of Supervisors of Stanislaus County, a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-230

A RESOLUTION REJECTING THE CLAIM OF LOUIS FLORES AGAINST THE CITY  
OF MODESTO

WHEREAS, Louis Flores filed a claim for damages against the City of Modesto on April 30, 1963, a copy of which claim is on file in the office of the City Clerk, and


WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Louis Flores against the City of Modesto in the amount of \$5,024 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
~~Mayor Johansen~~ Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 231

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTHLAND ESTATES NO. 2 ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by ~~Councilman~~ Mayor Johansen, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

NORTHLAND ESTATES NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwestern quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and being described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 43 and 44, as shown on the map of the STANDIFORD COLONY, as filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records, and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the FRANCEK ADDITION, as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the Northwestern corner of Lot 35 of the Standiford Colony and on the Southern line of a 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South 89° 09' East, 1535.21 feet, to a point on the Western line of the Tidewater Southern Railway Company Right of Way, said right of way line being 60 feet, measured at right angles, Westerly from the North-South quarter section line; thence along the Western line of the Railway Company Right of Way, South 0° 53' East, 1280.00 feet, to the Northern line of a 40 foot Public Road known as Woodrow Avenue, and the existing City Limits as established by the Northern line of the Northland Estates Addition, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records; thence along a line which is the existing City Limits and the Northern line of Woodrow Avenue, North 89° 09' West, 854.57 feet, to the Southeastern corner of Lot 43 of the Standiford Colony and the Eastern line of the Francek Addition; thence along a line which is the existing City Limits, the Northern line of Woodrow Avenue and the Southern line of Lot 43, North 89° 09' West, 340.32 feet, to the Southwestern corner of Lot 43; thence along the existing City Limits and the Western line of Lot 43, North 0° 53' West, 640.00 feet, to the Northwest corner of Lot 43 and the Southeast corner of Lot 35; thence along the existing City Limits and the Southern line of Lot 35, North 89° 09' West, 340.32 feet, to the Southwestern corner of Lot 35; thence along the existing City Limits and the Western line of Lot 35, North 0° 53' West, 640.00 feet, to the point of beginning containing 40.093 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 232

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS WYLIE NO. 2 ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Wylie Addition, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records, said point being on the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North 89° 56' 15" West, 597.42 feet, to a point on a line which is parallel with and 300.00 feet, measured at right angles, Easterly from the center line of a 40 foot Public Road known as Brighton Avenue; thence along said parallel line, North 0° 29' West, 823.09 feet, to a point on the existing City Limits and the Southern line of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South 89° 55' East, 595.88 feet, to the Western line of the Wylie Addition; thence along the existing City Limits and the Western line of the Wylie Addition, South 0° 35' East, 822.88 feet, to the point of beginning, containing 11.272 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-233

A RESOLUTION GRANTING THE VARIANCE REQUESTS FILED BY TEXACO, INC. TO CONSTRUCT TWO THIRTY (30') FOOT AND TWO THIRTY-SIX (36') FOOT DRIVEWAY APPROACHES TO PROPERTY LOCATED AT SIXTH AND G STREETS

WHEREAS, Texaco, Inc. has requested permission to construct two thirty (30') foot driveway and two thirty-six (36') driveway approaches to property located at Sixth and G Streets, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Municipal Code, and

WHEREAS, Section 7-1.104(c) of the Municipal Code provides "not to exceed forty (40%) per cent of the frontage upon any street of the lot or lots or parcel of land to be served thereby shall be devoted to driveways," and

WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires the curb cut for access to the property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Texaco, Inc. be granted a variance to Section 7-1.104(c) of the Municipal Code to install two thirty (30') foot and two thirty-six (36') foot driveway approaches, which approaches will exceed forty (40%) per cent of the total frontage, at property located at Sixth and G Streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-234

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR FIRE ALARM HEADQUARTERS EQUIPMENT FOR THE POLICE-COMMUNICATIONS CENTER BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for fire alarm headquarters equipment for the Police-Communications Center Building,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 4, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-235

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR COMMUNICATIONS EQUIPMENT FOR THE POLICE-  
COMMUNICATIONS CENTER BUILDING

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for communications  
equipment for the Police-Communications Center Building,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on June 4, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 13th  
day of May, 19 63, by Councilman Shastid, who  
moved its adoption, which motion being duly seconded by Council-  
man VanderWall, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-236

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BEARD LAND AND INVESTMENT COMPANY WHEREBY THE CITY AGREES TO PURCHASE REAL PROPERTY FOR THE REALIGNMENT OF TUOLUMNE BOULEVARD (Project No. 62-18)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Beard Land and Investment Company whereby the City agrees to purchase real property for the realignment of Tuolumne Boulevard (Project No. 62-18)

~~EMK~~

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-237

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$12,500 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, FREEWAY UTILITY RELOCATION-STREET LIGHTS to STREET REALIGNMENT, 7TH AND TUOLUMNE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	Freeway Utility Relocation - Street Lights (503)	\$12,500
TO:	Street Realignment - 7th and Tuolumne (503)	\$12,500

For acquisition of right of way from Beard Land and Investment Company for realignment of Tuolumne Boulevard.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION GRANTING A LICENSE TO JAMES T. ADAMS  
FOR THE COLLECTION OF SWILL IN THE CITY OF  
MODESTO.

WHEREAS, an application was filed with the City Clerk for a license to collect swill within the City of Modesto by James T. Adams, on April 5, 1963, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto at a regular meeting held on the 22nd day of April, 1963, adopted a resolution fixing 8:20 o'clock P.M., May 13, 1963, at its regular place of meeting as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, and

WHEREAS, on the 13th day of May, 1963, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A license to collect swill in the City of Modesto is hereby granted to James T. Adams, Route 2, Box 852, Ceres, subject to the following terms and conditions:

(a) Said license shall be for a term of three (3) months, commencing on May 13, 1963, but shall be subject to revocation as provided by Section 5-5.24 of said Code;

(b) Said license shall be non-exclusive to collect swill within the City of Modesto, including any areas hereafter annexed to City;

(c) In accepting this license, licensee thereby agrees to comply with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Municipal Code.

SECTION 2. The City Clerk is hereby directed to furnish a copy of this resolution to the licensee which shall constitute the license mentioned in Section 5-5.17 of the Municipal Code.

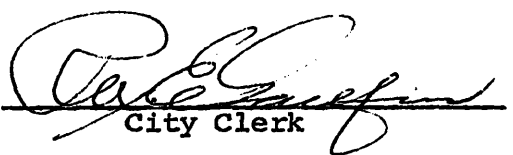
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Mayor Johansen, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS NORTHLAND ESTATES NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on April 19, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as NORTHLAND ESTATES NO. 2 ADDITION, and described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of the Southwestern quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and being described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 43 and 44, as shown on the map of the STANDIFORD COLONY, as filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records, and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the FRANCEK ADDITION, as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the Northwestern corner of Lot 35 of the Standiford Colony and on the Southern line of a 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South  $89^{\circ} 09'$  East, 1535.21 feet, to a point on the Western line of the Tidewater Southern Railway Company Right of Way, said right of way line being 60 feet, measured at right angles, Westerly from the North-South quarter section line; thence along the Western line of the Railway Company Right of Way, South  $0^{\circ} 53'$  East, 1280.00 feet, to the Northern line of a 40 foot Public Road known as Woodrow Avenue, and the existing City Limits as established by the Northern line of the Northland Estates Addition, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records; thence along a line which is the existing City Limits and the Northern line of Woodrow Avenue, North  $89^{\circ} 09'$  West, 854.57 feet, to the Southeastern corner of Lot 43 of the Standiford Colony and the Eastern line of the Francek Addition; thence along a line which is the existing City Limits, the Northern line of Woodrow Avenue and the Southern line of Lot 43, North  $89^{\circ} 09'$  West, 340.32 feet, to the Southwestern corner of Lot 43; thence along the existing City Limits and the Western line of Lot 43, North  $0^{\circ} 53'$  West, 640.00 feet, to the Northwest corner of Lot 43 and the Southeast corner of Lot 35; thence along the existing City Limits and the Southern line of Lot 35, North  $89^{\circ} 09'$  West, 340.32 feet, to the Southwestern corner of Lot 35; thence along the existing City Limits and the Western line of Lot 35, North  $0^{\circ} 53'$  West, 640.00 feet, to the point of beginning containing 40.093 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on February 26, 1963, consider the proposed annexation boundaries of said NORTHLAND ESTATES NO. 2 ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.'

5. NOTICE IS HEREBY GIVEN that the 24th day of June, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-240

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WYLIE NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on April 29, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as WYLIE NO. 2 ADDITION, and described as follows:

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Wylie Addition, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records, said point being on the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North  $89^{\circ} 56' 15''$  West, 597.42 feet, to a point on a line which is parallel with and 300.00 feet, measured at right angles, Easterly from the center line of a 40 foot Public Road known as Brighton Avenue; thence along said parallel line, North  $0^{\circ} 29'$  West, 823.09 feet, to a point on the existing City Limits and the Southern line of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South  $89^{\circ} 55'$  East, 595.88 feet, to the Western line of the Wylie Addition; thence along the existing City Limits and the Western line of the Wylie Addition, South  $0^{\circ} 35'$  East, 822.88 feet, to the point of beginning, containing 11.272 Acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on April 23, 1963, consider the proposed annexation boundaries of said WYLIE NO. 2 ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 24th day of June, 1963, at the hour of 8:05 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-241

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD AND EVELYN McCLURG FOR THE WIDENING OF TULLY ROAD (Project 55-20, Parcel 13220-2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Richard and Evelyn McClurg

for the widening of Tully Road (Project 55-20, Parcel 13220-2)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor ~~XXXXXXXX~~ Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-242

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO AMATEUR RADIO CLUB, INC. FOR LEASE OF THE UPSTAIRS BACK ROOM OF THE FORMER CITY HALL BUILDING (717 Tenth Street)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Amateur Radio Club, Inc.

for lease of the upstairs back room of the former city hall building located at 717 Tenth Street, commencing May 13, 1963, on a month to month tenancy

be, and it is hereby approved, and

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION APPROVING THE FINAL MAP OF THE  
SKYLANE PARK NO. 3 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Donald L. Stone  
is  
~~are~~ possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 8.26 acres, known as  
the Skylane Park No. 3 Subdivision  
and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 5th day of March  
19 63, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Skylane Park No. 3 Subdivision  
meets all of the provisions of the California  
Subdivision Map Act and the provisions of the Modesto Municipal Code  
relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Skylane Park No. 3 Subdivision  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of One Thousand, Seven Hundred Seventy-Nine  
and 97/100ths (\$1,779.97) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Twenty-Seven  
Thousand and No/100ths (\$27,000.00) Dollars.


BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 244

A RESOLUTION APPROVING THE FINAL MAP OF THE BEL AIR  
SUBDIVISION NO. 3, UNIT NO. 1 ~~RESOLUTION~~  
OF THE CITY OF MODESTO.

WHEREAS, Bel Air of Modesto, a corporation,

~~is~~ is possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 12.7 acres, known as the  
Bel Air Subdivision No. 3, Unit No. 1 ~~RESOLUTION~~ and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 15th day of May,  
1963, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Bel Air Subdivision No. 3, Unit No. 1  
~~RESOLUTION~~ meets all of the provisions of the California Subdivision  
Map Act and the provisions of the Modesto Municipal Code relating to  
subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Bel Air Subdivision No. 3, Unit No. 1 ~~RESOLUTION~~  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of Two Thousand, One Hundred Thirty-Six and  
70/100ths (\$2,136.70) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Forty-Three  
Thousand and No/100ths (\$43,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-245

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANNA F. SHARE FOR PURCHASE OF REAL PROPERTY BY THE CITY FOR FIRE STATION SITE (Kearney-Coldwell area)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Anna F. Share

for purchase of real property by the City for fire station site (Kearney-Coldwell area)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by <sup>Mayor</sup> Councilman Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-246

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,500 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, NORTHERN BOULEVARD RIGHT OF WAY, CARVER TO PRESCOTT, TO FIRE STATION, KEARNEY-COLDWELL AREA (Land Acquisition)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	Northern Boulevard right of way, Carver to Prescott (501)	\$4,500
TO:	Fire Station, Kearney-Coldwell Area (Land Acquisition) (501)	\$4,500

For acquisition of fire station site in Kearney-Coldwell area.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-247

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,490  
FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE  
TO GAS TANK AND INSTALLATION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (600) \$2,490

TO: Gas Tank and Installation (503) \$2,490

For installation of a 10,000 gallon gasoline storage  
tank at the main fire station.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
13th day of May, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-248

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$12,000  
FROM PARKING FUND, GENERAL RESERVE, TO IMPROVEMENTS,  
PARKING LOT, EAST SIDE NINTH STREET BETWEEN J AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

PARKING FUND (209)

FROM: General Reserve	\$12,000
TO: Improvements -- Parking Lot East side of Ninth Street between J and K Streets	\$12,000

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
13th day of May, 19 63, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

A RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION DENYING THE APPLICATION OF RICHARD C. SMITH TO AMEND SECTION 18 OF THE ZONING MAP AS DESCRIBED IN PLANNING COMMISSION RESOLUTION NO. 923.

WHEREAS, a verified application for an amendment to Section 18 of the Zoning Map was filed by Richard C. Smith on December 19, 1962, to reclassify from Multiple-Family Zone, R-3, to Planned Development Zone, the following described property:

Parcels 32, 33 and 36 in Block 6601, located at the northwest corner of Tully Road and Briggsmore Avenue, and

WHEREAS, after public hearing held on February 5, 1963, and further consideration on February 19, March 19 and April 2, 1963, the Planning Commission, by Resolution No. 923, adopted April 2, 1963, denied said application for rezoning, and

WHEREAS, on April 8, 1963, Richard C. Smith filed an appeal with the City Clerk on the decision of the Planning Commission, and

WHEREAS, the Council set May 13, 1963, at 8:00 P.M., in the Council Chambers in the City Hall, 801 - 11th Street, as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence, both oral and documentary taken and introduced at said public hearing, the Council found and determined that the decision of the Planning Commission should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Richard C. Smith for an amendment to Section 18 of the Zoning Map be denied and the decision of the Planning Commission be, and it is hereby affirmed on the basis of the findings set forth in its Resolution No. 923, adopted April 2, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Mitchell, Shastid, Tabbert, VanderWall and Mayor Johansen

**NOES:** Councilmen: Patton

**ABSENT:** Councilmen: None

**ATTEST:**   
City Clerk

(SEAL)

A RESOLUTION GRANTING A PERMIT TO THE AMERICAN LEGION FOR USE OF DEL WEBB FIELD FOR A CIRCUS ON MAY 29, 1963

WHEREAS, The American Legion has filed a request with the Council for permission to use Del Webb Field for a circus on May 29, 1963

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to use Del Webb Field for a circus on May 29, 1963

subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One hundred thousand and no/100ths (\$100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Three hundred thousand and no/100ths (\$300,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten thousand and no/100ths (\$10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST.

  
CITY CLERK

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURBS AND GUTTERS ALONG CERTAIN STREETS  
IN THE CITY OF MODESTO. (PORTION OF BLOCK 2126, SEVERIN AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Severin Avenue

WHEREAS, the Council, did, on May 6, 1963, adopt its Resolution No. 63-220, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the city of Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 20th day of May, 1963, at 4:45 o'clock P.M. in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to be given as directed by said Resolution No. 63-220, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same and no protests having been received,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 63-220 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: *[Signature]*  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-252

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR CONSTRUCTION OF A TAXIWAY LIGHTING SYSTEM AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for construction of a taxiway lighting system at the Modesto City-County Airport, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 11, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-253

**A RESOLUTION ESTABLISHING SEWER SERVICE  
CHARGES TO STANISLAUS COUNTY HOSPITAL.**

WHEREAS, Stanislaus County disposes of domestic wastes from the County Hospital into the City of Modesto sewerage system, and

WHEREAS, charges for said sewer service are now made on the basis of water use at said County Hospital, and

WHEREAS, substantial quantities of water are used during the summer months for irrigation and for the hospital air conditioning system, with said water being disposed of elsewhere, and

WHEREAS, charges during these periods, based on total water consumption, result in excessive costs due to the above reasons, and

WHEREAS, Section 5-6.103 of the Municipal Code provides that the Council shall have the power to establish by agreement or resolution the rate or rates to be charged for furnishing sewer services to governmental agencies, and to any person outside the corporate limits of the City at rates different from those set forth in the Municipal Code and on a basis that is fair and equitable to all the parties concerned,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Charges for sewer service rendered to the Stanislaus County Hospital shall be at the rate of sixty-five (65%) per cent of the regular City water rates.

SECTION 2. Water consumption from the County's private well or wells shall be measured by approved water meters or other acceptable devices, and the regular City water rates shall be computed thereon as if said water were purchased from the City.

SECTION 3. Charges for sewer service shall be made bi-monthly.

SECTION 4. Charges for the billing periods of November-December and January-February shall be based on actual water consumption as determined from meter readings.

SECTION 5. Charges for the billing periods from March to October, inclusive, of each year shall be based upon the average of the readings for the two (2) billing periods of November-December and January-February preceding.

SECTION 6. Charges for sewer service herein shall be effective September 1, 1961, with the billing for September-October, 1961, to be based upon the meter reading for November-December, 1961.

SECTION 7. The charges contained herein for sewer service to Stanislaus County Hospital shall remain in effect until revised by a resolution of the Modesto City Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-254

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$423.01 FROM PARKS AND RECREATION YOUTH CENTER FURNISHING FUND, GENERAL RESERVE, UNAPPROPRIATED FUND BALANCE, TO FURNISHINGS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

YOUTH CENTER FURNISHING FUND (312)

FROM:	General Reserve (600)	\$423.00
	Unappropriated Fund Balance	
	(95)	<u>.01</u>
		\$423.01
TO:	Furnishings ( 501)	\$423.01

For the purchase of draperies and accessories for the Maddux Youth Center

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 255

A RESOLUTION AMENDING THE PERSONNEL RULES,  
SECTION 13.6, TO ADD SUBSECTION (g) RELATING  
TO SUBPOENA DUTY FOR CITY EMPLOYEES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon the recommendation of the City Manager, and

WHEREAS, Section 1109 of Article XI of the City Charter provides that the Personnel Commission shall have the power and be required to recommend to the City Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations, and

WHEREAS, the Personnel Commission, after a public hearing thereon, has recommended that Section 13.6 of the Personnel Rules and Regulations be amended to add subsection (g), relating to subpoena duty for City employees, as hereinafter set forth, and

WHEREAS, the City Manager has reviewed the proposed amendment to the Personnel Rules and Regulations as recommended by the Personnel Commission, and

WHEREAS, the Council has reviewed said amendment to the Personnel Rules and Regulations as recommended by the Personnel Commission and the City Manager and finds that said amendment promotes the purposes and objectives of the personnel system,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That there be added to Section 13.6 of the Personnel Rules and Regulations a subsection (g) to read as follows:

(g) Subpoena Duty

An employee who is subpoenaed, or required to appear in court as a witness, shall show his subpoena to his department head. The time the employee is away from his regular duties may be regular paidtime if his serving as a witness is deemed to be his duty as a City employee. Regular paid time shall not be granted for time spent in court on personal cases in which the employee is an interested party, and the case is not connected with his official City duty.

SECTION 2. This resolution shall be effective on and after June 1, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Jdansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

A RESOLUTION APPROVING THE FINAL MAP OF THE  
JONI MANOR NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, San Joaquin 1st Federal Savings and Loan Association  
are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 4.7 acres, known as  
the Joni Manor No. 2 Subdivision  
and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 4th day of September,  
1962, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Joni Manor No. 2 Subdivision  
meets all of the provisions of the California  
Subdivision Map Act and the provisions of the Modesto Municipal Code  
relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Joni Manor No. 2 Subdivision  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of Eight Hundred Sixty-Three and 70/100ths  
(\$863.70) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Seven  
Thousand, ~~SEVEN HUNDRED AND~~ No/100ths (~~SEVEN THOUSAND~~ 7,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto  
Municipal Code.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 20th day  
of May, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman VanderWall,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-257

A RESOLUTION GRANTING REQUEST OF STANISLAUS FOOD PRODUCTS COMPANY TO DRILL A PRIVATE WATER WELL ON PROPERTY LOCATED ON TWELFTH NEAR B STREET IN THE CITY OF MODESTO

WHEREAS, a request was filed by Stanislaus Food Products Company on May 15, 1963, for permission to drill a water well 16 inches in diameter, approximately 175 feet in depth, on company premises on Twelfth Street near B Street, needed for additional capacity for food processing,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Permission is hereby granted to Stanislaus Food Products Company to drill a 16 inch diameter water well to a depth of approximately 175 feet on property located on Twelfth Street near B Street in accordance with the provisions of Section 5-1.501 of the Modesto Municipal Code under the following terms and conditions:

(a) The drilling of the well shall be subject to the approval of the Public Works Department and Health Department of the City of Modesto.

(b) The well shall be constructed with an impervious casing which will effectively exclude ground surface waters.

(c) The opening at the top of the casing shall be effectively closed.

(d) The installation shall be made in accordance with the requirements of State and City health laws.

SECTION 2. The City Clerk shall furnish permittee with a certified copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk and no right shall be conferred by this resolution until said acceptance is so filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-258

A RESOLUTION APPOINTING VERNON G. LARSEN A MEMBER OF THE  
MODESTO CITY PLANNING COMMISSION (For a term expiring  
January 1, 1966)

WHEREAS, Section 1100 of the Charter of the City of  
Modesto requires the City Council to appoint members to  
various Boards and Commissions, and

WHEREAS, Charles L. Tocalino has resigned from the  
Modesto City Planning Commission, effective April 17,  
1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that Vernon G. Larsen be and he is hereby  
appointed a member of the Modesto City Planning Commission  
for a term expiring January 1, 1966.

BE IT FURTHER RESOLVED that the City Clerk is hereby  
directed to transmit a copy of this resolution to the  
newly appointed member of the Planning Commission and the  
Secretary thereof.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
20th day of May, 1963, by Councilman Mitchell, who moved  
its adoption, which motion being duly seconded by Council-  
man Patton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-259

A RESOLUTION APPOINTING WILLIAM B. HUGHES TO THE VACANCY EXISTING IN THE OFFICE OF COUNCILMAN OF THE CITY OF MODESTO

WHEREAS, a vacancy now exists in the office of Councilman of the City of Modesto previously held by Peter W. Johansen, who was elected to the office of Mayor of the City of Modesto on April 16, 1963, and

WHEREAS, Section 702 of the City Charter provides that if a vacancy shall occur in the office of Councilman, the Council shall forthwith appoint a person to fill such vacancy, and


WHEREAS, the Council believes that William B. Hughes is eminently qualified for the appointment to the office of Councilman and will serve the City in such capacity in the interests of the entire community.

NOW, THEREFORE, BE IT RESOLVED that William B. Hughes be appointed to the office of Councilman of the City of Modesto to fill the aforesaid vacancy and serve until the next general municipal election to be held in April, 1965, or until the next special municipal election, as provided in Section 702 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-260

A RESOLUTION GRANTING THE VARIANCE REQUESTED BY STANDARD OIL COMPANY, INC. TO PERMIT USE OF FOUR DRIVEWAY APPROACHES TO PROPERTY LOCATED AT THE SOUTHEAST CORNER OF MODESTO AND McHENRY AVENUES

WHEREAS, the Standard Oil Company of California, owner and operator of a service station at the southeast corner of McHenry and Modesto Avenues, has requested that it be permitted four driveway approaches to the property, three of which exist and one on McHenry Avenue to be a thirty-six (36') foot replacement of two existing driveways, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Municipal Code, and

WHEREAS, Section 7-1.104(c) of the Municipal Code provides that driveways shall not exceed forty (40%) per cent of the frontage upon any street of the lot or lots or parcel of land to be served thereby, and

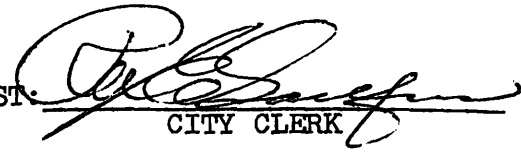
WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires the curb cuts for access to the property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Standard Oil Company, Inc. be granted a variance to Section 7-1.104(c) of the Municipal Code to permit four driveway approaches at property located at Modesto and McHenry Avenues, as recommended by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-261

A RESOLUTION ACCEPTING THE BID OF VALLEY WATER WELL DRILLING AND PUMP COMPANY FOR THE DRILLING, CASING, TESTING AND DEVELOPMENT OF DEEP WELL NO. 27

WHEREAS, Resolution No. 63-219, adopted by the Council of the City of Modesto on May 6, 1963, approved the plans and specifications for the drilling, casing, testing and development of Deep Well No. 27 and authorized the calling for bids, and

WHEREAS, the bids received for the drilling, casing, testing and development of Deep Well No. 27 were opened at 2:00 P.M., May 21, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Valley Water Well Drilling and Pump Company be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Valley Water Well Drilling and Pump Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Hughes, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-262

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY AND SON FOR THE IMPROVEMENT OF ROSEBURG AVENUE FROM CARVER ROAD TO MILLS AVENUE

WHEREAS, Resolution No. 63-218, adopted by the Council of the City of Modesto on May 6, 1963, approved the plans and specifications for the improvement of Roseburg Avenue from Carver Road to Mills Avenue and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of Roseburg Avenue from Carver Road to Mills Avenue were opened at 2:15 P.M., May 21, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of M. J. Ruddy and Son in the amount of \$53,079.30

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of M. J. Ruddy and Son in the amount of \$53,079.30 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-263

A RESOLUTION APPROVING ~~EXAMINED~~ SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR LEGAL ADVERTISING FOR FISCAL YEAR 1963=64

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The ~~plans and~~ specifications for legal  
advertising for fiscal year 1963-64,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on June 13, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 27th  
day of May, 19 63, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Council-  
man Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-264

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR DEEP WELL PUMP AND ELECTRICAL EQUIPMENT (proposed for well to be installed at area near Mark Twain School)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for deep well pump and electrical equipment (proposed for well to be installed at area near Mark Twain School), copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 11, 1963 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-265

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 27 (Sherwood Park Site)

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for construction of pump house at pump station No. 27 (Sherwood Park Site),

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 11, 1963 at 2:30 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-266

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN SKYLANE PARK  
NO. 3 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of water lines in Skylane Park No. 3 Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on June 11, 1963 at 2:45 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 27th  
day of May, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Council-  
man Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-267

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF A SPRINKLER SYSTEM AT  
KEWIN PARK

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of a sprinkler system at Kewin Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on June 11, 1963 at 10:00 A.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 27th  
day of May, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Council-  
man Patton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-268

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WADING POOLS AT UNIT A: ROOSEVELT PARK; AND UNIT B: WHITMORE PARK, BY WOLVERINE BUILDING SERVICE, INC.

WHEREAS, a report has been filed by the Director of Public Works that the construction of wading pools at Unit A: Roosevelt Park; and Unit B: Whitmore Park has been completed by Wolverine Building Service, Inc.

in accordance with the contract agreement, dated January 7, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of wading pools at Unit A: Roosevelt Park; and Unit B: Whitmore Park be accepted from said contractor Wolverine Building Service, Inc.

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-269

A RESOLUTION ADOPTING AND SUBMITTING A BUDGET FOR EXPENDITURE OF FUNDS  
ALLOCATED FROM THE STATE HIGHWAY FUND TO CITIES

WHEREAS, a master agreement has been executed by the City of Modesto and the State of California on March 1, 1961, for expenditure of funds allocated from the State Highway Fund to cities, and

WHEREAS, the City Council has prepared a project statement showing estimated expenditures of such funds recommended to be made during the 1963-64 fiscal year, and

WHEREAS, the City Council has heard read said project statement and is familiar with the contents thereof,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said project statement be and it is hereby adopted as the budget of proposed expenditures of the gas tax allocation to cities, said project statement is hereby approved and the City . Manager is directed to sign the same on behalf of said City, and said project statement is to be submitted to the Department of Public Works, State of California, in accordance with the provisions of Section 197 of the Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-270

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31 OF THE ZONING MAP (Spencer Addition)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, and continued to May 21, 1963, in the Council Chambers for the purpose of considering an amendment to Section 31 of the zoning Map to reclassify from Interim Planned Development Zone, P-D(12), to Planned Development Zone, P-D(12), the following described property:

Beginning at a point on the existing city limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot public road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of ~~the~~ property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 acres, being located north of California Avenue between Spencer Avenue and MID Lateral No. 5, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the property amendment, adopted Resolution No. 943 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:30 P.M., Monday, June 17, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

1

*Resolutions Dept.*  
*Res. 63-270A.*  
*5-27-63*

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-270A

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31 OF THE ZONING MAP (Spencer Addition) AND RESCINDING RESOLUTION NO. 63-270

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1963, and continued to May 21, 1963, in the Council Chambers for the purpose of considering an amendment to Section 31 of the zoning map to reclassify from Interim Planned Development Zone, P-D (12), to Planned Development Zone, P-D (12), the following described property:

Beginning at a point on the existing city limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot public road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 acres, being located north of California Avenue between Spencer Avenue and MID Lateral No. 5, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the property amendment, adopted Resolution No. 943 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:10 P.M., Monday, June 24, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

BE IT FURTHER RESOLVED that Modesto City Council Resolution No. 63-270 be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963,

by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-271

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON PROPOSED AMENDMENTS TO CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE (ZONING REGULATIONS)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1963, in the Council Chambers for the purpose of considering amendments to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations), and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendments, adopted Resolution No. 942 recommending to the Council that the described amendments to the Code, on file in the office of the City Clerk, would be in the interest of the general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendments be set for 8:15 P.M. on June 24, 1963, in the Council Chambers of the City of Modesto, as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-272

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$350 FROM  
GENERAL FUND, GENERAL RESERVE TO MISCELLANEOUS UNCLASSIFIED,  
ELECTIONS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	\$350.00
TO:	Miscellaneous Unclassified (65) Elections (238)	\$350.00

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
27th day of May, 19 63, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-273

A RESOLUTION AUTHORIZING A BLANKET WAIVER OF PENALTY AND INTEREST FOR ALL BUSINESS LICENSE MILL REPORTS POSTMARKED NOT LATER THAN 12:00 A.M., MAY 1, 1963 FOR THE QUARTER ENDING MARCH 31, 1963

WHEREAS, Section 6-1.111 of the Modesto Municipal Code provides that quarterly payments for business license mill reports will not be delinquent if "posted in United States mails, postage prepaid, on the due date, providing the transmitting envelope contains a postage cancellation stamp showing cancellation not later than 12:00 P.M. on the last due date," and

WHEREAS, the due date for the quarter ending March 31, 1963, was April 30, 1963 at 12:00 P.M., and

WHEREAS, the Director of Finance has reported that approximately forty-four (44) delinquent business license mill reports postmarked between April 30, 12:00 P.M. and May 1, 12:00 A.M. were received for the quarter ending March 31, 1963, and

WHEREAS, the postal officials have indicated that items mailed in a neighborhood box after the final pickup time (the time ranging from 6:00 to 9:30 P.M.), will not be postmarked until 6:30 A.M. to as late as 12:00 A.M. the next day,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that a blanket waiver of penalty and interest for all business license mill reports for the quarter ending March 31, 1963, postmarked not later than 12:00 A.M., May 1, 1963 be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-274

A RESOLUTION APPOINTING LEE R. TUCKER A MEMBER OF THE  
MODESTO CITY PLANNING COMMISSION (for a term expiring  
January 1, 1966)

WHEREAS, Section 1100 of the Charter of the City of  
Modesto requires the City Council to appoint members to  
various Boards and Commissions, and

WHEREAS, Charles L. Tocalino resigned from the  
Modesto City Planning Commission, effective April 17,  
1963, creating a vacancy on said Commission,

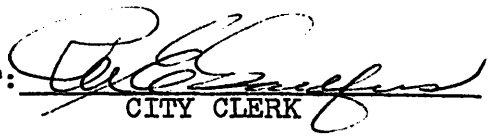
NOW, THEREFORE, BE IT RESOLVED by the Council of  
the City of Modesto that Lee R. Tucker be, and he is  
hereby appointed a member of the Modesto City Planning  
Commission, for a term expiring January 1, 1966.

BE IT FURTHER RESOLVED that the City Clerk is hereby  
directed to transmit a copy of this resolution to the  
newly appointed member of the Planning Commission and  
the secretary thereof.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
27th day of May, 1963, by Councilman Shastid, who moved  
its adoption, which motion being duly seconded by Council-  
man VanderWall, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-275

A RESOLUTION COMMENDING RONALD A. EMERZIAN FOR SERVICES  
RENDERED TO THE CITY OF MODESTO

WHEREAS, Ronald A. Emerzian was appointed a member  
of the Modesto City Personnel Commission on February 2,  
1962, and

WHEREAS, Mr. Emerzian has served this community in  
an outstanding manner, and has been a devoted and sincere  
public servant for approximately one and one-half years,


NOW, THEREFORE, BE IT RESOLVED that this Council,  
on its own behalf, and on behalf of the citizens of  
this City, hereby expresses its sincere appreciation  
to Ronald A. Emerzian for his outstanding service to  
the community.

BE IT FURTHER RESOLVED that the City Clerk be  
directed to furnish a suitably inscribed certified copy  
of this resolution to Mr. Emerzian in recognition of  
his outstanding service.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
27th day of May, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST.

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-276

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR IMPROVEMENT OF BRIGGSMORE AVENUE BETWEEN CARVER ROAD AND THE WEST LINE OF PARK MANOR 3B SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for improvement of Briggsmore Avenue between Carver Road and the west line of Park Manor 3B Subdivision, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 18, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-277

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR TRAFFIC SIGNALS AND STREET LIGHTS AT 10TH AND D STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for traffic signals and street lights at 10th and D Streets,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 21, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-278

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY WITH IMPROVEMENTS THEREON BY THE CITY OF MODESTO TO BE USED FOR PARK PURPOSES. (Rose Avenue Park Site - Landini)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience, and necessity require the acquisition of a certain parcel of real property with improvements located thereon to be used for park purposes.

The use of all of said parcel of real property for the provision of a public park is a public use authorized by law,

The proposed development of said park is planned and located in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described parcel of real property together with improvements thereon for the purposes and uses aforesaid.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 18 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Commencing at the Southwestern corner of said Lot 18, said corner being on the center line of a 40 foot public road known as Rose Avenue; thence along the Southern line of Lot 18, North 89° 59' East, 883.00 feet; to the true point of beginning of this description; thence continuing along said Southern line of Lot 18, North 89° 59' East, 433.14 feet, to the Southeastern corner of Lot 18; thence along the Eastern line of Lot 18, North 0° 37' West, 511.00 feet; thence parallel with the Southern line of Lot 18, South 89° 59' West, 433.14 feet; thence parallel with the Western line of Lot 18, South 0° 37' East, 511.00 feet, to the point of beginning, containing 5.081 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:   
City Clerk

(SEAL)

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO INITIATE ON ITS OWN MOTION PROCEEDINGS TO ANNEX CERTAIN UNINHABITED TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS

**McBRIDE** ADDITION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE SUCH PROPOSAL WITH, AND SUBMIT SUCH PROPOSAL TO THE BOUNDARY COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, FOR A REPORT THEREON AS REQUIRED BY LAW.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter mentioned, desires, intends, and proposes to initiate on its own motion, as soon as it can legally do so, proceedings to annex to the City of Modesto all of the territory hereinafter described, as uninhabited territory, under and by virtue and in accordance and in compliance with the provisions of the Annexation of Uninhabited Territory Act of 1939 as set forth in Sections 35300 through 35325, inclusive, of the Government Code of the State of California.

SECTION 2. That the said Council's reasons for proposing to initiate said annexation proceedings as aforesaid are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide the proper land use in conformity with the overall zoning plan of said City.

SECTION 3. That said territory which said Council proposes to annex as aforesaid is hereby described and identified as \_\_\_\_\_

**McBRIDE** ADDITION, and said territory includes, consists of, and is further described as all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

McBRIDE ADDITION

All that real property in the State of California, County of Stanislaus, Sections 1 and 12, Township 4 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Western line of the Modesto Sewage Disposal Plant Area Addition, as per description Recorded March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being the section corner common to Sections 1 and 12; thence along the East line of Section 12, South  $00^{\circ} 11'$  East, 324 feet, to the center line of the Tuolumne River; thence meandering Northwesterly downstream along said center line, to a point on the North-South quarter quarter line of the Southeast quarter of Section 1; thence along said quarter quarter line, North  $00^{\circ} 16'$  West, 925 feet to a point on the Southern line of a 60 foot Public Road known as Robertson Road, as shown on the map of Tuolumne Terrace, filed November 15, 1945 in Volume 14 of Maps, Page 39, Stanislaus County Records; thence along said Southern line of Robertson Road, South  $78^{\circ} 44'$  East, 1349.72 feet, to a point on the East line of Section 1; thence along said section line, South  $00^{\circ} 11'$  East, 1296.16 feet, to the point of beginning, containing 38.910 Acres, more or less.

SECTION 4. That the City Clerk of the City of Modesto is hereby authorized and directed to file with, and submit to the Boundary Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, and in accordance with, and for a report thereon by said Commission in accordance with the provisions of Section 35002 of the Government Code of the State of California, the said proposal of the Council of the City of Modesto to initiate on its own motion said proceedings to annex the hereinabove described uninhabited territory to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of June, 19 63, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-280

A RESOLUTION APPROVING REQUESTS OF THE STANISLAUS COUNTY FOURTH OF JULY COMMITTEE FOR THE CELEBRATION BEING HELD IN THE CITY OF MODESTO, JULY 4, 1963

WHEREAS, the Stanislaus County Fourth of July Committee has filed the following requests relating to its celebration being held in the City of Modesto, Thursday, July 4, 1963:

1. That I Street, between 11th and 12th Streets, be barricaded between 9:30 A.M. and 3:30 P.M.;
2. That permission be granted for the use of the City's reviewing stand with canvas top, to be placed in the Courthouse Park by city personnel on Wednesday, July 3;
3. That the Committee be granted permission to use a public address system at the reviewing stand;
4. That the use of Del Webb Field for entertainment and display of fireworks on the evening of July 4, 1963 be approved; and
5. That the parade route used in previous years be approved;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requests of the Stanislaus County Fourth of July Committee be approved, subject to the following conditions:

1. That the parade route be cleared by the Police Department and Parking and Traffic Department;
2. That the use of Del Webb Field to display fireworks be approved on the conditions:
  - (a) That the weather conditions will not create any fire hazard to the surrounding area;
  - (b) That the City be held harmless from and against any and all costs, damages and liability arising out of the use of the field;
  - (c) That the Committee assume the responsibility for cleaning the field after its use;
  - (d) That the City be reimbursed for any damages which may occur to the field and the two golf courses;
  - (e) That arrangements be cleared by the Parks and Recreation and Police Departments.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have ten (10) days from and after the adoption of this resolution within which to file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-281

A RESOLUTION ACCEPTING THE BID OF THE GAMEWELL COMPANY FOR FIRE ALARM HEADQUARTERS EQUIPMENT FOR THE POLICE-COMMUNICATIONS CENTER BUILDING

WHEREAS, Resolution No. 63-234, adopted by the Council of the City of Modesto on May 13, 1963, approved the plans and specifications for the fire alarm headquarters equipment for the Police-Communications Center Building and authorized the calling for bids, and

WHEREAS, the bids received for the fire alarm headquarters equipment for the Police-Communications Center Building were opened at 2:00 P.M., June 4, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of The Gamewell Company

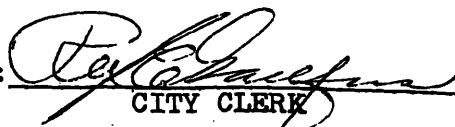
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of The Gamewell Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-282

A RESOLUTION ACCEPTING THE BID OF ELECTRONIC SPECIALTIES COMPANY FOR COMMUNICATIONS SYSTEM FOR THE POLICE-COMMUNICATIONS CENTER BUILDING

WHEREAS, Resolution No. 63-235, adopted by the Council of the City of Modesto on May 13, 1963, approved the plans and specifications for the communications system for the Police-Communications Center Building and authorized the calling for bids, and

WHEREAS, the bids received for the communications system for the Police-Communications Center Building were opened at 2:00 P.M., June 4, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Electronic Specialties Company be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Electronic Specialties Company be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-283

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING RETURN OF BID BONDS FOR  
A SPRINKLER SYSTEM AT THE GARRISON PARK SITE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-182 on April 15, 1963, approving the plans and specifications for a sprinkler system at the Garrison Park site and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 30th day of April, 1963, and

WHEREAS, the City Clerk, in accordance with said resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, it has been necessary for the City of Modesto to request an extension of time before award of bid to the low bidder, and

WHEREAS, the low bidder has refused to grant the City an extension of time for award of the bid,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that all bids received for the sprinkler system at Garrison Park site be, and they are hereby rejected.

BE IT FURTHER RESOLVED that the return of all bid bonds posted with the City of Modesto in connection with the above bids be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-284

A RESOLUTION ACCEPTING THE BID OF M.J. RUDDY & SON FOR THE FURNISHING OF HOT ASPHALT PLANT MIX TO THE CITY OF MODESTO

WHEREAS, the Finance Department called for informal bids for the furnishing of approximately 2,000 tons of 85-100 grade hot asphalt plant mix to the City of Modesto, and

WHEREAS, the bids received for the hot asphalt plant mix were opened on June 4, 1963 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the low bid of M.J. Ruddy & Son be accepted as the lowest responsible bid for the 2,000 tons of 85-100 grade hot asphalt plant mix,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M. J. Ruddy & Son for approximately 2,000 tons of 85-100 grade hot asphalt/<sup>plant mix</sup>be, and it is hereby accepted, and the Purchasing Officer instructed to purchase the needs of the City at the rates specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-285

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT FILED BY H. B. TAYLOR FOR CONSTRUCTION OF A BUILDING WITHIN THE BUILDING LINE SET-BACK ON DOWNEY AVENUE, BLOCK K

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chambers, located in the City Hall, 801 11th Street, in the City of Modesto, on April 25, 1963 and continued to May 23, 1963, for the purpose of considering an application for construction of a building within the building line setback on Downey Avenue, Block K, filed by H. B. Taylor, Rt. 1, Box 62, Acampo, California, on April 19, 1963, and

WHEREAS, said Board, after hearing evidence, both oral and documentary, adopted Resolution No. 215 denying the request, and

WHEREAS, on June 3, 1963, H. B. Taylor filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying the above request, and

WHEREAS, Section 10-2.2012 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Board denying an application for a variance,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Board of Zoning Adjustment denying a request for variance filed by H. B. Taylor be set for Monday, July 8, 1963 at 8:00 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-286

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WOLVERINE BUILDING SERVICE, INC. FOR WATER SERVICE TO LORENZEN PARK NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wolverine Building Service, Inc.

for water service to Lorenzen Park No. 2 Subdivision

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-287

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN LORENZEN PARK NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for installation of water lines in Lorenzen Park No. 2 Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 25, 1963 at 2:00 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION APPROVING THE FINAL MAP OF THE  
TULLY MANOR NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Precision Materials Company, Inc., a corporation,  
are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 6.6 acres, known as  
the TULLY MANOR NO. 1 SUBDIVISION  
and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 5th day of February  
1963, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said TULLY MANOR NO. 1 SUBDIVISION  
meets all of the provisions of the California  
Subdivision Map Act and the provisions of the Modesto Municipal Code  
relating to subdivisions, and that the map is technically correct;

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
TULLY MANOR NO. 1 SUBDIVISION  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of One Thousand Two Hundred Thirty-Six and  
20/100ths (\$1,236.20) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Twenty-Six  
Thousand and No/100ths (\$26,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto  
Municipal Code.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 10th day  
of June, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman VanderWall,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-289

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN TULLY  
MANOR NO. 1 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of water lines in Tully Manor No. 1 Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on June 25, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 10th  
day of June, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Council-  
man Mitchell, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-290

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ANNA R. BROWN AND WILMA E. HODDE FOR WIDENING OF TULLY ROAD AND ORANGEBURG AVENUES (Projects No. 55-9, Parcel 6077 and 58-5, Parcel 6077-1, respectively)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and Anna R. Brown and Wilma E. Hodde

for widening of Tully Road and Orangeburg Avenue (Projects No. 55-9, Parcel 6077 and 58-5, Parcel 6077-1, respectively) be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-291

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES W. BROWN AND WILMA E. HODDE FOR WIDENING OF TULLY ROAD (Project No. 55-9, Parcel 6077-7)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Right of Way Agreement between the City of Modesto and James W. Brown and Wilma E. Hodde for widening of Tully Road (Project No. 55-9, Parcel 6077-7)

be and it is hereby approved. For further particulars, reference is made to a copy of the Agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk of the City of Modesto be, and they are hereby authorized and directed to execute said Right of Way Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-292

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,500  
FROM GENERAL FUND, GENERAL RESERVE, TO WATER, NEW SERVICES

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	\$4,500
TO:	Water (50) New Services (503)	\$4,500

To provide additional funds for the installation of new  
water services.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
10th day of June, 1963, by Councilman Tabbert,  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-293

A RESOLUTION AUTHORIZING CITY RENEWAL OF ITS GENERAL COMPREHENSIVE LIABILITY AND AUTOMOBILE LIABILITY INSURANCE UNDER A SINGLE POLICY, RENEWAL OF AVIATION LIABILITY INSURANCE, AND AUTHORIZING COMPREHENSIVE CATASTROPHE LIABILITY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City's comprehensive liability and automobile liability insurance, which expires June 27, 1963, be renewed with Great American Insurance Company under a single policy for the period beginning June 27, 1963 and ending June 27, 1964.

BE IT FURTHER RESOLVED that the experience credit under the above single policy be computed separately as to Miscellaneous and Automobile.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City's comprehensive airport liability policy, which expires on June 27, 1963, be renewed with Insurance Company of North America, for the period beginning June 27, 1963 and ending June 27, 1964.

BE IT FURTHER RESOLVED that comprehensive catastrophe liability insurance in the amount of \$1,000,000 with a \$10,000 deductible be authorized with Crum and Foster for a three year period beginning June 27, 1963 and ending June 27, 1966.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-294

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO  
ELECTING RICHARD VANDERWALL VICE MAYOR OF THE CITY

WHEREAS, Section 603 of the Charter of the City of Modesto provides that "at the second meeting of the Council following the election or appointment of a member to the Council, the Council shall elect one of its members as Vice Mayor who shall act as Mayor during the absence or inability of the Mayor to act. In the case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall elect one of its members to act as Mayor Pro Tempore,"

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Richard VanderWall be, and he is hereby elected Vice Mayor of the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-295

A RESOLUTION ACCEPTING THE BID OF HARRY O. KLINE FOR A SPRINKLER SYSTEM AT KEWIN PARK SITE

WHEREAS, Resolution No. 63-267, adopted by the Council of the City of Modesto on May 27, 1963, approved the plans and specifications for the sprinkler system at Kewin Park site and authorized the calling for bids, and

WHEREAS, the bids received for the sprinkler system at Kewin Park site were opened at 10:00 A.M., June 11, 1963, and later tabulated by the Parks and Recreation ~~ENGINEERING~~ Department for the consideration of the Council, and

WHEREAS, the Director of ~~ENGINEERING~~ Parks and Recreation has recommended that the bid of Harry O. Kline in the amount of \$4,300 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Harry O. Kline in the amount of \$4,300 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of June, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-296

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
CONSTRUCTION OF WATER LINES IN SKYLANE PARK NO. 3 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution  
No. 63-266, on May 27, 1963, approving the plans and specifi-  
cations for the construction of water lines in Skylane Park No. 3  
Subdivision

and directed the City Clerk to advertise for sealed proposals for  
doing said work, and providing that bids be submitted on the 11th  
day of June, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution,  
thereafter duly and regularly caused a notice to be published in the  
manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost  
of such work to be performed by city forces for the sum of \$8,090,  
which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its  
opinion, based upon the estimate approved by the City Manager, the  
work in question may be performed better and more economically by  
the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that, in accordance with the provisions of Section 1307 of  
the Charter of the City of Modesto, the City Manager is hereby  
authorized to proceed to have the work in question performed by the  
City by its own employees.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 17th day of June,  
1963, by Councilman VanderWall, who moved its adoption, which  
motion being duly seconded by Councilman Shastid, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
NOES: Councilmen: None Mayor Johansen  
ABSENT: Councilmen: Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-297

A RESOLUTION ACCEPTING THE BID OF THE MODESTO TRIBUNE  
FOR LEGAL ADVERTISING FOR THE FISCAL YEAR 1963-64

WHEREAS, Resolution No. 63-263, adopted by the Council  
of the City of Modesto on May 27, 1963, approved the  
~~plans and~~ specifications for the legal advertising for the  
fiscal year 1963-64  
and authorized the calling for bids, and

WHEREAS, the bids received for the legal advertising for  
the fiscal year 1963-64  
were opened at 2:00 P.M., June 13, 1963, and later tabulated by  
City Clerk's office  
the ~~Public Works Department~~ for the consideration of the Council,  
and

City Clerk  
WHEREAS, the ~~Public Works Department~~ has recommended that  
the bid of The Modesto Tribune

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of The Modesto  
Tribune  
be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 17th day of  
June, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Councilman  
Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-298

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AGRICULTURAL RESEARCH SERVICE, U.S.D.A., FOR RENTAL OF A PORTION OF THE GARAGE AT FIRE STATION NO. 3 LOCATED AT 416 DOWNEY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Agricultural Research Service, U.S.D.A.

for rental of a portion of the garage at Fire Station No. 3 located at 416 Downey Avenue for the period of one year, commencing July 1, 1963 at a rental of \$10 per month be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
CITY CLERK

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO THE YELLOW CAB COMPANY TO INSTALL A TAXICAB TELEPHONE BOX ON A STREET LIGHTING STANDARD NEAR THE CORNER OF G STREET IN FRONT OF LUCKY AUTO SUPPLY STORE ON TENTH STREET IN THE CITY OF MODESTO.

WHEREAS, the Yellow Cab Company has filed a request with the Council of the City of Modesto for permission to install a taxicab telephone box on a street lighting standard near the corner of G Street in front of Lucky Auto Supply Store on Tenth Street.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. An encroachment permit, revocable upon thirty (30) days' written notice by City, is hereby granted to Permittee to install a taxicab telephone box on the street lighting standard near the corner of G Street in front of Lucky Auto Supply Store on Tenth Street in the City of Modesto, subject to the other provisions of this resolution.

SECTION 2. Said revocable encroachment permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform, to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee, its successors and assigns, agrees that no advertising will be placed on said taxicab telephone box except the words "Taxi 'Phone; Yellow Cab C o."

(e) Permittee, its successors and assigns, agrees that in the installation of the taxicab telephone box, it will cause the telephone lead wire to be placed underground.

(f) In the event of revocation of this permit by the City, Permittee agrees to remove or cause to be removed such taxicab telephone box and the telephone lead wire thereto at its own cost and expense.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen.  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST.   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-300

A RESOLUTION SETTING THE DATE FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1963-64

WHEREAS, Section 1303 of the Charter of the City of Modesto requires that the Council shall determine the time for holding a public hearing upon the annual budget,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Monday, July 1, 1963 at 4:30 P.M. in the Council Chambers, located at 801 Eleventh Street, be set as the time and place for the public hearing upon the proposed budget for the fiscal year 1963-64, at which time and place all persons interested in said budget will be given an opportunity to be heard, and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish Notice of Public Hearing in the official newspaper of the City of Modesto, The Modesto Tribune, according to the provisions of Section 1303 of the Charter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 17th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Mayor Johansen, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-301

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY AND SON FOR IMPROVEMENT OF BRIGGSMORE AVENUE BETWEEN CARVER ROAD AND WEST LINE OF PARK MANOR NO. 3B SUBDIVISION

WHEREAS, Resolution No. 63-276, adopted by the Council of the City of Modesto on June 3, 1963, approved the plans and specifications for the improvement of Briggsmore Avenue between Carver Road and west line of Park Manor No. 3B Subdivision and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of Briggsmore Avenue between Carver Road and west line of Park Manor No. 3B Subdivision were opened at 2:00 P.M., June 18, 1963 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of M. J. Ruddy & Son in the amount of \$9,999

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M. J. Ruddy & Son in the amount of \$9,999 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-302

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
STATE OF CALIFORNIA FOR TRAFFIC SIGNALS AT TENTH AND D STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and State of  
California

for traffic signals at Tenth and D Streets

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement.  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 24th day of  
June, 1963, by Councilman Tabbert, who moved its  
adoption, which motion being duly seconded by Councilman Shastid,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-303

A RESOLUTION ACCEPTING THE BID OF JACUZZI BROS., INC. FOR  
FURNISHING OF ONE DEEP WELL PUMP AND ELECTRICAL EQUIPMENT

WHEREAS, Resolution No. 63-264, adopted by the Council of the City of Modesto on May 27, 1963, approved the plans and specifications for the furnishing of one deep well pump and electrical equipment and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one deep well pump and <sup>electrical</sup> equipment were opened at 2:15 P.M., June 11, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Jacuzzi Bros., Inc. in the amount of \$2,420.82 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Jacuzzi Bros., Inc. in the amount of \$2,420.82 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-304

A RESOLUTION ACCEPTING THE BID OF OSCAR P. OLSON FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 27

WHEREAS, Resolution No. 63-265, adopted by the Council of the City of Modesto on May 27, 1963, approved the plans and specifications for the construction of pump house at Pump Station No. 27

and authorized the calling for bids, and

WHEREAS, the bids received for the pump house at Pump Station No. 27

were opened at 2:30 P.M., June 11, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Oscar P. Olson in the amount of \$2,055.55

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Oscar P. Olson in the amount of \$2,055.55 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-305

A RESOLUTION ACCEPTING THE BID OF STANDARD OIL COMPANY FOR THE FURNISHING OF DIESEL OIL FOR THE FISCAL YEAR 1963-64

WHEREAS, informal bids were received by the City Purchasing Officer for the purchase of diesel fuel for the fiscal year 1963-64, beginning July 1, 1963 and ending June 30, 1964, and

WHEREAS, the bids received for the purchase of diesel fuel were opened at 2:00 P.M., June 18, 1963, and later tabulated by the City Purchasing Officer for the consideration of the Council, and

WHEREAS, the City Purchasing Officer has recommended that the bid of Standard Oil Company be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Standard Oil Company be accepted and the execution of a contract by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-306

A RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL  
PIPE FROM JOHNS-MANVILLE SALES CORPORATION

WHEREAS, Resolution No. 62-442, adopted by the Council of the City of Modesto on September 24, 1962, accepted the bid of Johns-Manville Sales Corporation for pipe for the fiscal year 1962-63, and

WHEREAS, Johns-Manville Sales Corporation has offered to supply an additional quantity of pipe over the contract quantity at the identical price and bid conditions, and

WHEREAS, the Purchasing Officer has requested authorization to purchase 3,500 feet of 10" cement asbestos pipe,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Purchasing Officer be authorized to purchase from Johns-Manville Sales Corporation 3,500 feet of 10" cement asbestos pipe, as per agreement dated September 24, 1962.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

**A RESOLUTION APPROVING A DEVELOPMENT PLAN  
FOR PLANNED-DEVELOPMENT ZONE, P-D (12)  
(SPENCER ADDITION)**

**WHEREAS, a verified application for an amendment to  
Section 31 of the Zoning Map was filed by H. B. Monighan  
on March 21,  
19 63, to reclassify from Interim Planned-Development Zone, (I)P-D(12),  
to Planned-Development Zone, P-D, the following described property:**

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot public road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 acres, being located north of California Avenue between Spencer Avenue and MID Lateral No. 5.

**WHEREAS, after public hearing held on April 16,  
19 63, and continued to May 21, 1963,  
It was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare, ~~for the following~~  
~~reasons~~ and**

WHEREAS, after a public hearing held on June 24, 1963, the Council found and determined that the application of H. B. Monighan for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare, and

WHEREAS, the Council has introduced Ordinance No. 592 -C.S. on the 24th day of June, 1963, reclassifying the above described property from Interim Planned-Development Zone, (I)P-D(12), to Planned-Development Zone, P-D(12),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(12), is hereby approved in accordance with the plan titled, "Proposed Planned Unit Development, a Portion of Lot 13 of the Spencer Colony", dated November 29, 1962, as amended on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That dedication of right of way be provided for the widening of Spencer Avenue and improvements be installed to City standards;

2. That dedication be provided on the north and west sides of the property as shown on the development plan for the future extension of Vine Street when requested by the City of Modesto;

3. That a solid six (6) foot fence be constructed along the north and west property lines to within twenty-five (25) feet of the ultimate Spencer Avenue property line;

4. That a solid six (6) foot fence be constructed along the south property line to within fifteen (15) feet of the ultimate Spencer Avenue property line prior to the construction of the first unit;

5. That the interior private road be constructed prior to the construction of the first units;

6. That no access be permitted from the development to Vine Street;

7. That a landscaping plan be presented to the Board of Zoning Adjustment at the time of the consideration of the conditional use permit; and

8. That a cash deposit, savings and loan certificate, forfeiture bond, or corporate surety bond in an amount to be determined by the City Engineer, based on the estimated cost of public improvements, be posted when application is made for the conditional use permit for Phase I, release date of said bond to coincide with the completion date of Phase I.

**SECTION 2. DEVELOPMENT SCHEDULE.** The following development schedule is hereby approved for said Planned-Development Zone, P-D(12):

(a) The entire construction program shall be accomplished in one phase, construction to begin on or before September 1, 1963, and be completed on or before November 1, 1965.

**SECTION 3. CHANGES IN DEVELOPMENT PLAN.** Any changes in the above-mentioned development plan which involve uses shall be made in accordance with the procedure set forth in Article 21 of Title X of the Modesto Municipal Code for an unclassified use permit. Any changes in the development plan which do not involve uses shall be reviewed by the Board of Zoning Adjustment and such changes, if approved, shall be made in accordance with the procedure set forth in Article 20 of Title X of the Modesto Municipal Code for a conditional use permit.

**SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC.** In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

**SECTION 5. EFFECTIVE DATE.** This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (12) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24

day of June, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: VanderWall  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-308

A RESOLUTION ACCEPTING THE CONSTRUCTION OF INDUSTRIAL WASTE TREATMENT WORKS ADDITION AT THE SEWAGE TREATMENT PLANT BY NORTH BAY CONSTRUCTION COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of industrial waste treatment works addition at the Sewage Treatment Plant has been completed by North Bay Construction Company

in accordance with the contract agreement, dated February 5, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of industrial waste treatment works addition at the Sewage Treatment Plant be accepted from said contractor North Bay Construction Company,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June \_\_\_\_\_, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: 

CITY CLERK

(SEAL)

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A MERCURY VAPOR LIGHTING SYSTEM AT MODESTO JUNIOR COLLEGE BY FERRERO ELECTRIC, INC.

WHEREAS, a report has been filed by the Director of Public Works that the construction of a mercury vapor lighting system at Modesto Junior College has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement, dated March 22, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of a mercury vapor lighting system at Modesto Junior College be accepted from said contractor Ferrero Electric, Inc.

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-310

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER ON CARVER ROAD AND DEBONAIRE DRIVE TO BRENTWOOD ESTATES SUBDIVISION BY GEORGE REED, INC.

WHEREAS, a report has been filed by the Director of Public Works that the construction of subtrunk sewer on Carver Road and Debonaire Drive to Brentwood Estates Subdivision has been completed by George Reed, Inc.

in accordance with the contract agreement, dated May 3, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer on Carver Road and Debonaire Drive to Brentwood Estates Subdivision be accepted from said contractor George Reed, Inc.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-311

A RESOLUTION AUTHORIZING THE RELEASE OF THE GREAT AMERICAN INSURANCE COMPANY SUBDIVISION IMPROVEMENT BOND FILED TO GUARANTEE IMPROVEMENTS IN NORTHGATE NO. 4 SUBDIVISION

WHEREAS, Northgate Enterprises, Inc., subdivider of Northgate No. 4 Subdivision, has filed with the City of Modesto a subdivision improvement bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision improvement bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Great American Insurance Company Subdivision Improvement Bond No. 8100622 in the sum of \$8,200 filed by Northgate Enterprises, Inc. to guarantee the improvements in Northgate No. 4 Subdivision be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-312

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SYLVAN SCHOOL DISTRICT FOR INSTALLATION OF AN 18 INCH UNDERGROUND IRRIGATION LINE ACROSS THE SHERWOOD PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Sylvan School District

for installation of an 18 inch underground irrigation line across the Sherwood Park site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 19 63, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 313

A RESOLUTION EXTENDING THE LIMITS IMPOSED  
BY THE DEVELOPMENT SCHEDULE APPROVED AS  
PART OF PLANNED-DEVELOPMENT ZONE, P-D(11).  
(GHILOTTI)

WHEREAS, by Ordinance No. 542-C.S., effective December 25, 1962, the Council amended Section 28 of the Zoning Map reclassifying property from One-Family Zone, R-1, to Planned-Development Zone, P-D(11), as requested by Dr. A. E. Ghilotti, and

WHEREAS, by Resolution No. 62-568, adopted November 26, 1962, the Council approved a development plan and development schedule for Planned-Development Zone, P-D(11), and

WHEREAS, a letter has been received by the Planning Department from the property owner requesting an extension of the limits imposed by the development schedule to permit time for formulation of improvement plans for El Vecino Avenue and the alley to the south of the property, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after consideration of the matter on June 18, 1963, it was determined by the Planning Commission that good cause has been shown by the applicant for his inability to meet the approved development schedule, and

WHEREAS, by Resolution No. 949, adopted June 18, 1963, the Planning Commission recommended to the Council that the limits imposed by the development schedule approved as part of Planned-Development Zone, P-D(11), be extended to provide that construction be started on or before April 1, 1964, and be completed on or before October 1, 1965,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-568, adopted November 26, 1962, as part of Planned-Development Zone, P-D(11), shall be extended as follows:

(a) The entire project shall be accomplished in one phase, construction to begin on or before April 1, 1964, and be completed on or before October 1, 1965.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-568 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-314

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WOODCREST CONSTRUCTION, INC. FOR WATER SERVICE TO COMMERCIAL DEVELOPMENT ON NORTH McHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Woodcrest Construction, Inc.

for water service to commercial development on North McHenry Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-315

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA FOR A GRANT OF FEDERAL FUNDS FOR THE DEVELOPMENT OF THE MODESTO CITY-COUNTY AIRPORT (Installation of Taxiway Lighting)

WHEREAS, the City of Modesto in conjunction with the County of Stanislaus submitted to the Administrator of Civil Aeronautics of the United States of America a Project Application, dated March 13, 1963, for a grant of federal funds pursuant to the Federal Airport Act for the development of the Modesto City-County Airport, and

WHEREAS, in response thereto the United States of America, acting through the Administrator of Civil Aeronautics, has submitted an offer to pay a share of the costs incurred in accomplishing the project, the offer being set forth in Exhibit "A" attached hereto,


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City accepts said offer of the United States of America as set forth in Exhibit "A" attached hereto.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be, and they are hereby authorized to execute and attest respectively in the name of the City of Modesto the acceptance of the hereinabove described offer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

**GRANT AGREEMENT****Part 1-Offer**

Date of Offer      June 13, 1963

Modesto City-County

Airport

Project No.      9-04-027-C307

Contract No.    FA-WE-2838

**TO: The City of Modesto, California, and the County of Stanislaus, California**  
(herein referred to as the "Sponsor")

**FROM: The United States of America (acting through the Federal Aviation Agency, herein referred to as the "FAA")**

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated  
March 13, 1963, for a grant of Federal funds for a project for develop-  
ment of the Modesto City-County Airport (herein called  
the "Airport"), together with plans and specifications for such project, which Project Application,  
as approved by the FAA is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for development of the Airport (herein called the  
"Project") consisting of the following-described airport development:

**Install taxiway lights on parallel taxiway (approximately 5400')**

all as more particularly described in the property map and plans and specifications incorporated in  
the said Project Application;

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of the Federal Airport Act, as amended (49 U.S.C. 1101), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport as herein provided, THE FEDERAL AVIATION AGENCY, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project, **53.89 per centum of said allowable project costs, subject to the following terms and conditions.**

This Offer is made on and subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be **\$ 11,027.00.**
2. The Sponsor shall:
  - (a) begin accomplishment of the Project within **thirty** days after acceptance of this Offer or such longer time as may be prescribed by the FAA, with failure to do so constituting just cause for termination of the obligations of the United States hereunder by the FAA;
  - (b) carry out and complete the Project without undue delay and in accordance with the terms hereof, the Federal Airport Act, and Sections 550.7 and 550.8 of the Regulations of the Federal Aviation Agency (14 CFR 550) in effect as of the date of acceptance of this Offer; which Regulations are hereinafter referred to as the "Regulations";
  - (c) carry out and complete the Project in accordance with the plans and specifications and property map, incorporated herein, as they may be revised or modified with the approval of the FAA.
3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under Section 550.4(a) of the Regulations.
4. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of Section 550.9 of the Regulations. Final determination as to the allowability of the costs of the project will be made at the time of the final grant payment pursuant to Section 550.9(d) of the Regulations: Provided, that, in the event a semi-final grant payment is made pursuant to Section 550.9(c) of the Regulations, final determination as to the allowability of those costs to which such semi-final payment relates will be made at the time of such semi-final payment.

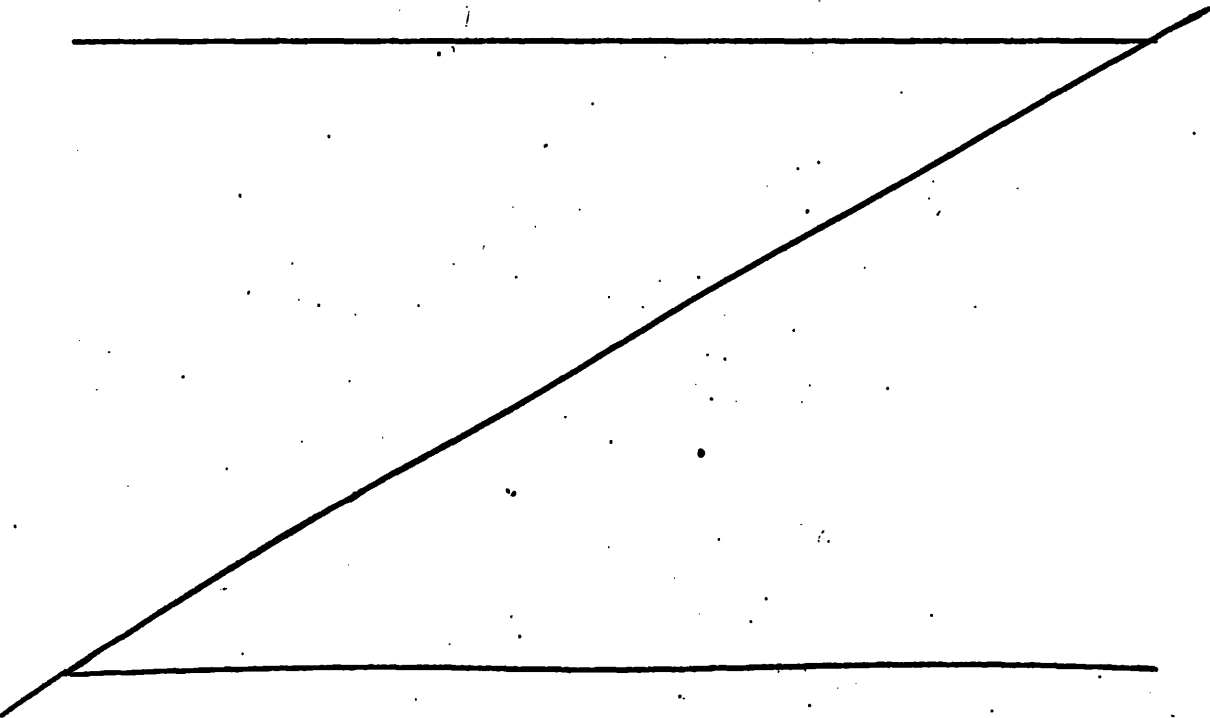
5. The Sponsor shall operate and maintain the airport as provided in the Project Application incorporated herein and specifically covenants and agrees in accordance with its Assurance 4 in Part III of said Project Application that in its operation and the operation of all facilities thereof neither it nor any person or organization occupying space or facilities thereon will discriminate against any person or class of persons by reason of race, color, creed or national origin in the use of any of the facilities provided for the public on the airport.
6. The FAA reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.
7. This Offer shall expire and the United States shall not be obligated to pay any part of the costs of the Project unless this Offer has been accepted by the Sponsor on or before June 30, 1963, or such subsequent date as may be prescribed in writing by the FAA.
8. It is recognized by the parties hereto that on February 11, 1963, Part 550 of the Regulations of the Federal Aviation Agency (14 CFR 550) was deleted and superseded by Part 151 of the Federal Aviation Regulations (27 FR 12348). Therefore, it is understood and agreed that Paragraphs 2(b), 3 and 4 of this Grant Agreement are hereby deleted and the following Paragraphs 2(b), 3 and 4 are substituted in their place and stead:

"2(b) carry out and complete the Project without undue delay and in accordance with the terms hereof, the Federal Airport Act, as amended, and Sections 151.45, 151.47, 151.49, 151.51, 151.53 and 151.55, of the Federal Aviation Regulations (27 FR 12348) in effect as of the date of acceptance of this Offer; which Regulations are hereafter referred to as the 'Regulations';"

"3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under Section 151.41(b) of the Regulations."

"4. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of Section 151.57, 151.59, 151.61 and 151.63 of the Regulations. Final determination as to the allowability of the costs of the project will be made at the time of the final grant payment pursuant to Section 151.63 of the Regulations: Provided, that, in the event a semi-final grant payment is made pursuant to Section 151.63 of the Regulations, final determination as to the allowability of those costs to which such semi-final payment relates will be made at the time of such semi-final payment."

9. It is understood and agreed that the following is substituted for the provisions of Paragraph 3, Part III-Sponsor's Assurances of the said Project Application: The Sponsor will not grant or permit any exclusive right for the use of the airport forbidden by Section 308 of the Federal Aviation Act of 1958 and will otherwise comply with all applicable laws, and with the policies of the Federal Aviation Agency with respect to the conduct of aeronautical activities on the airport as set forth in the statement of policy published in the Federal Register of July 25, 1962, (27 FR 7054). In furtherance of this covenant (but without limiting its general applicability and effect) the Sponsor specifically agrees that, unless authorized by the Administrator, it will not, either directly or indirectly, grant or permit any person, firm or corporation, the exclusive right for the conduct of any aeronautical activity on the airport, including but not limited to, charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activities, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity: Provided, that, the Sponsor may grant such exclusive right that is permitted under any surplus property instrument of transfer pursuant to which surplus property was conveyed to the Sponsor by the United States pursuant to the Surplus Property Act of 1944, (61 Stat. 678), as amended.
10. It is understood and agreed that each contract awarded for construction work under this project is subject to the provisions of the Work Hours Act of 1962, P. L. 87-581. It is further understood and agreed that each such contract will contain stipulations requiring the contractor or subcontractor to pay wages to all laborers and mechanics employed on the work in conformance with the provisions of the Act and that the Sponsor may withhold or cause to be withheld from the contractor or subcontractor so much of the accrued payments as may be considered necessary to pay laborers and mechanics employed by any such contractor or subcontractor on the work the full amount of wages required by the contract and such sums as may administratively be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for liquidated damages as provided by the Act. It is also understood and agreed that, in the event of failure of any contractor or subcontractor to pay any laborer or mechanic employed or working on the site of the work all or part of the wages required by the contract, the FAA may, after written notice to the Sponsor, withhold from the Sponsor so much of the accrued payments or advances representing unpaid wages and liquidated damages.

11. Pursuant to Paragraph 9 of Part III of the Project Application dated March 13, 1963, the Sponsor hereby covenants and agrees to furnish the United States without cost, within four months after written request therefor, fee simple title or such lesser estate or interest as is acceptable to the FAA, in and to the following described property, situate in the County of Stanislaus, State of California: Commencing at the  $W\frac{1}{2}$  corner of Section 35, T3S, R9E, M.D.B.&M; thence  $S 0^{\circ}15'E$  198.64 feet along the section line of said Section 35 to a City of Modesto monument located at the intersection of said section line and the airport property line; thence  $S 55^{\circ}54'30"E$  882.68 feet along the northeast airport property line to the true point of beginning; thence from said point of beginning  $S 55^{\circ}54'30"E$  400 feet along said airport property line to a point; thence  $S 34^{\circ}05'30"W$  200 feet to a point; thence  $N 55^{\circ}54'30"W$  400 feet to a point; thence  $N 34^{\circ}05'30"E$  200 feet to the point of beginning, being a rectangular plot of land containing 80,000 sq. ft., more or less, for the construction of an air traffic control tower, together with the right of ready access thereto for construction, occupancy and use of said air traffic control tower; and together with the right to connect to existing utilities and to utilize the utility services involved to the extent of available capacity at no more than prevailing rates. It is further understood and agreed that the Sponsor will not construct nor permit the construction of any structure that will obstruct visibility of any of the traffic patterns, approaches, runways, taxiways, operational portions of the apron(s) or any other operational area necessary for the control of ground or air traffic on or at the airport, from a control cab, the approximate center of which will be over the geographical center of the area above described and the elevation of which will be 44 feet above such point.
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- 

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as herein-after provided, and said Offer and Acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA  
FEDERAL AVIATION AGENCY

By  .....  
(TITLE)  
Chief, Airports Division

Part II-Acceptance

The County of Stanislaus, California, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this ..... day of ....., 19.....

THE COUNTY OF STANISLAUS, CALIFORNIA  
(Name of Sponsor)

(SEAL) By .....  
Title .....

Attest: .....

Title: .....

CERTIFICATE OF SPONSOR'S ATTORNEY

I, ....., acting as Attorney for .....,  
(herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of ..... California ....., and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at ..... this ..... day of ....., 19.....

Title .....

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-316

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY  
FOR TAXIWAY LIGHTING AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, Resolution No. 63-252, adopted by the Council of the City of Modesto on May 20, 1963, approved the plans and specifications for the taxiway lighting at Modesto City-County Airport

and authorized the calling for bids, and

WHEREAS, the bids received for the taxiway lighting at Modesto City-County Airport were opened at 2:00 P.M., June 11, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Industrial Electrical Company in the amount of \$18,162.05 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Industrial Electrical Company in the amount of \$18,162.05 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24<sup>th</sup> day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-317

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,500 FROM AIRPORT DEVELOPMENT, ESTIMATED REVENUE RECEIVABLE, F.A.A. GRANT, COUNTY AIRPORT SUBVENTION, GENERAL RESERVE TO APPROPRIATIONS, TAXIWAY LIGHTING SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

AIRPORT DEVELOPMENT (322)

FROM:	Estimated Revenue Receivable (20)	\$2,655
	F.A.A. Grant (255)	\$1,847
	County Airport Sub- vention (223)	\$ 808
	General Reserve (600)	<u>\$ 845</u>
		\$3,500
TO:	Appropriations (70), Taxiway Lighting System (503)	\$3,500

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK



MODESTO CITY COUNCIL  
RESOLUTION NO. 63-319

A RESOLUTION ENDORSING THE NORTHERN SAN JOAQUIN VALLEY HOSPITAL CONFERENCE APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE IN CONDUCTING A SURVEY OF AVAILABLE HOSPITAL SERVICES AND EXISTING AND FUTURE HOSPITAL NEEDS

WHEREAS, twenty-seven (27) public and private hospitals have joined in a federation known as the Northern San Joaquin Valley Hospital Conference, representing the area roughly bounded by Merced, Lodi, Tracy and Sonora, and

WHEREAS, this group has applied for a U.S. Public Health Service grant to enable it to hire one or two consultants to make a study to determine the available hospital services and the existing and future hospital needs in the Northern San Joaquin Valley region, and

WHEREAS, the Modesto Planning Commission, recognizing the value of having available accurate and current information upon which to base decisions concerning both local and regional hospital planning and development, has endorsed the above application by Resolution No. 950, adopted on June 18, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it endorses the application of the Northern San Joaquin Valley Hospital Conference to the United States Public Health Service for a hospital needs research grant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	Hughes
ABSENT:	Councilmen:	None

ATTEST

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 320

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY BY THE CITY OF MODESTO TO BE USED FOR PARK PURPOSES AND STREET PURPOSES. (Downey Avenue Park Site - Brighton Avenue Extension: Lamon Wright)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest, convenience and necessity require the acquisition of certain real property, hereinafter described, to be used for the development of a public park and to acquire the right of way for the extension of a street, to wit, Brighton Avenue.

The use of said real property for park purposes and street purposes is a public use authorized by law.

The proposed acquisition of said park site is planned in a manner which will be most compatible with the greatest public good and the least private injury.

The proposed acquisition for the extension of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may

direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid, as authorized by law.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the City in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purposes aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South half of Lot 13 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the Eastern line of a 50 foot Public Road known as Coffee Road, said point being the Southwestern corner of Lot 13 of the Broughton Colony; thence along said Eastern Line of Coffee Road, North 0° 27' West, 329.75 feet; thence North 89° 57' 15" East, 1290.69 feet to a point on the Eastern Line of said Lot 13; thence along said Eastern Line of Lot 13, South 0° 29' 30" East, 329.86 feet to the Southeastern corner of said Lot 13; thence along the Southern line of Lot 13, South 89° 57' 30" West, 1290.93 feet to the point of beginning, containing 9.773 Acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: Shastid

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-321

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,100 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, CURBS, GUTTERS AND SIDEWALKS, VARIOUS PARKS TO PARK ACQUISITION, DOWNEY HIGH AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM:	Curbs, Gutters and Sidewalks, Various Parks (5328)	\$4,100
TO:	Park Acquisition, Downey High Area (5103)	\$4,100

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-322

A RESOLUTION APPROVING SCHEDULES OF ROUTES AND OPERATING TIMES OF THE  
MODESTO MOTOR BUS SERVICE IN THE CITY OF MODESTO

WHEREAS, Section 6-7.208 of the Modesto Municipal Code  
authorizes the City Council to approve changes or amendments to the  
schedule of routes and operating times of persons licensed to operate  
motor buses within the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto as follows:

SECTION 1. The schedule of routes and operating times  
filed by the Modesto Motor Bus Service in the office of the City  
Clerk on June 25, 1963, is hereby approved.

SECTION 2. All resolutions and parts of resolutions in  
conflict herewith are hereby rescinded.

SECTION 3. The City Clerk is hereby directed to furnish  
a copy of this resolution to the Modesto Motor Bus Service.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 1st day  
of July, 1963, by Councilman VanderWall, who moved its adoption,  
which motion being duly seconded by Councilman Mitchell, was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-323

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES  
FOR INSTALLATION OF WATER MAINS IN TULLY MANOR NO. 1 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-289, on June 10, 1963, approving the plans and specifications for installation of water mains in Tully Manor No. 1 Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 25th day of June, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$3,870, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-324

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES  
FOR INSTALLATION OF WATER MAINS IN LORENZEN PARK NO. 2 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-287, on June 10, 1963, approving the plans and specifications for installation of water mains in Lorenzen Park No. 2 Subdivision and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 25th day of June, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$5,040, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
NOES: Councilmen: None VanderWall, Mayor Johansen  
ABSENT: Councilmen: None

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-325

A RESOLUTION APPROVING ~~XXXXXXX~~ SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR SALE OF DRIED, DIGESTED SLUDGE AT THE SEWAGE TREATMENT PLANT FOR FISCAL YEAR 1963-64

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The ~~XXXXXXXX~~ specifications for the sale of dried, digested sludge at the Sewage Treatment Plant for fiscal year 1963-64,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 16, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-326

A RESOLUTION ACCEPTING THE BID OF UNION OIL COMPANY OF CALIFORNIA FOR GASOLINE FOR THE FISCAL YEAR 1963-64

WHEREAS, the Council of the City of Modesto, at a meeting held on the 10th day of June, 1963, directed the Purchasing Officer of the City, by motion, to join with the County of Stanislaus Purchasing Department to call for bids for the furnishing of first structure gasoline and second structure gasoline for the City for the fiscal year 1963-64, and

WHEREAS, the bids received for the purchase of gasoline were opened at 10:00 A.M., June 25, 1963, and later tabulated by the City Purchasing Officer for the consideration of the Council, and

WHEREAS, the City Purchasing Officer has recommended that the bid of Union Oil Company of California be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Union Oil Company of California be accepted and the execution of a contract by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-327

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR INSTALLATION OF WATER MAINS ON SYLVAN AVENUE AND McHENRY AVENUE TO VALUE WORLD SHOPPING CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for the installation of water mains on Sylvan Avenue and McHenry Avenue to Value World Shopping Center, copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 16, 1963 at 2:15 P.M. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 328

A RESOLUTION ALLOCATING PARKING METER REVENUES,  
DESIGNATING FUNDS THEREFOR, AND PRESCRIBING  
THE PURPOSES FOR WHICH THEY MAY BE USED.

BE IT RESOLVED by the Council of the City of Modesto as  
follows:

SECTION 1. That all of the revenue from on-street parking  
meters of and in the City of Modesto shall be, until otherwise designated  
by the Council, allocated for use as follows, to wit:

Twenty-five (25%) per cent of said revenue shall be  
placed in the existing Parking Meter Fund and shall be used solely  
for the purchase, installation, operation, maintenance, supervision,  
inspection and control of said parking meters;

Seventy-five (75%) per cent of said revenue shall be  
placed in the existing Parking Fund and shall be used solely for  
the acquisition, development, operation, maintenance and administra-  
tion of off-street public parking facilities, including all expenses  
related thereto and such other purposes as are substantially connected  
with the problem of traffic regulation and control.

SECTION 2. That all of the revenues from off-street  
parking meters of and in the City of Modesto shall be, until other-  
wise designated by the Council, allocated for use as follows, to  
wit:

One Hundred (100%) per cent of the revenue from off-street  
parking meters shall be placed in the Parking Fund and shall be  
used for the purposes specified above for such fund.

SECTION 3. The Director of Finance is hereby directed  
to implement the provisions of this resolution.

SECTION 4. Any resolution or portion of a resolution in  
conflict with the provisions of this resolution is hereby rescinded.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 1<sup>st</sup> day

of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

WHEREAS, on February 21, 1963, the Government previously made a Grant Offer in the maximum sum of \$354,500 to the City of Modesto in connection with that certain project identified as Project Number APW-Calif-38G, which Offer was accepted on March 4, 1963 and became the Grant Agreement between the Government and said City; and

WHEREAS, as a result of the award of the construction contracts in connection with the project described in said Grant Agreement it now appears that there are underruns in certain construction costs which make it advisable to revise the estimate of the project cost as well as the method of financing which has necessitated the making of an Amended Grant Offer; and

WHEREAS, said Amended Grant Offer has been fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the public records of the City of Modesto; and

WHEREAS, it is deemed advisable and in the public interest that said Amended Grant Offer be accepted;

NOW, THEREFORE, be it Resolved by the City Council of the City of Modesto that the said Amended Grant Offer reducing the amount of the Grant from \$354,500 to \$320,000 and the estimated cost of the project from \$781,000 to \$712,000 and the actual eligible project cost from \$709,000 to \$640,000, a true and correct copy of which is hereto attached, be and the same hereby is accepted without reservations or qualifications, and the City of Modesto agrees to comply with the provisions thereof.

Passed by the aforementioned governing body of the City of Modesto on the 1st day of July, 1963. CITY OF MODESTO, a municipal corporation

Date: July 1, 1963

(Signed) By: John C. Keefe  
(Name of Officer Required to Approve)

JOHN C. KEEFE

City Manager  
Title

Approved as a valid acceptance of the above-mentioned Amended Grant Offer

Allen Grimes  
Attorney for City of Modesto  
ALLEN GRIMES, City Attorney

801 - 11th Street, Modesto, California  
Address

CERTIFICATE

I, the undersigned, the duly qualified and acting Secretary of the  
City Council

~~(City Council, Board of Trustees, etc. Fill in proper designation)~~

of City of Modesto

(Name of Applicant)

and Custodian of the records of said body, including its journal of proceedings,  
do hereby certify:

1. That the attached Resolution No. 63-329 is a true  
and correct copy of a Resolution as finally adopted at a  
regular meeting  
(Regular or special. Indicate which.)


of the City Council of City of Modesto  
(Governing Body) (Applicant)

that said Resolution has not been amended, modified or rescinded,  
and is now in full force and effect;

2. That said meeting was duly convened and held in all respects in  
accordance with law and, to the extent required by law, due and  
proper notice of such meeting was given; that a legal quorum was  
present throughout the meeting and a legally sufficient number of  
the aforesaid governing body voted in the proper manner for adoption  
of said Resolution; that all other requirements and proceedings under  
the law incident to the proper adoption or passage of said Resolution,  
including the publication, if required, have been duly fulfilled,  
carried out, and otherwise observed; that I am authorized to execute  
this Certificate; and that the seal of City of Modesto  
(Name of Applicant)

is hereto affixed and this Certificate is hereby executed under such  
official seal.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of  
July, 19 63.

  
~~(Also print or type name and title of~~  
~~Executing Officer)~~  
Clerk

REX E. GAILFUS  
Typewritten Name

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-330

A RESOLUTION APPROVING THE FINAL MAP OF THE  
LORENZEN PARK NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Wolverine Building Service/ Arthur J. Wylie a corporation,  
and Florence E. Wylie, individuals,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 9.8 acres, known as the  
Lorenzen Park No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 7th day of May,  
1963, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Lorenzen Park No. 2  
Subdivision meets all of the provisions of the California Subdivision  
Map Act and the provisions of the Modesto Municipal Code relating to  
subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Lorenzen Park No. 2 Subdivision  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of One Thousand, Eight Hundred Two and 70/100ths  
(\$1,802.70) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Twenty One  
Thousand and No/100ths (\$21,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-331

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE PERSONNEL BOARD COOPERATIVE PERSONNEL SERVICES TO FURNISH EXAMINATIONS AS NEEDED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The State Personnel Board Cooperative Personnel Services

for furnishing examinations as needed

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-332

A RESOLUTION GRANTING A PERMIT TO THE 20-30 CLUB OF MODESTO TO USE DEL WEBB BASEBALL FIELD FOR ANNUAL DONKEY BASEBALL GAME ON SEPTEMBER 21, 1963

WHEREAS, The 20-30 Club of Modesto has filed a request with the Council for permission to use Del Webb Field on September 21, 1963 for annual Donkey Baseball Game,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A permit is hereby granted to said applicant to use Del Webb Baseball Field on September 21, 1963 for annual Donkey Baseball Game, subject to the other provisions of this resolution.

SECTION 2. Said permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to-wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain during the life of this permit such public liability and property damage insurance as shall protect it, and any person performing work under this permit, for claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise out of the exercise of the rights granted by this permit, whether by itself, or by

any subcontractor, or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance, in an amount not less than One Hundred Thousand and no/100ths (\$100,000) Dollars for injuries, including accidental death, to any one person; and, subject to the same limit for each person, in an amount not less than Two Hundred Thousand and no/100ths (\$200,000) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten Thousand and no/100ths (\$10,000) Dollars.

Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

Permittee shall assume the responsibilities for cleaning the facility after its use.

Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and a certificate of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificate is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
CITY CLERK

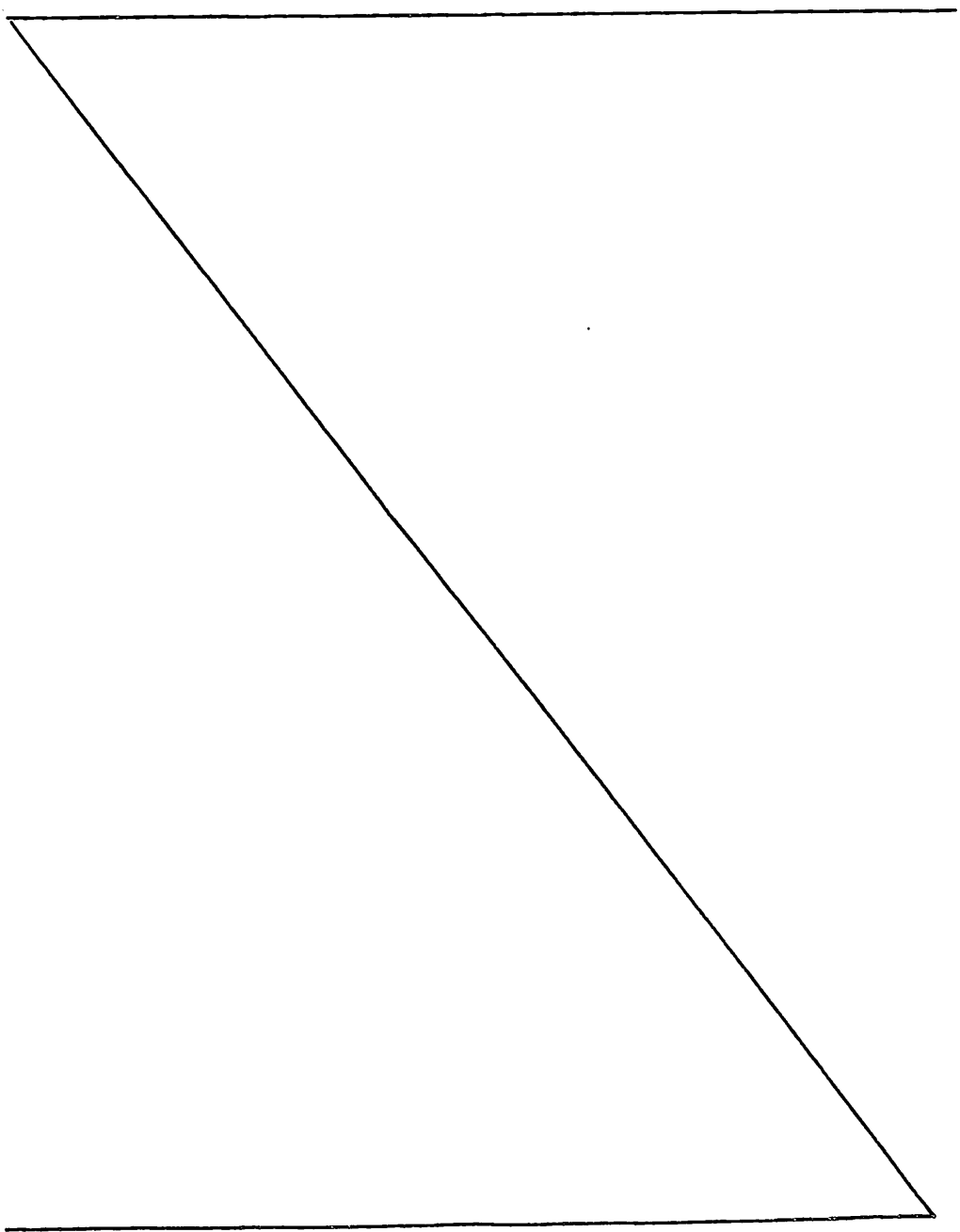
MODESTO CITY COUNCIL  
RESOLUTION NO. 63-333

*Pub. 11-18  
15 2000*

A RESOLUTION DECLARING THAT PROCEEDINGS HAVE BEEN INITIATED BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX TO SAID CITY CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS McBRIDE ADDITION, AND GIVING NOTICE OF SUCH PROPOSED ANNEXATION.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the "Annexation of Uninhabited Territory Act of 1939," as amended, proceedings have been initiated by the Council of the City of Modesto, on its own motion, to annex to the City of Modesto all that uninhabited territory situate in the County of Stanislaus, State of California, hereby designated as the McBRIDE ADDITION, and described as follows:



McBRIDE ADDITION

All that real property in the State of California, County of Stanislaus, Sections 1 and 12, Township 4 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Western line of the Modesto Sewage Disposal Plant Area Addition, as per description Recorded March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being the section corner common to Sections 1 and 12; thence along the East line of Section 12, South  $00^{\circ} 11'$  East, 324 feet, to the center line of the Tuolumne River; thence meandering Northwesterly downstream along said center line, to a point on the North-South quarter quarter line of the Southeast quarter of Section 1; thence along said quarter quarter line, North  $00^{\circ} 16'$  West, 925 feet to a point on the Southern line of a 60 foot Public Road known as Robertson Road, as shown on the map of Tuolumne Terrace, filed November 15, 1945 in Volume 14 of Maps, Page 39, Stanislaus County Records; thence along said Southern line of Robertson Road, South  $78^{\circ} 44'$  East, 1349.72 feet, to a point on the East line of Section 1; thence along said section line, South  $00^{\circ} 11'$  East, 1296.16 feet, to the point of beginning, containing 38.910 Acres, more or less.

2. That the said Council of the City of Modesto desires to annex said uninhabited territory to the City of Modesto for the following reasons: Said territory is contiguous to the City of Modesto, and its proposed annexation will contribute to and facilitate the orderly growth and development of both the City of Modesto and the territory proposed to be annexed; and will provide and facilitate proper over-all planning and zoning of lands, and subdivision of lands in said City and said uninhabited territory, in a manner most conducive to the welfare of said City and said uninhabited territory.

3. That if said territory is annexed it shall <sup>remain a</sup> ~~become~~ part of the school district of the City of Modesto.

4. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on June 18, 1963, approve the proposed annexation boundaries of said McBRIDE ADDITION, as above described, and as submitted to said Commission by the Council of the City of Modesto prior to the initiation of said annexation proceedings.

5. That August 12, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, County of Stanislaus, California, is hereby fixed as the time and place when and where any person owning real property within the uninhabited territory above described and proposed to be annexed to the City of Modesto and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such uninhabited territory should not be so annexed to said City of Modesto. Such protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property in general terms.

6. The City Clerk of the City of Modesto is hereby authorized and directed to cause a copy of this resolution to be published at least twice, but no oftener than once a week in The Modesto Tribune, a newspaper of general circulation published in said City of Modesto,

and being the official newspaper of the City of Modesto, the city to which it is proposed to annex the aforesaid territory, and also in the Modesto Daily Journal, a newspaper of general circulation published outside the City of Modesto, but in the County of Stanislaus, California, the county in which is located the territory proposed to be annexed to the City of Modesto, said publication to be completed at least twenty (20) days prior to the date set for hearing.

7. The said City Clerk is further authorized and directed to cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed in the last equalized county assessment roll available on the date the above said proceedings were initiated, at the addresses shown on said assessment roll or known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has an interest, either legal or equitable, with said Clerk, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by a county, the said City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of such county, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the said Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The said City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 1st day of July, 1963, by Councilman Shastid ~~Handwick~~.

who moved its adoption, which motion being duly seconded by  
Patton  
Councilman ~~SKKSKCS~~, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-334

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$75,400  
FROM GENERAL RESERVE 600 TO POLICE BUILDING AND COMMUNICATIONS  
CENTER

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

FROM SPECIAL FUND FOR CAPITAL OUTLAYS (321)  
General Reserve (600) \$75,400

TO Police Building and Communications Center \$75,400  
(502)

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
1st day of July, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-335

A RESOLUTION APPOINTING JOSEPH E. FULFORD A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to various Boards and Commissions, and

WHEREAS, Ronald Emerzian resigned from said commission on May 27, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Joseph E. Fulford be, and he is hereby appointed a member of the Modesto City Personnel Commission for a term to expire January 1, 1966.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-336

A RESOLUTION GRANTING THE VARIANCE REQUEST FILED BY JOHN KLEIN TO CONSTRUCT A THIRTY-SIX (36') FOOT DRIVEWAY APPROACH TO PROPERTY LOCATED AT THE NORTHEAST CORNER OF COLDWELL AND COLLEGE AVENUES

WHEREAS, John Klein has requested permission to construct a thirty-six (36') foot driveway approach to property located at the northeast corner of Coldwell and College Avenues, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Municipal Code, and

WHEREAS, Section 7-1.104(a) of the Municipal Code provides that driveways are not to exceed thirty (30') feet in width unless a variance is approved by the Council, and

WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires the curb cut for access to the property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that John Klein be granted a variance to Section 7-1.104(a) of the Municipal Code to install a thirty-six (36') foot driveway approach to property located at the northeast corner of Coldwell and College Avenues.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-337

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF WATER MAINS IN NORTHWOOD  
ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of water mains in Northwood Estates Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on July 23, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 8th  
day of July, 1963, by Councilman Tabbert, who  
moved its adoption, which motion being duly seconded by Council-  
man VanderWall, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-338

A RESOLUTION RELATING TO THE GRANTING OF SPECIAL  
PERMITS TO USE DEL WEBB FIELD.

WHEREAS, from time to time, the Council receives requests for special permission to use Del Webb Field for special events of a nature that it has previously approved on prior occasions, and

WHEREAS, the Council finds it desirable that permission for these uses be handled administratively, and

WHEREAS, Section 12-3.03 of the Municipal Code authorizes the Council by resolution to control and regulate the use of Del Webb Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. GRANTING OF PERMITS. The Director of Parks and Recreation is hereby authorized to grant permits to the following persons or organizations requesting permission to use Del Webb Field for the uses hereinafter specified subject to the conditions set forth in this resolution:

<u>USE</u>	<u>ORGANIZATION OR PERSON</u>
Fourth of July Celebration	Stanislaus County Fourth of July Committee
Circus	Modesto Lodge No. 1282, Benevolent and Protective Order of Elks
Dawg Daze	The Exchange Club of Modesto
Donkey Baseball	Twenty-Thirty Club of Modesto
Baseball Games	Modesto Community Athletic Association (Modesto Colts)
Trailer Rally	Travel Trailer Club
Pony Show	Kenneth Balm (Central California Shetland Pony Club)
Wrestling Show	California Athletic Club
Circus	American Legion, Modesto Post #74
Circus	Modesto Junior Chamber of Commerce
Major League Baseball Teams	Sportsmen of Stanislaus

SECTION 2. CONDITIONS. The granting of the special permits for the uses and to the organizations or persons as set forth in Section 1 of this resolution shall be subject to the following conditions:

(a) The facilities are available and adequate for the requested use on the date requested.

(b) Applicant agrees in writing to indemnify and hold the City, its agents, officers, and employees harmless from any and all liability for personal injuries, property damage and costs and charges of any kind or character arising out of or relating to or in any way connected with the exercise of said permit, and to reimburse the City for any damages to the facility occurring or resulting from or during its use.

(c) Applicant agrees in writing, at its own cost and expense, to defend any and all law suits arising out of or in any way connected with the exercise of said permit.

(d) Applicant shall take out and maintain during the life of the permit Public Liability and Property Damage Insurance to protect it and any persons performing work under the permit, from claims for damages for personal injury, including accidental death, as well as claims for property damage, which may arise out of the exercise of the rights granted by the permit, whether by itself, or anyone directly or indirectly employed or contracted by Applicant. The amount of such insurance shall be as follows:

Public Liability and Property Damage Insurance in an amount not less than One Hundred Thousand and No/100ths (\$100,000.00) Dollars for injuries, including accidental death, to any one person, subject to the same limit for each person in an amount not less than Two Hundred Thousand and No/100ths (\$200,000.00) Dollars on account of one occurrence; and Property Damage Insurance in an amount not less than Twenty-Five Thousand and No/100ths (\$25,000.00) Dollars.

Applicant shall furnish the Director of Parks and Recreation with a certificate of insurance as evidence of carriage of the insurance required.

(e) Applicant shall comply with the rules and regulations governing the use of Del Webb Field as contained in Section 12-3.02 of the Modesto Municipal Code and the rules and regulations for the use of Del Webb Field as adopted by City Council Resolution No. 61-454 as supplemented by the provisions of this resolution.

SECTION 3. FURNISHING PERMITS. The Director of Parks and Recreation shall furnish Applicant with a copy of the permit, setting forth the terms and conditions of the permit. The Director shall not issue a permit until he has been furnished with the certificate of insurance required by this resolution. Applicant shall be required to sign a copy of the permit which shall be maintained on file in the Parks and Recreation Department and no right shall be conferred by any permit authorized under this resolution until said written consent to the terms and conditions of the permit is executed by the Applicant.

SECTION 4. EXCEPTION. In the event the Director of Parks and Recreation is of the opinion that action on the request should be more appropriately taken by the Council, he shall refer the matter to the City Manager for placement on the Council agenda for the next regular Council Meeting.

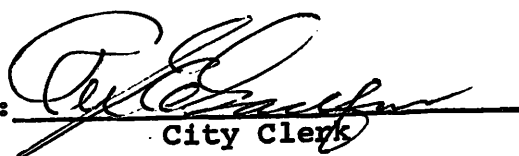
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-339

A RESOLUTION AUTHORIZING THE RELEASE OF THE HARTFORD ACCIDENT AND INDEMNITY COMPANY CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN MORADA ESTATES SUBDIVISION

WHEREAS, Rex E. and Frances G. Higbee, subdividers of Morada Estates Subdivision, have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Hartford Accident and Indemnity Company Contract Bond No. 3197602 in the sum of \$46,500 filed by Rex E. and Frances G. Higbee to guarantee the improvements in Morada Estates Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-340

A RESOLUTION AMENDING SECTION 2 AND SECTION 5 OF RESOLUTION NO. 62-2 ENTITLED "A RESOLUTION PROVIDING FOR THE OPERATION OF THE MUNICIPAL DISPOSAL AREA AND ESTABLISHING CHARGES FOR THE USE OF SAID DISPOSAL AREA."

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 2 and Section 5 of Resolution No. 62-2 entitled "A Resolution Providing for the Operation of the Municipal Disposal Area and Establishing Charges for the Use of Said Disposal Area" be amended to read as follows:

SECTION 2. AMOUNT OF CHARGES. A charge of Three and 50/100ths (\$3.50) Dollars per load is hereby established for the privilege of using said disposal area by garbage or swill collectors for the disposal or deposit thereat of garbage or swill produced within the City and collected by such collectors, provided, however, that in the event that swill material in the form of cannery wastes requires handling different from the normal operation of the disposal area by the person in charge of the disposal area, as determined by the Director of Public Works, an additional charge of One and no/100ths (\$1.00) Dollar per load is hereby established.

SECTION 5. COMPENSATION. In consideration of its proper operation and maintenance of said disposal area, the Modesto Garbage Company shall be entitled to payment in the sum of Three and no/100ths (\$3.00) Dollars for each load of garbage, including swill, disposed of thereat, including each load of garbage or swill disposed of thereat by said company. In addition thereto the Modesto Garbage Company shall be entitled to payment in the additional sum of One and no/100ths (\$1.00) Dollar for each load of swill in the form of cannery wastes disposed of thereat which requires handling different from the normal operation of the disposal area when such charge is authorized and collected under the provisions of Section 2 of this resolution. Said compensation shall be credited against charges incurred by said company for the privilege of disposing of garbage collected within the City by it at said disposal area.

SECTION 2. That the City Clerk be, and he is hereby directed to transmit a copy of this resolution to the Modesto Garbage Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall and Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-341

A RESOLUTION REJECTING THE CLAIM OF PAUL THOMAS FOR  
DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Paul Thomas has filed a claim for damages against the City of Modesto on the 1st day of July, 1963, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Paul Thomas against the City of Modesto be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT; Councilmen: None

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL,  
RESOLUTION NO. 63- 342

A RESOLUTION CHANGING THE NAME OF EXISTING  
U. S. HIGHWAY 99 TO NORTH NINTH STREET AND  
SOUTH NINTH STREET IN THE CITY OF MODESTO.

WHEREAS, upon completion of the U. S. Highway 99  
Freeway, the by-passed portions of existing U. S. Highway 99  
will revert to local control, and

WHEREAS, when such events occur there will be two  
(2) streets in the City named U. S. Highway 99, and

WHEREAS, the County Planning Department has recommended  
that the by-passed portions of existing U. S. Highway 99 be named  
Ninth Street, and

WHEREAS, the portion of existing U. S. Highway 99  
between Needham Avenue and Morton Boulevard already is named  
Ninth Street, and

WHEREAS, house numbering grid systems change at  
Needham Avenue and at Morton Boulevard, and

WHEREAS, the City Planning Commission considered the  
matter at an informal public hearing on July 2, 1963, to which  
all occupants with existing U. S. Highway 99 addresses inside  
the city limits were invited by mail, and

WHEREAS, Section 34091.1 of the Government Code of  
the State of California provides that whenever the legislative  
body finds that a name should be adopted and applied to any  
street, or that the existing name of any city street should be  
changed, the legislative body may adopt a resolution designating  
a name for, or change the name of, such street, and

WHEREAS, the Planning Commission has recommended by  
Resolution No. 952, adopted July 2, 1963, that said street be  
renamed accordingly,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto as follows:

SECTION 1. That effective upon the official opening of the U. S. Highway 99 Freeway to traffic, the by-passed sections of existing U. S. Highway 99 inside the city limits be named as follows:

From Needham Avenue north to the city limits -  
North Ninth Street;

From Morton Boulevard to Needham Avenue - Ninth  
Street; and

From Morton Boulevard south to the city limits -  
South Ninth Street.

SECTION 2. That the Director of Public Works be directed to erect street name signs accordingly.

SECTION 3. That the City Clerk be directed to record a certified copy of this resolution with the Recorder of Stanislaus County and transmit a copy of this resolution to the Board of Supervisors, the County Clerk, and the County Surveyor of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-343

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$500  
FROM PARKING AND TRAFFIC, GENERAL RESERVE TO NINTH  
STREET PARKING LOT BETWEEN K AND J STREETS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

PARKING AND TRAFFIC (57)

FROM: General Reserve (600) \$500  
TO: Ninth Street Parking Lot between  
J and K Streets (503) \$500

To provide funds for consulting engineer for engineering  
work connected with removal of Modesto Plymouth Building.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
8th day of July, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-344

A RESOLUTION REFERRING BACK TO THE BOARD OF ZONING ADJUSTMENT THE APPEAL OF H. B. TAYLOR FOR A VARIANCE TO CONSTRUCT A BUILDING WITHIN THE BUILDING LINE SETBACK ON DOWNEY AVENUE, BLOCK K

WHEREAS, the Council of the City of Modesto set a public hearing for July 8, 1963 at 8:00 P.M. in the Council Chambers, 801 11th Street, for the purpose of considering an appeal filed by H. B. Taylor on July 1, 1963 to the decision of the Modesto City Board of Zoning Adjustment, denying his request for a variance to construct a building within the building line setback on Downey Avenue, Block K, in the City of Modesto, and


WHEREAS, the applicant has requested that the matter be referred back to the Board of Zoning Adjustment for further consideration of certain alternatives,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the application filed by H. B. Taylor for a variance to construct a building within the building line setback on Downey Avenue, Block K be, and it is hereby referred back to the Board of Zoning Adjustment for further consideration and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-345

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR TWO 1250 GALLON PER MINUTE PUMPERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for two 1250 gallon per minute pumpers,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 20, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-346

A RESOLUTION INITIATING PROCEEDINGS TO AMEND SECTION 10-2.2708 OF THE MUNICIPAL CODE (ZONING REGULATIONS) AND REQUESTING THE PLANNING COMMISSION TO SET A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the Planning Commission, by Resolution No. 942, adopted May 22, 1963, recommended to the Council various amendments to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations), and

WHEREAS, said proposed amendments to the zoning regulations were set by the Council for public hearing before said body on June 24, 1963, at 8:15 P.M., and

WHEREAS, at said time and place, no one appeared to speak for or against said proposed zoning amendments at said public hearing, and

WHEREAS, Ordinance No. 596-C. S. was introduced at the Council Meeting held on July 8, 1963, and thereafter published in the official newspaper prior to its final adoption as required by the City Charter, and

WHEREAS, Ordinance No. 596-C. S. was on the Council Agenda for adoption at its meeting of July 15, 1963, at which time objections were presented by the public to the proposed amendment of Section 10-2.2708 (a) (4) (ae) providing that the Planning Commission may require an applicant for a planned development zone to submit an economic feasibility report or a market analysis, and

WHEREAS, believed it to be in the public interest to adopt the pending ordinance, rather than delay the enactment of numerous proposed amendments and initiate proceedings to amend the zoning regulations to delete the provisions of Section 10-2.2708 (a) (4) (ae) of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That proceedings be initiated to amend Chapter 2 of Title X of the Municipal Code (Zoning Regulations) to delete the

provisions of Section 10-2.2708 (a) (4) (ae) in accordance with the provisions of Section 10-2.2102 of the Municipal Code relating to the initiation of amendments.

SECTION 2. The Planning Commission is hereby requested to fix a time and place for a public hearing on said proposed amendment in accordance with the provisions of Section 10-2.2104 of the Municipal Code.

SECTION 3. That it is the Council's desire that the Planning Commission not require the submission of an economic feasibility report or market analysis in connection with an application for the establishment of a planned development zone until such time as the proposed amendment to Section 10-2.2708 of the Municipal Code is finally acted upon by the Council.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 347

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO.  
(Wylie No. 2 Addition)

WHEREAS, a portion of the McHenry-Dry Creek County  
Fire Protection District was annexed to the City of Modesto by  
Ordinance No. 591 -C.S. adopted on June 24, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on June 26, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and  
the County Assessor of copies of a resolution of the legislative  
body of the city, describing the included portion, and declaring  
such portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and  
provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the  
McHenry-Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and  
he is hereby directed to file a certified copy of this resolu-  
tion with the State Board of Equalization, the governing body  
of said Fire Protection District, and the Assessor of Stanis-  
laus County.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 15th  
day of July, 1963, by Councilman VanderWall.

who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Wylie Addition, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records, said point being on the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North  $89^{\circ} 56' 15''$  West, 597.42 feet, to a point on a line which is parallel with and 300.00 feet, measured at right angles, Easterly from the center line of a 40 foot Public Road known as Brighton Avenue; thence along said parallel line, North  $0^{\circ} 29'$  West, 823.09 feet, to a point on the existing City Limits and the Southern line of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South  $89^{\circ} 55'$  East, 595.88 feet, to the Western line of the Wylie Addition; thence along the existing City Limits and the Western line of the Wylie Addition, South  $0^{\circ} 35'$  East, 822.88 feet, to the point of beginning, containing 11.272 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-348

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT FILED BY GEORGE VALENTINE, D.D.S., FOR A VARIANCE TO THE OFF-STREET PARKING REQUIREMENT AT 518 NEEDHAM STREET

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chambers, located in the City Hall, 801 11th Street, in the City of Modesto, on June 27, 1963 for the purpose of considering an application for a variance to the off-street parking requirement at 518 Needham Avenue, filed by George Valentine, D.D.S., on June 11, 1963, and

WHEREAS, said Board, after hearing evidence, both oral and documentary, adopted Resolution No. 222 denying the request for variance, and

WHEREAS, on July 5, 1963, George Valentine, D.D.S., filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying the request for variance, and

WHEREAS, Section 10-2.2012 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed forty (40) days following the filing of a written appeal from an order of the Board denying an application for a variance,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the appeal of the decision of the Modesto City Board of Zoning Adjustment be set for Monday, August 12, 1963, at 8:10 P.M. in the Council Chambers of the City of Modesto.

The foregoing resolution was introduced on the 15th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-349

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BILL STEPHENS FOR RENTAL OF CITY OWNED PROPERTY AT 1801 TULLY ROAD (Commencing June 22, 1963)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bill Stephens

for rental of city owned property at 1801 Tully Road on a month to month tenancy, commencing June 22, 1963, at a rental rate of \$50 per month

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-350

A RESOLUTION APPROVING THE FINAL MAP OF THE  
NORTHWOOD ESTATES SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Alfred L. Flory, Gertrude E. Flory, James B. Johnston, Shirley L. Johnston, Joe H. Tidwell and Lois Tidwell are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 13.6 acres, known as the Northwood Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 5th day of March, 1963, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Northwood Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the Northwood Estates Subdivision be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Two Thousand, Five Hundred Ten and 70/100ths (\$2,510.70) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and parks and playgrounds have been paid, and subdividers have furnished a bond acceptable to the City Attorney, or, in lieu thereof, have posted a cash deposit with the City Clerk in the sum of Fifty-Six Thousand and No/100ths (\$56,000.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, ~~XXXXXX~~ Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-351

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING RETURN OF BID BONDS FOR A SPRINKLER SYSTEM AT THE CALIFORNIA-FRANKLIN PARK SITE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-195 on April 22, 1963, approving the plans and specifications for a sprinkler system at the California-Franklin Park site and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 3rd day of May, 1963, and

WHEREAS, the City Clerk, in accordance with said resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, Section 1306 of the Charter of the City of Modesto provides that "the Council may reject any and all bids presented and may readvertise in its discretion,"

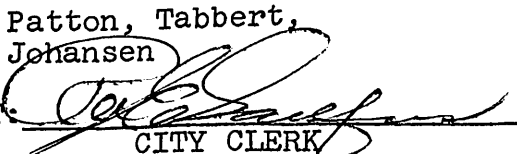
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that all bids received for the sprinkler system at California-Franklin Park site be, and they are hereby rejected.

BE IT FURTHER RESOLVED that the return of all bid bonds posted with the City of Modesto in connection with the above bids be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-352

A RESOLUTION ACCEPTING THE BID OF HAGER SUPPLY COMPANY TO PURCHASE DRIED DIGESTED SLUDGE FROM THE SEWAGE TREATMENT PLANT FOR THE SUM OF \$.40 PER CUBIC YARD, FOR FISCAL YEAR 1963-64

WHEREAS, Resolution No. 63-325, adopted by the Council of the City of Modesto on July 1, 1963, approved the ~~plans~~ and specifications for the sale of dried digested sludge from the Sewage Treatment Plant for fiscal year 1963-64 and authorized the calling for bids, and

WHEREAS, the bids received for the dried digested sludge from the Sewage Treatment Plant for fiscal year 1963-64 were opened at 2:00 P.M., July 16, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

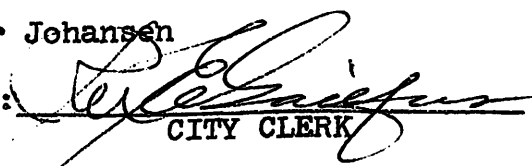
WHEREAS, the Director of Public Works has recommended that the bid of Hager Supply Company, in the sum of \$ .40 per cubic yard

be accepted as the <sup>highest</sup> ~~lowest~~ responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Hager Supply Company, in the sum of \$ .40 per cubic yard be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Mayor Jehansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-353

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR INSTALLATION OF WATER LINES IN SYLVAN AVENUE AND McHENRY AVENUE TO VALUE WORLD SHOPPING CENTER

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-327, on July 1, 1963, approving the plans and specifications for installation of water lines in Sylvan Avenue and McHenry Avenue to Value World Shopping Center and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 16th day of July, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

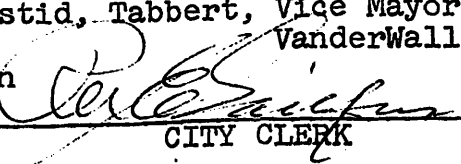
WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$16,900, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor  
NOES: Councilmen: None VanderWall  
ABSENT: Councilmen: Hughes, Mayor Jhansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-354

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL  
COMPANY FOR TRAFFIC SIGNALS AT TENTH AND D STREETS

WHEREAS, Resolution No. 63-277, adopted by the Council of the City of Modesto on June 3, 1963, approved the plans and specifications for the traffic signals at the corner of Tenth and D Streets and authorized the calling for bids, and

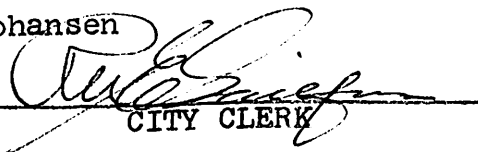
WHEREAS, the bids received for the traffic signals at the corner of Tenth and D Streets were opened at 2:00 P.M., June 21, 1963, and later tabulated by the ~~Public Works~~ <sup>Parking and Traffic</sup> Department for the consideration of the Council, and

WHEREAS, the Director of ~~Public Works~~ <sup>Parking and Traffic</sup> has recommended that the bid of Industrial Electrical Company in the amount of \$8,974 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Industrial Electrical Company in the amount of \$8,974 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-355

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR WATER PIPE, VALVES AND FITTINGS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for water pipe,  
valves and fittings,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on August 6, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 22nd  
day of July, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Council-  
man Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor  
VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-356

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF WATER MAINS IN ROBIN HOOD  
ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of water mains in Robin Hood Estates Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on August 6, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 22nd  
day of July, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Council-  
man Tabbert, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: Shastid  
ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 357

A RESOLUTION APPROVING THE FINAL MAP OF THE  
WALTER HEIGHTS SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, George Klemm, Mollie K. Klemm, Myron T. Williams,  
Margie I. William and Helen Soderlund, a co-partnership,  
are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 13.5 acres, known as the  
Walter Heights Subdivision, and

WHEREAS, a tentative map of said tract was approved by the  
City Planning Commission on the 21st day of May,  
1963, and

WHEREAS, the final map of said tract has been approved by  
the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has cer-  
tified that the final map of said Walter Heights  
Subdivision meets all of the provisions of the California Subdivision  
Map Act and the provisions of the Modesto Municipal Code relating to  
subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the  
Walter Heights Subdivision  
be approved; that the streets, alleys and easements as shown thereon  
within the boundaries of said tract be accepted on behalf of the  
public for public use; and that the City Clerk be authorized to  
certify the map of said tract on behalf of the City of Modesto after  
the fees in the amount of One Thousand, Nine Hundred Fifty-Seven and  
20/100ths (\$1,957.20) Dollars, as required by the  
Modesto Municipal Code, for checking, copies of maps, recording and  
parks and playgrounds have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu thereof, have  
posted a cash deposit with the City Clerk in the sum of Fourteen  
Thousand, Eight Hundred and No/100ths (\$14,800.00) Dollars.

BE IT FURTHER RESOLVED that the City Manager and the City  
Clerk be authorized to execute and attest, respectively, an agreement

with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-358

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF WATER MAINS IN WALTER  
HEIGHTS SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for installation  
of water mains in Walter Heights Subdivision,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on August 6, 1963 at 2:00 P.M.

and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 22nd  
day of July, 1963, by Councilman Mitchell, who  
moved its adoption, which motion being duly seconded by Council-  
man Patton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbett, Vice Mayor  
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-359

A RESOLUTION RELATING TO THE BUDGET FOR THE CITY OF MODESTO FOR THE 1963-64 FISCAL YEAR ADJUSTING UNAPPROPRIATED AVAILABLE CARRY-OVER BALANCES IN VARIOUS FUNDS.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. VARIOUS FUNDS. The available carry-over balance in the fiscal budget for 1963-64 as adopted by Ordinance No. 595-C.S. on July 1, 1963, shall be increased or decreased to agree with the schedule below, and the General Reserve for each fund adjusted accordingly:

1963-64 Budget Adjustments

<u>Fund</u>	<u>Estimated Available Balance</u>	<u>Actual Available Balance at 7-1-63</u>	<u>Increases or Decreases to General Reserve</u>	<u>Revised Total Appropriation</u>
General	\$ 400,000	\$ 470,638	\$ 70,638	\$ 4,088,429
Parking	247,000	248,643	1,643	340,343
Sewer Service	133,600	153,696	20,096	222,946
McHenry Public Library Capital Outlay	46,616	46,632	16	46,632
Special Fund for Capital Outlay	235,000	289,569	54,569	739,619
Airport Development	9,500	10,527	1,027	1,927
Park & Recreation Facilities	11,000	10,988	(12)	27,988
1953 Sewer Improvement	33,000	33,449	449	33,449

SECTION 2. APPROPRIATION TRANSFER. From the various general reserves, funds are hereby appropriated to projects listed on the attachment to staff memorandum prepared by the Director of

Finance directed to the City Manager, subject "Capital Improvement Budget", dated July 17, 1963, a copy of which document is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full.

SECTION 3. DIRECTOR OF FINANCE TO IMPLEMENT PROVISIONS.

The Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

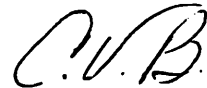
ATTEST: 

City Clerk

(SEAL)



Except for the revisions (a), (b), and (c), as listed above, the Capital Improvement Budget is prepared in accordance with the Council's tentative approval.



**Charles V. Bird**  
**Finance Director**

CVB:la  
enc

**CAPITAL IMPROVEMENT BUDGET PROPOSED FOR  
VARIOUS CAPITAL FUNDS**

Expenditure Appropriations

<u>CATEGORY AND PROJECT</u>	<u>Carryover or Special Items</u>	<u>Recommended by Planning Commission for 1963-64</u>
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SPECIAL FUND FOR CAPITAL OUTLAYS (321)

Public Works Department

City Hall Construction	\$	\$ 12,000
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Streets

Improve Intersection - 7th and B		31,500
Briggsmore Improvement - Carver to Prescott	1,200	
Briggsmore Improvement - Tully to Carver		47,000
Tully Improvement - Coldwell to Woodrow		32,500
Miscellaneous Street Improvements		30,000

Parks and Recreation Department

Acquisition

Downey	48,800	
Mark Twain	33,000	
Davis	19,200	

Development

Whitmore	1,000	
Kewin	2,706	
Reststop & Fountain, 99 Highway	1,000	
Various		15,950
Graceada Park Restrooms		18,000
Enslin		8,000

Fire Department

Pumpers

Station No. 4	27,000	
Station No. 5		27,000

Stations

Kearney and Coldwell	1,100	
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Parking and Traffic Department

Traffic Signals

9th at Needham, Kansas	2,500	
99 Fwy., Coldwell, Woodland	400	
10th and D	5,000	
Railroad Crossing Signal, Santa Cruz, Kerr	1,000	
Modernization Needham, Downey	1,200	
Modernization Downtown	150	
Orangeburg and Tully		8,500
Santa Ana and La Loma		8,500

Total Projects carried over from 1962-63	\$145,256	\$
Total New Projects proposed for 1963-64		238,950
Police Building & Comm. Center (Budgeted 7-1-63)	75,400	
Total Expenditure Appropriations		459,606
Contingency Reserve		95,000
General Reserve		185,013

**TOTAL APPROPRIATION**

\$739,619

7-17-63

**CAPITAL IMPROVEMENT BUDGET PROPOSED FOR  
VARIOUS CAPITAL FUNDS**

Expenditure Appropriations

CATEGORY AND PROJECT

Carryover or  
Special Items

Recommended by  
Planning Commission  
for 1963-64

SPECIAL GAS TAX STREET IMPROVEMENT (207)

Public Works Department

Coffee, Scenic to Chehalem	\$ 26,500	\$
Roseburg, Mills to Carver	2,500	
Orangeburg, Carver to McHenry		53,100
College, Needham to Coldwell		<u>42,000</u>
<b>Total Projects Carried Over</b>	<b>29,000</b>	
<b>Total New Projects</b>		<u><b>95,100</b></u>
<b>Total Expenditure Appropriation</b>		<b>124,100</b>
General Reserve		<u>14,811</u>
<b>TOTAL APPROPRIATION</b>		<u><b>\$138,911</b></u>

PARKING (209)

Parking and Traffic Department

Parking Lot, 9th Between J and K	\$ 12,000	\$
Parking Lot, 9th Between J & K (Presently Budgeted)	500	
Operation Appropriations		<u>63,164</u>
<b>Total Expenditure Appropriation</b>		<b>75,664</b>
General Reserve		<u>264,679</u>
<b>TOTAL APPROPRIATION</b>		<u><b>\$340,343</b></u>

SEWER SERVICE (212)

Public Works Department

Various Trunks, Subtrunks, Perimeter		<u>\$ 40,000</u>
<b>Total Expenditure Appropriation</b>		<b>40,000</b>
General Reserve		<u>182,946</u>
<b>TOTAL APPROPRIATION</b>		<u><b>\$222,946</b></u>

MCHENRY PUBLIC LIBRARY CAPITAL OUTLAYS (301)

Library Department

New Central Library - Preliminary Studies		\$ 5,000
General Reserve		<u>41,632</u>
<b>TOTAL APPROPRIATIONS</b>		<u><b>\$ 46,632</b></u>

7-17-63

CAPITAL IMPROVEMENTS BUDGET PROPOSED FOR  
VARIOUS CAPITAL FUNDS

Expenditure Appropriations

<u>CATEGORY AND PROJECT</u>	<u>Carryover or Special Items</u>	<u>Recommended by Planning Commission for 1963-64</u>
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AIRPORT DEVELOPMENT (322)

Public Works Department

Taxi-way Lighting System		<u>\$ 1,927</u>
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PARK AND RECREATION FACILITIES (325)

Parks and Recreation Department

Park Acquisition - Neighborhood No. 1		<u>\$ 27,988</u>
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1953 SEWER IMPROVEMENT (404)

Public Works Department

Chlorination Station - Emerald Avenue		\$ 15,300
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General Reserve		<u>18,149</u>
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<b>TOTAL APPROPRIATIONS</b>		<u><u>\$ 33,449</u></u>
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7-17-63

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 360

A RESOLUTION APPROVING THE FINAL MAP OF THE  
RESUBDIVISION OF BLOCK 6986 OF McHENRY HIGH-  
LANDS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, TEAKWOOD TERRACE, INC., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 3.1 acres, known as the Resubdivision of Block 6986 of McHenry Highlands Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 2nd day of July, 1963, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Resubdivision of Block 6986 of McHenry Highlands Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED that said final map of the Resubdivision of Block 6986 of McHenry Highlands Subdivision be approved; that the easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees in the amount of Two Hundred Twenty-Nine and 20/100ths (\$229.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps, recording and street trees have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Mitchell,

who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-361

A RESOLUTION REVISING THE POSITION CLASSIFICATION  
PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted  
by Resolution No. 62-9 pursuant to Rule 2 of the Personnel  
Rules and Regulations of the City of Modesto, and

WHEREAS, the Personnel Commission has recommended  
to the Council the creation of an additional class of position  
to be included in the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel  
Rules provides that major revisions to the classification  
plan shall be effective upon adoption by resolution of the  
Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto as follows:

SECTION 1. The Position Classification Plan of the  
City of Modesto is hereby amended to create a new classification  
as follows:

CLASSIFICATION CREATED

Parking Meter Serviceman

SECTION 2. The specifications for this classification  
as shown on the attached Exhibit A, which is hereby made a part  
of this resolution by reference, are hereby approved and made  
a part of the Position Classification Plan.

SECTION 3. This resolution shall become effective on  
and after August 1, 1963.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 22nd  
day of July, 1963, by Councilman Mitchell,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, ~~XXXXXX~~ Tabbert, <sup>Vice</sup> Mayor  
VanderWall  
NOES: Councilmen: Shastid  
ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:   
City Clerk

(SEAL)

## PARKING METER SERVICEMAN

### Definition

Under supervision, to drive a motorized vehicle in collecting and making minor field repairs to parking meters; and to do related work as required.

### Typical Tasks

Drives a light vehicle to collect money from parking meters; transports and deposits money collected at the bank; clears meters of jammed coins and other materials; cleans parking meter heads; replaces disfigured decals; removes and disassembles parking meter heads; answers questions from the public regarding parking meter mechanical operations.

### Employment Standards

Any combination of training and experience equivalent to graduation from high school and one year of experience involving contact with the public.

Knowledge of, and ability to use small hand tools used in making semi-skilled repairs; ability to operate a light vehicle safely; ability to follow written and oral directions; ability to work independently; ability to get along well with others.

EXHIBIT A

City of Modesto  
8-1-63

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 362

RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, OCTOBER 8, 1963, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE REFERENDUM MEASURE HEREIN SET FORTH; AND FIXING THE MANNER OF HOLDING SAID ELECTION AND PROVIDING FOR NOTICE THEREOF.

WHEREAS, on June 18, 1963, a petition for referendum was filed with the City Clerk containing approximately four thousand, six hundred and eighty-nine (4,689) signatures, which petition requested that Ordinance No. 583-C.S. adopted by the City Council on May 20, 1963, either be repealed in its entirety or be submitted to a vote of the electors of the City of Modesto; and

WHEREAS, pursuant to the referendum provisions of the City Charter and the California Elections Code, the City Clerk has examined said petition and found the same to be signed by qualified registered electors equal in number to more than ten (10%) per cent of the registered voters of the city on the day said petition was filed and said City Clerk certified on July 1, 1963, that said referendum petition was valid; and

WHEREAS, Section 4052 of the California Elections Code provides that if the legislative body does not entirely repeal an ordinance against which a valid referendum petition is filed it shall submit the ordinance to the voters at a regular or special election; and

WHEREAS, the City Council has reconsidered said ordinance and desires to submit said ordinance to the voters for approval or rejection at a special municipal election to be called for that purpose,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. A special municipal election is hereby called to be held on Tuesday, October 8, 1963, in the City of Modesto for the purpose of submitting to the qualified electors of said city the following referendum measure, to wit:

:	:	:	:
:	REFERENDUM	Shall Ordinance No. 583-C.S. adopted	:
:	MEASURE (A)	by the Modesto City Council on May 20,	:
:		1963, entitled "An Ordinance of the	:YES:
:		City of Modesto Declaring a Need for	:
:		an Urban Renewal Agency to Function;	:_____:
:		Declaring a Need for Urban Renewal	:
:		and Declaring the Legislative Body	:
:		of the Community to be the Agency;	:NO:
:		and for Other Purposes", and on file	:
:		in the Office of the City Clerk, be	:
:		approved?	:
:			:

2. Said special municipal election shall be held and conducted, and the votes thereat canvassed and the returns thereof made and the results thereof ascertained and determined as herein provided; and in all particulars not prescribed in this resolution said election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto, including referendum elections, and otherwise in accordance with the Elections Code of the State of California.

3. All persons qualified to vote at municipal elections in the City of Modesto on the day of said special municipal election herein provided for shall be qualified to vote on said measure. The polls at the polling places hereinafter referred to for said special municipal election shall be opened at 7:00 A.M. (C.D.S.T.) of said day of election and shall be kept open continuously thereafter until 7:00 P.M. (C.D.S.T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers

shall thereupon proceed to canvass the ballots cast thereat. Only qualified voters of said city shall be permitted to vote at said special municipal election.

4. The precincts, polling places and officers of election for said special municipal election shall be those to be selected and designated by the Council of said city for said special municipal election in said city by its resolution to be adopted August 26, 1963, to which resolution reference is hereby made for a designation of the precincts, polling places and election officers for the special municipal election hereby called.

5. On the ballots to be used at said special municipal election, in addition to all other matters required by law to be printed thereon, shall appear the referendum measure set forth in Section 1 hereof.

6. To vote in favor of said ordinance a voter shall stamp a cross (+) in the blank space opposite the word "YES" on the ballot to the right of said referendum measure, and to vote against said ordinance a voter shall stamp a cross (+) in the blank space opposite the word "NO" on the ballot to the right of said referendum measure. If a majority of the qualified voters voting on said referendum measure vote in favor thereof, said ordinance shall be deemed approved; otherwise it shall be deemed rejected.

7. The returns of said election shall be made out and signed by the elections officers and shall be by them deposited with the City Clerk, together with the ballots cast at said election; and this Council shall meet at its usual meeting place and canvass said returns and declare the results of said election on Tuesday, October 15, 1963, at the hour of 4:00 P.M.


8. The City Clerk of the City of Modesto is hereby authorized to prepare and sign a notice of election, a list of election officers and polling places and a notice of measure to be voted on, in the respective forms required by law, relating

to said special municipal election hereby called, and said City Clerk is hereby authorized and directed to publish said list and notices in the time and manner required by law in The Modesto Tribune, the official newspaper of said City and a newspaper of general circulation printed and published in said City.


PASSED AND ADOPTED this 22nd day of July,

1963, by the following vote:

- AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Mayor Johansen

  
 \_\_\_\_\_  
 Mayor of the City of Modesto,  
 California

ATTEST:

  
 \_\_\_\_\_  
 City Clerk of the City of  
 Modesto, California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-363

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF 7,500  
FROM GENERAL RESERVE TO MISCELLANEOUS UNCLASSIFIED, ELECTIONS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

FROM: General Reserve (600)	\$7,500
TO: Miscellaneous Unclassified (65) Elections (238)	\$7,500

To cover estimated cost of Special Municipal Referendum  
Election to be held October 8, 1963.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
22nd day of July, 1963, by Councilman Mitchell,  
who moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice  
Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-364

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO FURNISH CERTAIN SERVICES, FACILITIES, SUPPLIES AND EQUIPMENT OF THE REGISTRATION AND ELECTION DEPARTMENT OF THE COUNTY CLERK'S OFFICE IN CONNECTION WITH THE CITY'S ABSENTEE BALLOTS FOR THE SPECIAL MUNICIPAL REFERENDUM ELECTION TO BE HELD OCTOBER 8, 1963

WHEREAS, the City of Modesto has called a special municipal referendum election to be held on October 8, 1963, and the City desires to make use of certain services, facilities, supplies and equipment of the Registration and Election Department of the County Clerk's Office of the County of Stanislaus and to pay the County of Stanislaus for the cost thereof pursuant to the provisions of Section 22003 of the Elections Code, and

WHEREAS, City hereby requests from the Board of Supervisors of the County of Stanislaus permission to use those certain services, facilities, supplies and equipment of the Registration and Election Department of The County Clerk's Office of the County of Stanislaus insofar as such services, facilities, supplies and equipment relate to handling of City's absentee ballots,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the Board of Supervisors of the County of Stanislaus be requested to furnish all services, facilities, supplies and equipment of the Registration and Election Department of the County Clerk's Office for the special municipal referendum election to be held on October 8, 1963, insofar as said election relates to the processing and handling of the City's absentee ballots.

2. That the services herein referred to shall consist of everything necessary for the processing of the City's absentee ballots at said election in compliance with Sections 14600 et seq. of the Elections Code, with the exception that the City Clerk of the City of Modesto will appoint a board for the purpose of canvassing the City's absentee ballots, which canvass shall be conducted after 7 o'clock P.M. on the day of the election and is to be completed that night.

3. That City agrees to pay County for all services, facilities, supplies and equipment furnished by County to City in connection with processing of the above-mentioned absentee ballots for said special municipal referendum election to be held October 8, 1963, except as hereinabove set forth, immediately upon receipt by City of a statement from the County Clerk setting forth the actual cost to County for services, facilities, supplies and equipment so furnished, County to endeavor to keep all expenses at a minimum.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-365

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19 OF THE ZONING MAP (NUNES)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1963, in the Council Chambers for the purpose of considering an amendment to Section 19 of the Zoning Map (Nunes) to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2

the following described property:

Lots 10, 11, 12 and 13 in Block 6248, Campus Edge No. 2  
Subdivision,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 955 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:30 P.M., Monday, August 19, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor  
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 17 OF THE ZONING MAP (P-D 14)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1963, in the Council Chambers for the purpose of considering an amendment to Section 17 of the Zoning Map to reclassify from Planned Development Zone, P-D 14, to One-Family Residential Zone, R-1

the following described property:

Lot 10 of the Fresno Tract, containing approximately 16 acres, located between Granger Avenue and Modesto Irrigation District Lateral No. 3, and between the Tidewater Southern Railroad tracks and Our Lady of Fatima Church property,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 958 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:35 P.M., Monday, August 19, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-367

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28 OF THE ZONING MAP (WARREN S. LAWSON)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1963, in the Council Chambers for the purpose of considering an amendment to Section 28 of the Zoning Map (Warren S. Lawson) to reclassify from Two-Family Residential Zone, R-2, to Multiple-Family Residential Zone, R-3  
the following described property:

Beginning at a point at the intersection of McHenry Avenue, an 80-foot street, and East Morris Avenue, a 60-foot street; thence east along the center line of East Morris Avenue 175 feet to the point of beginning of this description; thence continuing east along the center line of East Morris Avenue 379 feet; thence south along the east line of Lot 13 Block 562 extended 330 feet to the  
and south line of Block 562; thence west 379 feet along the south line of Block 562; thence north 330 feet to the point of beginning, said properties being located on the south side of East Morris Avenue between the C-2 zone on McHenry Avenue and the lots fronting on Johnson Street,

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 962 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:30 P.M., Monday, August 12, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:   
CITY CLERK



MODESTO CITY COUNCIL  
RESOLUTION NO. 63-369

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 17 OF THE ZONING MAP (ALEXANDER, BRIGGS AND CHAPMAN)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1963, in the Council Chambers for the purpose of considering an amendment to Section 17 of the Zoning Map (Alexander, Briggs and Chapman) to reclassify from Single-Family Residential Zone, R-1, to General Commercial Zone, C-2, the following described property:

Lots 3 and 4 of the Fresno Tract as per map filed March 14, 1903. Excepting therefrom that portion of said Lot 3 lying South of the North line of Briggsmore Avenue,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 960 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:15 P.M., Monday, August 26, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-370

A RESOLUTION GRANTING A REVOCABLE PERMIT FOR INSTALLATION OF AN ADDITIONAL 30-FOOT DRIVEWAY AT 2304 McHENRY AVENUE (Barham, Berchem and Randy)

WHEREAS, Dr. J. W. Berchem, R. C. Barham, C. A. Barham and Mark Randy have requested that letter agreement, dated October 15, 1958, on file in the office of the City Clerk, be amended to permit installation of an additional 30-foot driveway at 2304 McHenry Avenue, and

WHEREAS, the Public Works Department has recommended that the request be approved on a revocable basis subject to certain conditions,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of Dr. J. W. Berchem, R. C. Barham, C. A. Barham and Mark Randy to install an additional 30-foot driveway at 2304 McHenry Avenue be, and it is hereby approved, subject to the following conditions:

1. That the permit be granted on a revocable basis, in the event the driveway contributes to undue traffic hazards or congestion.
2. That the request for a revocable permit be submitted to the City in written form signed by all property owners involved (Dr. J. W. Berchem, et ux, R. C. Barham, et ux, C. A. Barham, et ux and Mark Randy, et ux).
3. That the driveway be centered on the property line between the properties of Dr. Berchem and Mr. Barham.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-371

*Revised  
by Res. 63-38  
8-12-63*

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 63-338 ENTITLED  
"A RESOLUTION RELATING TO THE GRANTING OF SPECIAL PERMITS TO USE  
DEL WEBB FIELD"

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that Section 1 of Resolution No. 63-338 entitled "A Resolution  
Relating to the Granting of Special Permits to Use Del Webb Field"  
be, and it is hereby amended as follows:

SECTION 1. GRANTING OF PERMITS. The Director of Parks and  
Recreation is hereby authorized to grant permits to the following  
persons or organizations requesting permission to use Del Webb  
Field for the uses hereinafter specified subject to the conditions  
set forth in this resolution:

<u>USE</u>	<u>ORGANIZATION OR PERSON</u>
Fourth of July Celebration	Stanislaus County Fourth of July Committee
Circus	Modesto Lodge No. 1282, Benevolent and Protective Order of Elks
Dawg Daze	The Exchange Club of Modesto
Donkey Baseball	Twenty-Thirty Club of Modesto
Baseball Games	Modesto Community Athletic Association (Modesto Colts)
Trailer Rally	Travel Trailer Club
Pony Show	Kenneth Balm (Central California Shetland Pony Club)
Wrestling Show	California Athletic Club
Circus	American Legion, Modesto Post #74
Circus	Modesto Junior Chamber of Commerce
Major League Baseball Teams	Sportsmen of Stanislaus
Circus	Civil Air Patrol, Modesto Squadron 50

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 5th day of August,  
1963, by Councilman Shastid, who moved its adoption, which motion  
being duly seconded by Councilman Tabbert, was upon roll call car-  
ried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST:

*Pauline P. Stanley*  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-372

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
INSTALLATION OF WATER LINES IN NORTHWOOD ESTATES SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-337, on July 8, 1963, approving the plans and specifications for installation of water lines in Northwood Estates Subdivision and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 23rd day of July, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$12,760, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-373

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR INSTALLATION OF TRAFFIC SIGNALS AT TULLY  
ROAD AND ORANGEBURG AVENUE

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the  
installation of traffic signals at Tully Road and Orangeburg  
Avenue,  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on September 4, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 5th  
day of August, 1963, by Councilman Tabbert, who  
moved its adoption, which motion being duly seconded by Council-  
man Shastid, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline J. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-374

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NATTINGER & LOWRY FOR AUDIT OF THE BOOKS AND ACCOUNTS OF THE CITY FOR A PERIOD OF THREE FISCAL YEARS (Beginning July 1, 1963 and ending June 30, 1966)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Nattinger & Lowry

for audit of the books and accounts of the City for a period of three fiscal years (Beginning July 1, 1963 and ending June 30, 1966)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-375

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SPRINKLER SYSTEM AT  
KEWIN PARK BY HARRY O. KLINE

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of sprinkler system at Kewin Park

has been completed by Harry O. Kline

in accordance with the contract agreement, dated June 20, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of sprinkler  
system at Kewin Park

be accepted from said contractor Harry O. Kline

that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 5th day of  
August, 1963, by Councilman VanderWall, who moved its  
adoption, which motion being duly seconded by Councilman Shastid,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

(SEAL)



MODESTO CITY COUNCIL  
RESOLUTION NO. 63-377

A RESOLUTION AUTHORIZING THE RELEASE OF THE PACIFIC EMPLOYERS INSURANCE COMPANY CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN NORTHLAND ESTATES NO. 1 SUBDIVISION

WHEREAS, John H. Kirkpatrick and Dolores Irene Kirkpatrick, subdividers of Northland Estates No. 1 Subdivision, have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Pacific Employers Insurance Company Contract Bond No. 22-B 87570 in the sum of \$15,500 filed by John H. and Dolores Irene Kirkpatrick to guarantee the improvements in Northland Estates No. 1 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-378

A RESOLUTION AUTHORIZING THE RELEASE OF THE FIREMAN'S FUND INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN JONI MANOR SUBDIVISION

WHEREAS, Lance E. and Carol L. Ellis, subdividers of Joni Manor Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Fireman's Fund Insurance Company Subdivision Bond No. c-6089500 in the sum of \$77,000 filed by Lance E. and Carol L. Ellis to guarantee the improvements in Joni Manor Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO 63-379

A RESOLUTION AUTHORIZING THE RELEASE OF THE FIDELITY AND DEPOSIT COMPANY CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN JONI MANOR NO. 2 SUBDIVISION

WHEREAS, San Joaquin First Federal Savings and Loan Association, subdivider of Joni Manor No. 2 Subdivision, has filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Fidelity and Deposit Company Contract Bond No. 7628052 in the sum of \$7,000 filed by San Joaquin First Federal Savings and Loan Association to guarantee the improvements in Joni Manor No. 2 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

WHEREAS, there has been filed with the Government in behalf of

City of Modesto

(herein called the Applicant) an application, Project Number APW-Calif-160G

dated December 3, 1962, for Federal assistance under the Public Works Acceleration Act, Public Law 87-658, and the UNITED STATES OF AMERICA, acting by and through the Regional Director of Community Facilities, has transmitted to the Applicant for acceptance a Grant Offer dated July 19, 1963 of Federal assistance in connection with the Project referred to in said application and described in said Offer; and

WHEREAS, said Grant Offer has been fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records; and

WHEREAS, it is deemed advisable and in the public interest that said Grant Offer be accepted;

NOW, THEREFORE, be it Resolved by City Council of the City of Modesto  
(Name of Applicant)

that the said Grant Offer, a true and correct copy of which, including the Special Conditions and the Terms and Conditions, is hereto attached, be and the same hereby is accepted without reservation or qualification, and the Applicant agrees to comply with the provisions thereof.

Passed by the aforementioned governing body of the Applicant on the 5th day of August.  
CITY OF MODESTO, a municipal corporation,

Date 8/6/63 (Signed) By: John C. Keefe  
(Name of Officer Required to Approve)  
JOHN C. KEEFE

Title City Manager

Approved as a Valid Acceptance of the above-mentioned Grant Offer

Allen Grimes  
(Applicant's Attorney)

ALLEN GRIMES, City Attorney

Address:

801 - 11th Street, Modesto, California

Housing and Home Finance Agency  
Community Facilities Administration

CFA-1122  
(2-63)



ACCELERATED PUBLIC WORKS PROGRAM

Project No. APW-Calif-160G

Offer Date JUL 19 1963

Contract No. H-602-1934

GRANT OFFER

Subject to the Terms and Conditions, dated 11-62, attached hereto and made a part hereof as Exhibit "A," and the Special Conditions attached hereto and made a part hereof as Exhibit "B," the Housing and Home Finance Agency, hereinafter referred to as the Government, hereby offers to make a grant of \$ 27,200 or 50 percent of the eligible project cost, whichever is the lesser, to

City of Modesto

(herein called the "Applicant"), in order to aid in financing the construction of essential public works or facilities presently estimated to cost \$ 54,400, consisting of construction of a neighborhood park, including playground areas, picnic areas, rest areas, restroom building, landscape development, and appurtenances

(herein called the "Project"): Provided, that in the event the actual eligible project cost as determined by the Government upon completion is less than \$ 54,400, the amount of the grant shall be reduced so that the grant amount shall not exceed the above percentage of the actual eligible project cost.

Upon acceptance, this Offer, together with the Terms and Conditions and the Special Conditions referred to, shall become the "Grant Agreement."

Prior to disbursement of any Government grant monies hereunder, the Applicant shall have the right to terminate this Grant Agreement effective fifteen days after giving notice of termination to the Government. The Government shall have the right to terminate this Grant Agreement, effective upon fifteen days notice thereof to the Applicant, whenever it determines that the Applicant has failed to proceed promptly with the construction and financing of the project.

This Offer must be accepted within fifteen days from the date of receipt.

Housing and Home Finance Agency  
Community Facilities Administration

By Samuel Weinstein  
Acting Regional Director of Community Facilities

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

**TERMS AND CONDITIONS**

Constituting Part of the Grant Agreement Providing For the Financing and Construction of Public Works or Facilities Under Title II of the Housing Amendments of 1955, as Amended by the Public Works Acceleration Act, Public Law 87-658.

**Section 1. Definitions.** As used in these Terms and Conditions:

"Government" means the United States of America.

"Project" means the Public Works or Facilities covered by the Grant Agreement.

"Grant Agreement" means the contract between the Government and the Applicant covering the Project and includes both these Terms and Conditions and other contract instruments.

"Applicant" means the public entity designated in the Grant Agreement.

"Project Costs" means the cost of construction work for the Project, cost of necessary architectural/engineering services, legal, administrative and clerical costs, cost of land acquisition, necessary travel expenses, interest during construction and development, and other necessary miscellaneous expenses, all as determined by the Government.

"Eligible Project Costs" means Project Costs less the costs of land, rights-of-way, initial operating supplies and equipment with the exception of those items directly or reasonably required for the completion of construction, planning financed by a Planning Advance under Section 702 of the Housing Act of 1954, as amended, and any other ineligible miscellaneous expenses, all as determined by the Government.

"Depository Bank" means a bank or trust company which is a member of the Federal Deposit Insurance Corporation.

**Section 2. Prerequisites to Government's Obligations.** The Government shall be under no obligation to disburse funds under the Grant Agreement if:

- (a) **Representations.** Any representation made by the Applicant to the Government in connection with the application shall be incorrect or incomplete in any material respect, or the Government determines that the Applicant has failed to proceed promptly with Project financing or construction;

*(a) Concurrence by Government. The Applicant, having submitted to the Government any of the documents mentioned in Section 10 hereof which under the established procedures require the Government's prior approval, shall have proceeded to make related expenditures or incur related obligations without having been advised by the Government that the same are satisfactory; it being the purpose of this provision to insure that no action will be taken in the development of the Project which would result in legal or contractual violation rendering it impossible for the Government to make the grant hereunder or for the parties to accomplish the objects of the Grant Agreement;*

- (c) Prohibited Interests. If any official of the Applicant who is authorized in such capacity and on behalf of the Applicant to negotiate, make, accept or approve, or to take any part in negotiating, making, accepting, or approving any architectural, engineering, inspection, construction, materials, supply, or equipment contract or any subcontract in connection with the construction of the Project, shall become directly or indirectly interested personally in any such contract or subcontract, or if any official, employee, architect, attorney, engineer or inspector of or for the Applicant who is authorized in such capacity and on behalf of the Applicant to exercise any legislative, executive, supervisory or other functions in connection with the construction of the Project, shall become directly or indirectly interested personally in any construction, materials, supply, equipment or insurance contract, in any subcontract or any other contract pertaining to the Project.

Section 3. Applicant's Funds. The Applicant shall initiate and prosecute to completion all proceedings necessary to enable the Applicant to provide its share of the Project Costs on or prior to the time that such funds are needed to meet project costs.

Section 4. Legal Matters. The Applicant shall take all actions necessary to enable it to finance, construct, and develop the Project in due time, form, and manner as required by law and the Grant Agreement.

Section 5. Prerequisites to Grant Disbursements. Prior to the Government disbursing any portion of the grant proceeds, the Applicant shall present satisfactory evidence that:

- (a) It has obtained, or can obtain, all land, rights-of-way, easements, permits, franchises, Federal, State, County, and Municipal approvals required in connection with the construction and operation of the Project, including approval of the final plans and specifications by the appropriate State authorities;
- (b) It has the funds or a firm and binding commitment to provide its share of the Project costs;
- (c) It has deposited into the Construction Account, in addition to the grant proceeds, any portion then available of the funds to be furnished by the Applicant to meet its share of the Project costs and that it will promptly deposit any remaining portion of its share of Project costs in order that all payments in connection with the Project can be made as the same become due;
- (d) The Project can be completed at a total cost satisfactory to the Government which will be within the amount of funds available therefor;
- (e) The Applicant (1) has formally amended its capital improvement plan, budget or other schedule, or is in the process of so amending it, to incorporate the increase in its planned net expenditures for capital improvements pursuant to the resolution furnished with the grant

application; (2) has secured, or is in the process of securing, approval of the amendments by any State or other public body having authority in such matters; and (3) has arranged for, or is proceeding expeditiously to obtain, the funds needed for such increase in expenditures.

**Section 6. Grant Disbursements.** The Applicant may requisition disbursements against the grant as follows:

- (1) 25% upon approval of the award of the construction contract(s).
- (2) 50% when construction is 50% complete.
- (3) 15% upon final inspection.
- (4) 10% after Project completion and audit, subject to adjustment to reflect the actual cost as determined by the Government.

Such requisitions shall be accompanied by such supporting data as the Government may require and shall be honored by the Government, subject to the provisions of the Grant Agreement. No request for review of a determination of the Government affecting the grant payable under the Agreement will be considered unless such request is received by the Government not later than three months following notice to the Applicant of such determination.

All accounting records including bank deposit slips, cancelled checks and other supporting documents and construction contract awards shall be retained intact for audit or inspection by the Government's authorized representatives.

**Section 7. Construction Account.** The Applicant shall set up in a Depository Bank, or with the fiscal agency of the Applicant fixed by law, a separate account or accounts (herein collectively called the "Construction Account") into which shall be deposited the proceeds of the Government grant and the funds required by the provisions of the Grant Agreement to be furnished by the Applicant to assure the payment of all Project costs. Moneys in the Construction Account shall be expended only for such purposes as shall have been previously specified in the project cost estimates approved by the Government. The Applicant shall pay all Project costs from the Construction Account.

Moneys in the Construction Account shall be secured by the Depository Bank in the manner prescribed by statutes relating to the securing of public funds. Where the moneys on deposit in the Construction Account exceed the estimated disbursements on account of the Project for the next 90 days, the Applicant may direct the Depository Bank to invest such excess funds in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States Government, which shall mature not later than 18 months after the date of such investment and which shall be subject to redemption at any time by the holder thereof. The earnings from any such investments shall be deposited in the Construction Account by the Applicant.

After completion of construction and payment of all costs of the Project, any balance in the Construction Account shall remain therein pending determination by the Government of the total Project cost and the Federal grant. Such balance shall be used to refund promptly to the Government any overpayment made with respect to the Federal grant; any amount thereafter remaining shall be available for disposition by the Applicant in accordance with its other contractual agreements, applicable State or local law or other governing conditions.

**Section 8. Prompt Procedure--Economic Construction.** The Applicant covenants and agrees that it will proceed promptly with all matters necessary to the financing and the development of the

**Section 9. Approvals and Permits.** The Applicant shall obtain approvals and permits required by law as a condition precedent to the acquisition, construction, development, and operation of the Project.

**Section 10. Submission of Proceedings, Contract and Other Documents.** The Applicant shall submit to the Government such data, reports, records and documents relating to the construction, financing, and operation of the Project as the Government may require. Approval of the Government must be obtained prior to the assignment of any interest in or part of any contract relating to the Project.

**Section 11. Construction by Contract.** All work on the Project shall be done under contract and every opportunity shall be given for free, open and competitive bidding for each and every construction, material, and equipment contract. The Applicant shall give such publicity by advertisement or calls for bids by it for the furnishing to it of work, labor, materials, and equipment as required by applicable law and as will provide adequate competition; and the award of each contract therefor shall be made, after approval by the Government, to the lowest responsible bidder as soon as practicable; Provided, that in the selection of equipment or materials the Applicant may, in the interest of standardization or ultimate economy, if the advantage of such standardization or such ultimate economy is clearly evident, award a contract to a responsible bidder other than the lowest in price. The Applicant shall obtain the concurrence of the Government before approving subcontracts relating to the Project.

- (a) Contracts and subcontracts shall provide for submission of such employment and other data relating to construction of the project as the Applicant may require.
- (b) The Applicant shall include in each of its construction contracts a provision requiring the contractor, insofar as practicable, to give preference, in the hiring of workers for the Project, to qualified local labor. The provision also will require each contractor to insert the same or a similar provision in each subcontract for the Project.

**Section 12. Changes in Construction Contract.** Any change in a construction contract shall be submitted to the Government for approval. Construction contracts shall include a provision specifying that the above requirement will be met.

**Section 13. Contract Security.** The Applicant shall require that each construction contractor shall furnish a performance bond in an amount at least equal to 100 percent of his contract price as security for the faithful performance of his contract and also a payment bond in an amount not less than 50 percent of his contract price or in a penal sum not less than that prescribed by State, territorial, or local law, as security for the payment of all persons performing labor on the Project under his contract and furnishing materials in connection with his contract. The performance bond and the payment bond may be in one or in separate instruments in accordance with local law.

**Section 14. Insurance During Construction.** The Applicant shall require that each of its construction contractors and his subcontractors shall maintain, during the life of his contract, Workmen's Compensation Insurance, Public Liability and Property Damage Insurance in amounts

and on terms satisfactory to the Government. The Applicant shall maintain Builders' Risk Insurance (fire and extended coverage) on a 100 percent basis on the insurable portions of the Project for the benefit of the owner, prime contractor, and all subcontractors as their interests may appear, until the Project is completed and is accepted by the Applicant.

Section 15. (a) Wage Rates: Upon receipt of the list of wage rates determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (Davis-Bacon Act, as amended), the Applicant shall include such list in all contracts calling for work on the Project and require adherence thereto. The Applicant shall also require of each of its contractors that such list shall be posted at appropriate conspicuous points on the site of the Project. Unless otherwise required by law, wage rates need not be listed by non-manual workers, including executive, supervisory, administrative and clerical employees.

If, after the award of the contract, it becomes necessary to employ any person in a trade or occupation not classified in the above list, such person shall be paid at not less than a rate to be determined by the Secretary of Labor. Such approved minimum rate shall be retroactive to the time of the initial employment of such person in such trade or occupation. The contractor shall notify the Applicant of his intention to employ persons in trades or occupations not classified in sufficient time for the Applicant to obtain approved rates for such trades or occupations.

(b) Contract Work Hours: The Applicant shall comply with the provisions of the Contract Work Hours Standards Act (P.L. 87-581) which provides that the Applicant will also require of its contractors that no laborer or mechanic shall be required or permitted to be employed in such work in excess of eight hours in any calendar day or in excess of forty hours in any workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek as the case may be.

Section 16. Payment of Employees. The Applicant shall require of its contractors that all employees engaged in work on the Project be paid in full (less deductions made mandatory by law) not less often than once each week.

Section 17. Wage Underpayments and Adjustments. The Applicant shall require of each of its contractors that, in cases of underpayment of wages by the contractor, the Applicant may withhold from such contractor out of payments due, an amount sufficient to pay workers employed on the work covered by his contract the difference between the wages required to be paid under the contract and the wages actually paid such workers for the total number of hours worked and may disburse such amounts so withheld by it for and on account of the contractor to the respective employees to whom they are due.

Section 18. Anti-Kickback Statute. The so-called Anti-Kickback Statute, Public Law No. 324, 73rd Congress, approved June 13, 1934 (48 Stat. 1948 as amended), and the regulations issued pursuant thereto, are a part of the Grant Agreement, and the Applicant shall comply, and require each of its contractors employed in the construction, prosecution, or completion of the Project to comply therewith, and to cause his subcontractors to do likewise.

Section 19. Accident Prevention. The Applicant shall require of its contractors that precaution shall be exercised at all times for the protection of persons (including employees) and property, and that hazardous conditions be guarded against or eliminated.

**Section 21. Nondiscrimination.** The Applicant shall require that there shall be no discrimination against any employee who is employed in carrying out the Project, or against any applicant for such employment, because of race, religion, color or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Applicant shall insert the foregoing provision of this Section in all its contracts for Project work and will require all of its contractors for such work to insert a similar provision in all subcontracts for Project work; Provided, that the foregoing provision of this Section shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

The Applicant shall post at the Project, in conspicuous places available to employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause.

**Section 22. Payments to Contractors.** Not later than the fifteenth day of each calendar month the Applicant shall make a partial payment to each construction contractor on the basis of a duly certified and approved estimate of the work performed during the preceding calendar month by the particular contractor, but shall retain until final completion and acceptance of all work covered by the particular contract a reasonable amount, specified in the contract, sufficient to insure the proper performance of the contract.

**Section 23. Audit and Inspection.** The Applicant shall require of its contractors that the Government's authorized representatives be permitted, and it will itself permit them to inspect all work, materials, payrolls, records of personnel, invoices of materials and other relevant data and records appertaining to the development of the Project; and shall permit the Government's authorized representatives to inspect or audit the books, records, and accounts of the Applicant pertaining to the Grant and the development of the Project.

**Section 24. Signs.** The Applicant shall cause to be erected at the site of the Project, and maintained during construction, signs satisfactory to the Government identifying the Project and indicating the fact that the Government is participating in the development of the Project.

**Section 25. Operation of Project.** The Applicant covenants that it will operate and maintain the Project or provide for the operation and maintenance thereof, to serve the objects and purposes for which the Grant has been made available under the Federal law and the terms of the Grant Agreement.

**Section 26. Surety.** The Applicant covenants that each of its officials or employees having custody of Project funds during acquisition, construction, and development of the Project, shall be bonded at all times in an amount at least equal to the total funds in his custody at any one time.

**Section 27. Interest of Third Parties.** The Grant Agreement is not for the benefit of third parties. The Government shall not be obligated or liable hereunder to any party other than the Applicant.

**Section 28. Interest of Members of or Delegates to Congress.** No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Grant Agreement or to any benefit arising therefrom.

**Section 29. Bonus or Commission.** By execution of the Grant Agreement the Applicant represents that it has not paid and, also, agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the Grant hereunder.

**Section 30. State or Territorial Law.** Anything in the Grant Agreement to the contrary notwithstanding, nothing in the Grant Agreement shall require the Applicant to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable State or territorial law; Provided, That if any of the provisions of the Grant Agreement violate any applicable State or territorial law, or if compliance with the provisions of the Grant Agreement would require the Applicant to violate any applicable State or territorial law, the Applicant will at once notify the Government in writing in order that appropriate changes and modifications may be made by the Government and the Applicant to the end that the Applicant may proceed as soon as possible with the construction of the Project.

EXHIBIT B

SPECIAL CONDITIONS

Project No. APW-Calif-160G

The following Special Conditions are made a part of the Grant Agreement for the above-numbered project.

1. The Applicant agrees that:

- (a) Within sixty (60) days from the date of receipt of the Grant Offer, it will furnish the Government satisfactory evidence that its share of the project cost is available or that firm and binding arrangements have been entered into to provide such funds as they are needed to meet project costs.
- (b) Within 120 days from the date of receipt of the Grant Offer, it will cause on-site labor to be employed in the construction of the project.

Failure of the Applicant to comply with the foregoing shall give the Government the right to terminate the Grant Agreement.

- 2. The Government shall have the right to reduce the amount of grant set forth in the Grant Offer, upon giving the applicant written notice, if the eligible project costs after award of the construction contracts are determined by the Government to be less than the estimated costs upon which the stipulated amount of the grant was based.
- 3. Section 26 of Form CFA-1120 (11-62), Terms and Conditions, attached hereto as Exhibit "A", is hereby deleted.

4. Section 21 of Form CFA-1120 (11-62), attached hereto as Exhibit "A" is hereby deleted and the following Special Condition is inserted in lieu thereof:

**"Section 21. Nondiscrimination.**

- (a) The Applicant shall require that there shall be no discrimination against any employee who is employed in carrying out the Project, or against any applicant for such employment, because of race, creed, color or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- (b) The Applicant hereby agrees to the following conditions: (1) it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, paid for in whole or in part with funds obtained under the Grant Agreement, the provisions prescribed for Government contracts and Federally assisted construction contracts by Section 301 of Executive Order 10925, as amended; (2) it will assist and cooperate actively with the Housing and Home Finance Agency and the President's Committee on Equal Employment Opportunity (the "Committee") in obtaining the compliance of contractors and subcontractors with said contract provisions and with the rules, regulations, and relevant orders of the Committee; (3) it will obtain and furnish to the Housing and Home Finance Agency and to the Committee such information as they may require for the supervision of such compliance; (4) it will enforce the obligation of contractors and subcontractors under such provisions, rules, regulations and orders; (5) it will carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the Committee or the Housing and Home Finance Agency; and (6) it will refrain from entering into any contract subject to this order, or extension or other modification of such a contract with a contractor debarred from Government contracts and Federally assisted construction contracts under Part III, Subpart D of Executive Order 10925, as amended, or who has not demonstrated his eligibility for such contracts as provided in Part III of Executive Order 10925, as amended; and (7) in the event the Applicant fails and refuses to comply with its undertakings the Applicant agrees that the Housing and Home Finance Agency may cancel, terminate or suspend in whole or in part the Grant Agreement, may refrain from extending any further assistance under any of its programs subject to Executive Order 11114 until satisfactory assurance of future compliance has been received from such Applicant, or may refer the case to the Department of Justice for appropriate legal proceedings."

HOUSING AND HOME FINANCE AGENCY  
OFFICE OF THE REGIONAL ADMINISTRATOR

~~JUL 10 1963~~, 1963

SPECIAL NOTICE TO APPLICANTS  
Accelerated Public Works Program

Attention is directed to the resolution which accompanied your application and in which you certified you would increase during the fiscal year or years during which the proposed project would be constructed your proposed or planned total expenditures for capital improvement projects (exclusive of Federal funds) by an amount approximately equal to the non-Federal funds required to complete the project for which the grant was requested.

If the date of the grant offer is such that construction of the proposed project cannot now take place within the period contemplated in the formal resolution submitted with the application, the required increase in the proposed or planned total expenditures for capital improvement projects must be accomplished within the appropriate fiscal year or years during which construction of the project will take place. This requirement forms a part of the grant agreement.

This notice must be acknowledged on the attached duplicate and returned to the Regional Office with your Acceptance of the Offer.

  
Acting Regional Director of  
Community Facilities

RECEIPT OF DUPLICATE ACKNOWLEDGED

City of Modesto  
Name of Applicant

APW-Calif-160G  
Project Number

  
Authorized Official

John C. Keefe, City Manager  
Type Name and Title

Dated August 6, 1963

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-381

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$27,200 FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE TO PARK DEVELOPMENT - CALIFORNIA-FRANKLIN PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (600)	\$27,200
TO: Park Development - California-Franklin Park (5321)	\$27,200

To provide expenditure appropriation in conjunction with H.H.F.A. Grant Offer, received July 26, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-382

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COLLINS ELECTRICAL COMPANY, INC. FOR PURCHASE BY THE CITY OF PROPERTY AT 125 TUOLUMNE BOULEVARD FOR 7TH AND TUOLUMNE REALIGNMENT (Project 62-17)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Collins Electrical, Inc.

for purchase by the City of property at 125 Tuolumne Boulevard for 7th and Tuolumne Realignment (Project 62-17)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 383

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS McHENRY VILLAGE CENTER ADDITION.

WHEREAS, a petition has been filed in the office of the City Clerk requesting the annexation of certain uninhabited territory to the City of Modesto, which territory is more specifically described hereinafter, and

WHEREAS, the County Boundary Commission has certified to the definiteness and accuracy of the boundaries of said territory,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

The territory herein referred to is situated in the County of Stanislaus, State of California, and more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
Acting City Clerk

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the McHenry Village Addition as per map filed May 11, 1954, as Instrument 11745, Stanislaus County Records, said point being on the Northern line of a 40 foot Public Road known as Granger Avenue, 249.50 feet East of the Section line that is common to Section 16 and Section 17; thence along the existing City Limits the following bearings and distances: North  $00^{\circ}48'$  West, 112.00 feet, South  $89^{\circ}39'$  East, 410.50 feet, South  $00^{\circ}48'$  East, 112.00 feet, to the Northern line of Granger Avenue; thence leaving the City Limits along the Northern line of Granger Avenue, North  $89^{\circ}39'$  West, 410.50 feet to the point of beginning, containing 1.055 acres more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-384

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$527  
FROM SPECIAL FUND FOR CAPITAL OUTLAYS, GENERAL RESERVE  
TO PERIMETER STREET LIGHTS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (600) \$527

TO: Perimeter Street Lights (5322) \$527

To provide funds for payment of perimeter street lights in  
Lorenzen Park No. 1 Subdivision (Wolverine Building Service)

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
5th day of August, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 385

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO NOTIFYING THE STATE DIVISION OF HOUSING OF THE STATE OF CALIFORNIA THAT THE CITY HAS AND IS ENFORCING LOCAL BUILDING ORDINANCES PRESCRIBING IN GENERAL, STANDARDS EQUAL TO OR GREATER THAN THE STATE HOUSING LAW WHICH BECOMES EFFECTIVE AUGUST 8, 1963.

WHEREAS, the State Division of Housing has issued, under authority of the State Housing Law of 1961, rules and regulations applicable to the construction, maintenance, use and occupancy of apartment houses, hotels, and dwellings located in all parts of the State, and

WHEREAS, these regulations become effective August 8, 1963, and are applicable to all apartment houses, hotels, and dwellings approved for construction after that date, as well as to the maintenance and use and change of occupancy of all existing apartment houses and hotels and dwellings, and

WHEREAS, the State Housing Law of 1961 provides that legislative bodies of each city determine that local codes are equivalent or more restrictive than the State regulations, and that each city is to so notify the Division of Housing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby notifies the State Division of Housing of the State of California that the City has and is enforcing local building ordinances prescribing in general standards equal to or greater than the State Housing Law of 1961 which becomes effective August 8, 1963.

BE IT FURTHER RESOLVED that the City Clerk be authorized and directed to transmit a certified copy of this resolution to the Division of Housing of the State of California for its information and files.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Tabbert,

who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

**AYES:** Councilmen: Hughes, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
**NOES:** Councilmen: None  
**ABSENT:** Councilmen: Mitchell, Patton

**ATTEST:** Pauline P. Stanley  
ACTING City Clerk

(SEAL)

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS  
TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALKS  
ALONG CERTAIN STREETS IN THE  
CITY OF MODESTO. (BLOCK 6903, LOT 10 AND PORTION LOT 11,  
NORTH SIDE OF RIBIER AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets  
and Highways Code of the State of California establishes a procedure  
pursuant to which the construction of sidewalks  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets  
and Highways Code, the Superintendent of Streets finds that side-  
walks have been constructed in front of the  
properties constituting more than fifty per cent (50%) of the street  
frontage of Ribier Avenue

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto as follows:

SECTION 1. The Superintendent of Streets is hereby directed  
to notify the owners of record of the properties described as follows:

All of Lot 10 and the western 8.00 feet of Lot 11  
of Block 6903 of the of the McHenry Village Sub-  
division No. 2 as per map filed August 22, 1955,  
in Volume 18, Page 34, Stanislaus County Records,

to construct or cause to be constructed sidewalks  
along the street frontage of the ~~property~~/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 19th day of August, 1963, at 4:50 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Patton

ATTEST: Pauline P Stanley  
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-387

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 63-338 ENTITLED "A RESOLUTION RELATING TO THE GRANTING OF SPECIAL PERMITS TO USE DEL WEBB FIELD," AND RESCINDING RESOLUTION NO. 63-371

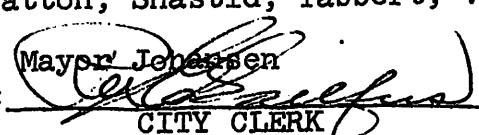
BE IT HEREBY RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 63-338 entitled, "A Resolution Relating to the Granting of Special Permits to Use Del Webb Field," be, and it is hereby amended as follows:

SECTION 1. GRANTING OF PERMITS. The Director of Parks and Recreation is hereby authorized to grant permits to the following persons or organizations requesting permission to use Del Webb Field for the uses hereinafter specified subject to the conditions set forth in this resolution:

<u>USE</u>	<u>ORGANIZATION</u>
Fourth of July Celebration	Stanislaus County Fourth of July Committee
Circus	Modesto Lodge No. 1282, Benevolent and Protective Order of Elks
Dawg Daze	The Exchange Club of Modesto
Donkey Baseball	Twenty-Thirty Club of Modesto
Baseball Games	Modesto Community Athletic Association (Modesto Colts)
Trailer Rally	Travel Trailer Club
Pony Show	Kenneth Balm (Central California Shetland Pony Club)
Wrestling Show	California Athletic Club
Circus	American Legion, Modesto Post #74
Circus	Modesto Junior Chamber of Commerce
Major League Baseball Teams	Sportsmen of Stanislaus
Circus	Civil Air Patrol, Modesto Squadron 50
Baseball Games	Modesto Baseball for Boys
Baseball Games	Modesto Caballero Athletic Club

BE IT FURTHER RESOLVED that Resolution No. 63-371 entitled "A Resolution Amending Section 1 of Resolution No. 63-338 entitled 'A Resolution Relating to the Granting of Special Permits to Use Del Webb Field'" be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor  
NOES: Councilmen: None VanderWall  
ABSENT: Councilmen: Mitchell, Mayor Jennessen  
ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-388

A RESOLUTION EXPRESSING APPRECIATION TO THE SHERWOOD FOREST HOMEOWNERS' ASSOCIATION FOR ITS INTEREST IN THE COMMUNITY

BE IT HEREBY RESOLVED BY the Council of the City of Modesto that the City Council wishes to express, on its own behalf, and on behalf of the citizens of the City of Modesto, appreciation to the Sherwood Forest Homeowners' Association for its interest in the community, and especially its interest in the proper planning and development of McHenry Avenue, north of M.I.D. Lateral No. 3.

BE IT FURTHER RESOLVED that the Sherwood Forest Homeowners' Association be, and it is hereby requested to meet with both the Board of Supervisors and City Council Committees to further proper planning and development of the above location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert,  
Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-389

A RESOLUTION ACCEPTING THE BID OF UNITED STATES PIPE AND  
FOUNDRY COMPANY IN THE AMOUNT OF \$39,522.50 FOR CAST IRON  
PIPE (ITEMS 1 AND 2)

WHEREAS, Resolution No. 63-355, adopted by the Council  
of the City of Modesto on July 22, 1963, approved the plans  
and specifications for the furnishing of pipe, valves and  
fittings  
and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings  
were opened at 2:00 P.M., August 6, 1963, and later tabulated  
by the <sup>Finance</sup> ~~Public Works~~ Department for the consideration of the  
Council, and

<sup>Purchasing Officer</sup>  
WHEREAS, the ~~Public Works~~ has recommended that  
the bid of United States Pipe & Foundry Company in the amount of  
\$39,522.50 for cast iron pipe (items 1 and 2)  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that the bid of United States Pipe & Foundry Company  
for Item 1, 3,500 ft. 4" C.I. Pipe (\$4,322.50) and Item 2, 20,000 ft.  
6" C.I. Pipe (\$35,200) in the total amount of \$39,522.50  
be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 12th day of  
August, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor  
VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-390

A RESOLUTION ACCEPTING THE BID OF PIPELINE SUPPLY COMPANY, INC. IN THE AMOUNT OF \$40,553.45 FOR CEMENT ASBESTOS PIPE (ITEMS 3a AND 4a) AND MISCELLANEOUS FITTINGS (ITEMS 11 THROUGH 20)

WHEREAS, Resolution No. 63-355, adopted by the Council of the City of Modesto on July 22, 1963, approved the plans and specifications for the furnishing of pipe, valves and fittings and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings were opened at 2:00 P.M., August 6, 1963, and later tabulated by the ~~Public Works Department~~ Finance Department for the consideration of the Council, and

WHEREAS, the ~~Director of Public Works~~ Purchasing Officer has recommended that the bid of Pipeline Supply Company, Inc. in the amount of \$40,553.45 for Cement Asbestos Pipe (Items 3a and 4a) and miscellaneous fittings (Items 11 through 20) be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pipeline Supply Company, Inc. for Items 3a, 15,000' 8" C.A. Pipe (\$25,500) and 4a, 5,000' 10" C.A. Pipe (\$12,000) and Items 11-20, misc. fittings (\$3,053.45) in the total amount of \$40,533.45 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-391

A RESOLUTION ACCEPTING THE BID OF M & H VALVE AND FITTINGS COMPANY IN THE AMOUNT OF \$8,608.60 FOR GATE VALVES (ITEMS 6 THROUGH 10)

WHEREAS, Resolution No. 63-355, adopted by the Council of the City of Modesto on July 22, 1963, approved the plans and specifications for the furnishing of pipe, valves and fittings and authorized the calling for bids, and

WHEREAS, the bids received for the pipe, valves and fittings were opened at 2:00 P.M., August 6, 1963, and later tabulated by the ~~ENGINEERING~~ <sup>Finance</sup> Department for the consideration of the Council, and

<sup>Purchasing Officer</sup>  
WHEREAS, the ~~ENGINEERING~~ has recommended that the bid of M & H Valve and Fittings Company in the amount of \$8,608.60 for gate valves (Items 6 through 10) be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M & H Valve and Fittings Company in the amount of \$8,608.60 for gate valves (Items 6 through 10) be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-392

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
INSTALLATION OF WATER MAINS IN WALTER HEIGHTS SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-358, on July 22, 1963, approving the plans and specifications for installation of water mains in Walter Heights Subdivision and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 6th day of August, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$7,180, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor  
NOES: Councilmen: None VanderWall  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-393

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING THE APPLICATION OF GEORGE VALENTINE, D.D.S., FOR A VARIANCE TO THE OFF-STREET PARKING REQUIREMENT AT 518 NEEDHAM AVENUE

WHEREAS, an application for a variance to the off-street parking requirement at 518 Needham Avenue was filed by George Valentine, D.D.S., on June 11, 1963, and

WHEREAS, after public hearing held on June 27, 1963, the Board of Zoning Adjustment, by Resolution No. 222, denied said application for variance, and

WHEREAS, on July 5, 1963, George Valentine, D.D.S., filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment, and

WHEREAS, the Council set August 12, 1963 at 8:10 P.M. in the Council Chambers in the City Hall, 801 11th Street, as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence, both oral and documentary taken and introduced at said public hearing, the Council found and determined that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the appeal of George Valentine, D.D.S., for a variance to the off-street parking requirement at 518 Needham Avenue be denied and the decision of the Board of Zoning Adjustment be, and it is hereby affirmed on the basis of findings set forth in its Resolution No. 222, adopted June 27, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, ~~XXXXX~~, Shastid, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: Patton  
ABSENT: Councilmen: ~~XXXX~~ Mitchell, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-394

A RESOLUTION AUTHORIZING THE RELEASE OF THE HARTFORD  
ACCIDENT AND INDEMNITY COMPANY CONTRACT BOND FILED TO  
GUARANTEE IMPROVEMENTS IN NORTHGATE ESTATES SUBDIVISION

WHEREAS, Northview Estates, Inc., Paul T. Benningfield,  
and Leona J. Benningfield, subdividers of Northgate  
Estates Subdivision, have filed with the City of Modesto  
a contract bond to guarantee the improvements in the  
aforesaid subdivision, and


WHEREAS, the Director of Public Works has reported  
that the improvements have been completed in the aforesaid  
subdivision to his satisfaction, and has recommended the  
release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY the Council  
of the City of Modesto that the Hartford Accident and  
Indemnity Company Contract Bond No. 3197566 in the amount  
of \$36,689.25 filed by Northview Estates, Inc., Paul T.  
Benningfield and Leona J. Benningfield to guarantee the  
improvements in Northgate Estates Subdivision be, and it  
is hereby released.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
12th day of August, 1963, by Councilman Shastid, who  
moved its adoption, which motion being duly seconded by  
Councilman Hughes, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert,  
Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-395

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN BROOKDALE PARK NO. 4 SUBDIVISION

WHEREAS, John E. Hirleman, Jr., subdivider of Brookdale Park  
No. 4 Subdivision, has deposited with the City of Modesto a cash  
deposit in the amount of \$2,674 to guarantee the improvements in  
Brookdale Park No. 4 Subdivision, and


WHEREAS, the Director of Public Works has reported that the  
improvements have been completed in the aforesaid subdivision to  
his satisfaction, and has recommended the release of the cash  
deposit,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the  
City of Modesto that the cash deposit in the amount of \$2,674  
deposited by the subdivider of Brookdale Park No. 4 Subdivision  
be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 12th day of  
August, 1963, by Councilman Hughes, who moved its adoption,  
which motion being duly seconded by Councilman Shastid, was  
upon roll call carried and the resolution adopted by the following  
vote:

AYES:	Councilmen:	Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Mayor Johansen

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 396

A RESOLUTION OF THE CITY OF MODESTO ESTABLISHING  
FLAT-RATE CHARGES FOR WATER SERVICES TO THE MUNCY  
SCHOOL.

WHEREAS, a request has been received from the Stanislaus Union School District for the establishment of flat-rate water charges for the Muncy School, and

WHEREAS, a flat-rate service will be helpful both to the City and the School District in respect to the problem of metering,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges be established for the Muncy School in accordance with the number of pupils enrolled in the School as of the 31st day of October of each year as follows:

- |     |                     |                   |
|-----|---------------------|-------------------|
| (1) | 1 to 300 students   | \$280.00 per year |
| (2) | 301 to 600 students | \$320.00 per year |

BE IT FURTHER RESOLVED that the School shall provide the City with a written statement of the number of pupils.

BE IT FURTHER RESOLVED that the billing date for said flat-rate water service charge shall be November 1st of each year, but that a prorata bill be prepared from the date construction starts to October 31, 1963, fees to be based on the number of students reported as of that date.

BE IT FURTHER RESOLVED that the School District shall promptly notify City of any change in area irrigated from the City water system and that charges shall be immediately revised in accordance with said changes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Hughes, who

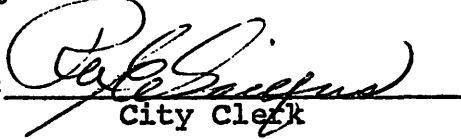
moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried  
and the resolution adopted by the following vote:

**AYES:** Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor  
VanderWall

**NOES:** Councilmen: None

**ABSENT:** Councilmen: Mitchell, Mayor Johansen

**ATTEST:**

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-397

A RESOLUTION AUTHORIZING THE SALE OF ONE SHARE OF COMMON STOCK OWNED BY THE CITY OF MODESTO

WHEREAS, at the time the City of Modesto obtained group health insurance from the Intercoast Companies, Inc. this company reorganized and issued shares of stock to policy holders, the City of Modesto receiving one share of common stock, par value \$10, and

WHEREAS, the City has discontinued its insurance policy with the Intercoast Companies, Inc., and

WHEREAS, the Director of Finance has recommended that the City dispose of the one share of common stock,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto, that the sale of one share of common stock, par value \$10, issued to the City of Modesto by Intercoast Companies, Inc. be, and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:

  
CITY CLERK

*Modesto  
+ Stanislaus County  
Aug 22nd + 29*

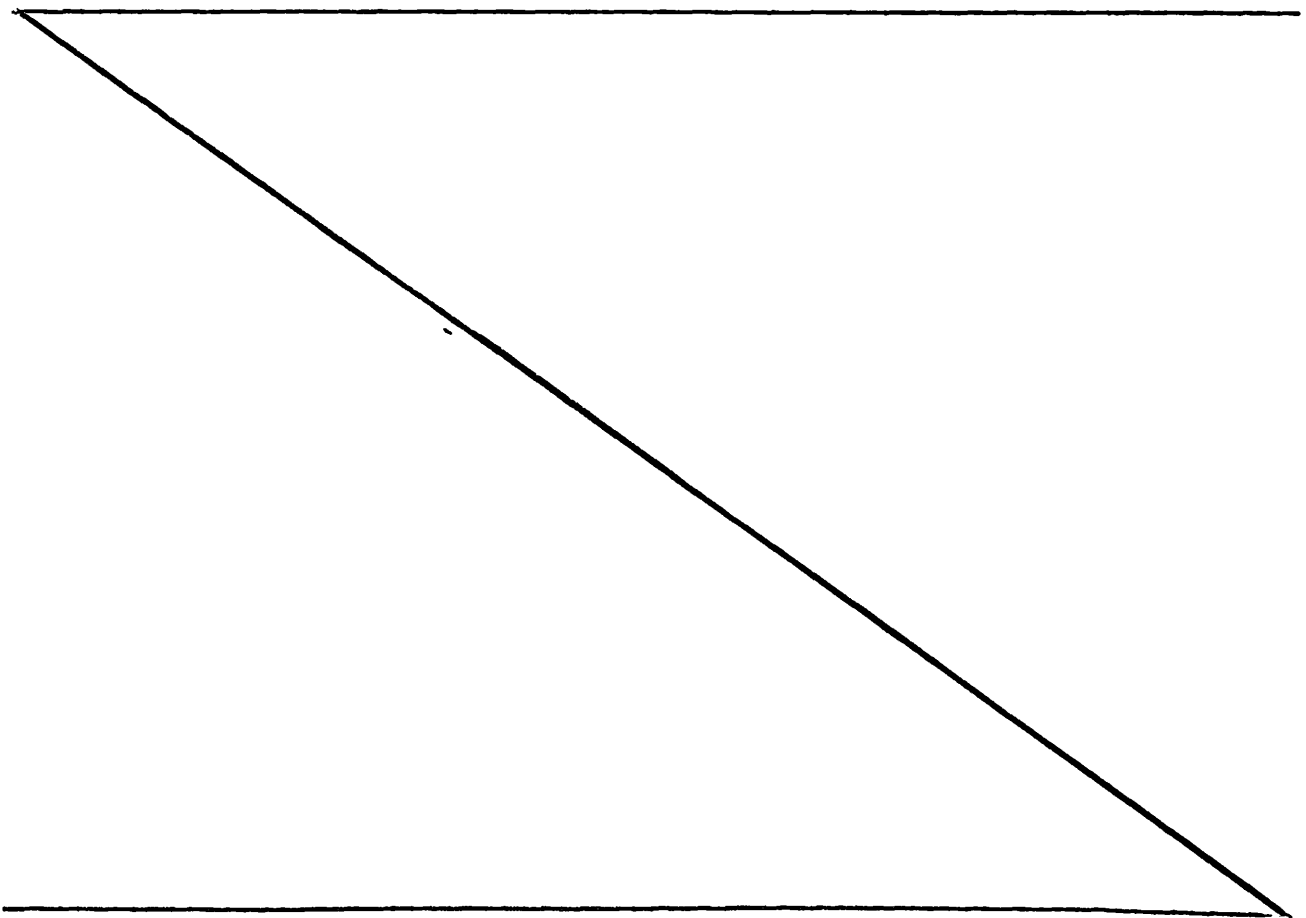
MODESTO CITY COUNCIL  
RESOLUTION NO. 63-398

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS MCHENRY VILLAGE CENTER ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the council of the City of Modesto on July 25, 1963, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as MCHENRY VILLAGE CENTER ADDITION, and described as follows:



**MCHENRY VILLAGE CENTER ADDITION**

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the McHenry Village Addition as per map filed May 11, 1954, as Instrument 11745, Stanislaus County Records, said point being on the Northern line of a 40 foot Public Road known as Granger Avenue, 249.50 feet East of the Section line that is common to Section 16 and Section 17; thence along the existing City Limits the following bearings and distances: North  $00^{\circ}48'$  West, 112.00 feet, South  $89^{\circ}39'$  East, 410.50 feet, South  $00^{\circ}48'$  East, 112.00 feet, to the Northern line of Granger Avenue; thence leaving the City Limits along the Northern line of Granger Avenue, North  $89^{\circ}39'$  West, 410.50 feet to the point of beginning, containing 1.055 acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on July 16, 1963, consider the proposed annexation boundaries of said McHENRY VILLAGE CENTER ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 23rd day of September, 1963, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 Eleventh Street in the City of Modesto, be, and the same is hereby fixed as the time and place for considering said petition, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Tribune, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy of this resolution to be published in the Turlock Daily Journal, being a newspaper of general circulation published outside of the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll

or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-399

A RESOLUTION EXTENDING THE LIMITS IMPOSED BY THE DEVELOPMENT SCHEDULE APPROVED AS PART OF PLANNED DEVELOPMENT ZONE, P-D(7). (MODESTO'S NEIGHBORHOOD CHURCH)

WHEREAS, by Ordinance No. 500-C.S., effective March 20, 1962, the Council amended Section 8 of the Zoning Map reclassifying property from One-Family Zone, R-1, to Planned Development Zone, P-D(7), as requested by Modesto's Neighborhood Church, and

WHEREAS, by Resolution No. 62-64, adopted February 12, 1962, the Council approved a development plan and development schedule as part of said Planned Development Zone, P-D(7), which provided that construction be started on or before August 15, 1962, and be completed on or before August 15, 1963, and

WHEREAS, by Resolution No. 62-405, adopted August 27, 1962, the Council approved a modified development plan and development schedule for Planned Development Zone, P-D(7), granting an extension of time for start of construction from August 15, 1962, to January 15, 1963, and

WHEREAS, by Resolution No. 63-33, adopted January 21, 1963, the Council approved an extension of the limits imposed by the development schedule approved as part of Planned Development Zone, P-D(7), as modified by Resolution No. 62-405, to provide that construction be started on or before August 1, 1963, and be completed on or before August 1, 1964, and

WHEREAS, a letter dated July 20, 1963, has been received by the Planning Department requesting an extension of the limits imposed by the development schedule because of delays encountered in receiving approval of the Federal Housing Administration, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner,

the Council may extend the limits imposed by the development schedule, and

WHEREAS, after consideration of the request on August 6, 1963, it was determined by the Planning Commission that good cause has been shown by the applicant for his inability to meet the approved development schedule, and

WHEREAS, by Resolution No. 967, adopted August 6, 1963, the Planning Commission recommended to the Council that the limits imposed by the development schedule approved as part of Planned Development Zone, P-D(7), be extended to provide that construction begin on or before February 1, 1964, and be completed on or before February 1, 1965,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-64, adopted February 12, 1962, as part of Planned Development Zone, P-D(7), as modified by Resolution No. 62-405, adopted August 27, 1962, and extended by Resolution No. 63-33, adopted January 21, 1963, shall be extended as follows:

a. Construction shall begin on or before February 1, 1964, and be completed on or before February 1, 1965.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-64 and Resolution No. 62-405 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST: *Patricia ...*  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 400

A RESOLUTION EXTENDING THE LIMITS IMPOSED  
BY THE DEVELOPMENT SCHEDULE APPROVED AS  
PART OF PLANNED DEVELOPMENT ZONE, P-D(9).  
(CAUSEY)

WHEREAS, by Ordinance No. 529-C.S., effective October 23, 1962, the Council amended Section 19 of the Zoning Map reclassifying property from One-Family Zone, R-1, and Multiple-Family Zone, R-3, to Planned Development Zone, P-D(9), as requested by Iva E. Causey, and

WHEREAS, by Resolution No. 62-457, adopted September 24, 1962, the Council approved a development plan and development schedule as part of said Planned Development Zone, P-D(9), which provided that construction of Phase I be started on or before August 1, 1963, and be completed on or before August 1, 1964, and

WHEREAS, a letter dated July 15, 1963, has been received by the Planning Department requesting an extension of the limits imposed by the development schedule to permit time for redrawing of the plan and to complete land fill operations to meet Code requirements, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after consideration of the matter on August 6, 1963, it was determined by the Planning Commission that good cause has been shown by the developer for his inability to meet the approved development schedule, and

WHEREAS, by Resolution No. 965, adopted August 6, 1963, the Planning Commission recommended to the Council that the limits imposed by the development schedule approved as part of

Planned Development Zone, P-D(9), be extended to provide that construction of Phase I begin on or before November 1, 1963, and be completed on or before August 1, 1964,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 62-457, adopted September 24, 1962, as part of Planned Development Zone, P-D(9), shall be extended as follows:

Phase I. Construction shall commence on or before November 1, 1963, and be completed on or before August 1, 1964.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 62-457 shall continue to be in full force and effect.

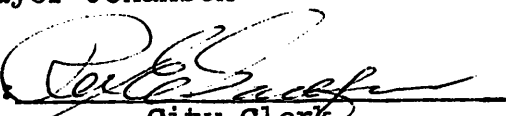
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST

  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-401

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN CRESTWOOD TERRACE NO. 2 SUBDIVISION

WHEREAS, George B. Pierrou, et ux, and Kenneth F. Duffin,  
et ux, subdividers of Crestwood Terrace No. 2 Subdivision, deposited  
with the City of Modesto a cash sum of \$11,700.00 to guarantee the  
improvements in Crestwood Terrace No. 2 Subdivision, and

WHEREAS, \$4,734.00 of said sum was released June 3, 1963, and

WHEREAS, the Director of Public Works has reported that the  
improvements have been completed in the aforesaid subdivision to  
his satisfaction, and has recommended the release of the balance  
of the cash deposit in the amount of \$6,966.00,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the  
City of Modesto that the cash deposit in the amount of \$6,966.00  
deposited by the subdividers of Crestwood Terrace No. 2 Subdivision  
be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 19th day of  
August, 1963, by Councilman Tabbert, who moved its adoption, which  
motion being duly seconded by Councilman VanderWall, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST:

  
CITY CLERK

FAILED TO CARRY

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-402

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE TUCKER ESTATE HEIRS FOR PURCHASE OF THE TUCKER-HOLTHAM PROPERTY AT 1016 AND 1018 EYE STREET, ADJACENT TO CITY HALL PARKING LOT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Tucker Estate Heirs

for purchase of the Tucker-Holtham property at 1016 and 1018 Eye Street, adjacent to City Hall Parking Lot

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: ~~XXXXXXXX~~ ~~XXXXXXXX~~, Tabbert, VanderWall, Mayor  
Johansen  
NOES: Councilmen: Hughes, Patton, Shastid  
ABSENT: Councilmen: Mitchell

ATTEST:

  
CITY CLERK

FAILED TO CARRY

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-403

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENT OF ROSEBURG AVENUE FROM CARVER ROAD TO MILLS AVENUE BY M. J. RUDDY & SON

WHEREAS, a report has been filed by the Director of Public Works that the construction of improvement of Roseburg Avenue between Carver Road and Mills Avenue has been completed by M. J. Ruddy & Son

in accordance with the contract agreement, dated June 11, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvement of Roseburg Avenue from Carver Road to Mills Avenue be accepted from said contractor M. J. Ruddy & Son

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-404

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENT OF BRIGGSMORE AVENUE BETWEEN CARVER ROAD AND PARK MANOR 3B SUBDIVISION BY M. J. RUDDY & SON

WHEREAS, a report has been filed by the Director of Public Works that the construction of improvement of Briggsmore Avenue between Carver Road and Park Manor 3B Subdivision has been completed by M. J. Ruddy & Son

in accordance with the contract agreement, dated July 1, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvement of Briggsmore Avenue between Carver Road and Park Manor 3B Subdivision be accepted from said contractor M. J. Ruddy & Son

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-405

A RESOLUTION ACCEPTING THE CONSTRUCTION OF MAINTENANCE BUILDING  
AT THE SEWAGE TREATMENT PLANT BY SAM A. JONES

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of maintenance building at the Sewage Treatment  
Plant

has been completed by Sam A. Jones

in accordance with the contract agreement, dated May 8, 1963.


NOW, THEREFORE, BE IT RESOLVED that the construction of  
maintenance building at the Sewage Treatment Plant  
be accepted from said contractor Sam A. Jones

that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 19th day of  
August, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-406

A RESOLUTION AUTHORIZING THE RELEASE OF THE HARTFORD ACCIDENT AND INDEMNITY COMPANY CONTRACT BOND FILED TO GUARANTEE IMPROVEMENTS IN SARATOGA MANOR NO. 5 SUBDIVISION

WHEREAS, Wallace E. and Anna E. Blomdahl, subdividers of Saratoga Manor No. 5 Subdivision, have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Hartford Accident and Indemnity Company Contract Bond No. 3212058 in the sum of \$1,000 filed by Wallace E. and Anna E. Blomdahl to guarantee the improvements in Saratoga Manor No. 5 Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST: \_\_\_\_\_

  
CITY CLERK

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-407 Project No. \_\_\_\_\_  
For HHFA Use

Resolution authorizing filing of application with the Housing and Home Finance Agency, United States of America, for a grant under the terms of Public Law 345, 84th Congress, as amended by the Public Works Acceleration Act.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

Now Therefore, Be It Resolved By the Council of the City of Modesto as follows:  
(Governing Board of Applicant)

1. That the City Manager be and he is hereby authorized to  
(Designated Official)  
execute and file an application on behalf of the City of Modesto  
(Exact Legal (Corporate) Name of Applicant)  
with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Fire Station at Northern Blvd, & Timothy Avenue.  
(Brief Project Description)

2. That John C. Keefe, City Manager  
(Name of Authorized Representative) (Title)  
be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk  
(Title of Officer)  
of the City of Modesto does hereby certify: That the  
(Exact Legal (Corporate) Name of Applicant)  
attached resolution is a true and correct copy of the resolution, authorizing the filing of application with the Housing and Home Finance Agency, as regularly adopted at a legally convened meeting of the Council of the City of Modesto duly  
(Name of Governing Body of Applicant)  
held on the 19th day of August, 1963; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 20th day of August, 1963.

If the applicant has an official seal, impress here

  
\_\_\_\_\_  
Signature of Recording Officer

City Clerk  
\_\_\_\_\_  
Title of Recording Officer

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-408 Project No. \_\_\_\_\_  
(For HHFA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects:

Now, Therefore, Be It Resolved By the Modesto City Council  
Governing Board of Applicant

- That as of the date of filing of an application by City of Modesto  
(Exact Legal Corporate Name of Applicant)  
(hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Fire Station at Northern Boulevard and Timothy Avenue  
(Brief Project Description)  
the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was \$750,621.00 for the fiscal year ending 6-30-64 and \$ - for the fiscal year ending -.
- That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be [is hereby] increased by \$26,000.00 for the fiscal year ending 6-30-64 and \$ - for the fiscal year ending - for a total increase of \$ 26,000.00 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).
- That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.


This resolution is adopted pursuant to the authority provided by the Charter of the City of Modesto.  
(cite applicable State or local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto  
(Title of Officer) (Exact Legal Corporate Name of Applicant)  
does hereby certify: That the attached resolution is a true and correct copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the City of Modesto duly held on the 19th day of August, 1963 and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 20th day of August, 1963

If the applicant has an official seal, impress here

  
\_\_\_\_\_  
Signature of Recording Officer  
\_\_\_\_\_  
City Clerk  
\_\_\_\_\_  
Title of Recording Officer

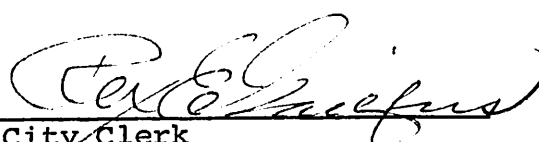


SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 63-386 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

ATTEST:   
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-410

A RESOLUTION GRANTING RED BARN SAVINGS CENTER A PERMIT TO ENCROACH  
ON THE PUBLIC RIGHT OF WAY

WHEREAS, Red Barn Savings Center, Inc., has filed a request for an encroachment permit to allow installed coolers to remain which encroach on the public right of way on the Haney Street side of its property located on Highway 99 and Haney Avenue, and

WHEREAS, the City Manager has recommended that the permit be granted,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A revocable permit is hereby granted to said applicant to allow installed coolers encroaching on the public right of way on the Haney Avenue side of property located on Highway 99 and Haney Avenue to remain as presently installed, subject to removal upon demand of the City.

SECTION 2. Said permit is granted for each of the conditions set forth herein, which conditions permittee agrees, by acceptance of this permit, to faithfully perform to wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, subject to the provisions of this resolution, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at his own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to

file written acceptance of this permit with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, ~~Shastid~~,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-411

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR TWO FIRE PUMPERS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-345, on July 15, 1963, approving the plans and specifications for two 1250 gallon per minute pumpers and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 20th day of August, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the Director of Finance has recommended the bids be rejected due to technicalities in the bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2<sup>6</sup>th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-412

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
INSTALLATION OF WATER MAINS IN ROBIN HOOD ESTATES SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution  
No. 63-356, on July 22, 1963, approving the plans and specifi-  
cations for installation of water mains in Robin Hood Estates  
Subdivision

and directed the City Clerk to advertise for sealed proposals for  
doing said work, and providing that bids be submitted on the 6th  
day of August, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution,  
thereafter duly and regularly caused a notice to be published in the  
manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost  
of such work to be performed by city forces for the sum of \$4,630,  
which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its  
opinion, based upon the estimate approved by the City Manager, the  
work in question may be performed better and more economically by  
the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that, in accordance with the provisions of Section 1307 of  
the Charter of the City of Modesto, the City Manager is hereby  
authorized to proceed to have the work in question performed by the  
City by its own employees.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 26th day of August,  
1963, by Councilman Hughes, who moved its adoption, which  
motion being duly seconded by Councilman VanderWall, was upon roll  
call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchel, Patton, Tabbert, VanderWall, /	Mayor Johansen
NOES:	Councilmen:	Shastid	
ABSENT:	Councilmen:	None	

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-413

A RESOLUTION REFERRING BACK TO THE PLANNING COMMISSION THE APPLICATION OF REX HIGBEE TO RECLASSIFY FROM SINGLE-FAMILY ZONE, R-1, TO R-2, TWO-FAMILY RESIDENTIAL, PROPERTY LOCATED ON THE WEST SIDE OF TULLY ROAD (TULLY AND MORADA DRIVE, LOT 26 IN BLOCK 13201, AND LOT 22 IN BLOCK 13220)

WHEREAS, the Council of the City of Modesto held a public hearing at 8:00 P.M., August 26, 1963 on the application of Rex Higbee to reclassify from Single-Family Zone, R-1, to Two-Family Residential, R-2, property located on the west side of Tully Road, Lot 26 in Block 13201 and Lot 22 in Block 13220, at Tully and Morada Drive, and

WHEREAS, the Council, after hearing both documentary and oral evidence determined that the matter should be referred back to the Planning Commission for further action,

NOW, THEREFORE, BE IT RESOLVED that the application of Rex Higbee to reclassify from Single-Family Zone, R-1, to Two-Family Residential, R-2, certain property located on the west side of Tully Road, Lot 26 in Block 13201, and Lot 22 in Block 13220, at Tully and Morada Drive, be and it is hereby referred back to the City Planning Commission for further consideration and recommendation on the basis that rezoning the property does not constitute "spot zoning," and the property is compatible to R-2 zoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963 by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-414

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,430 FROM GENERAL FUND, GENERAL RESERVE TO FINANCE, SERVICES, PROFESSIONAL AND OTHER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

GENERAL FUND (101)

FROM:	General Reserve (600)	\$1,430
TO:	Finance (15) Services, Professional & Other (235)	\$1,430

To appropriate funds necessary for the pay stations for collecting water and sewer bills for ten months.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-415

A RESOLUTION GRANTING A VARIANCE TO RED BARN SAVINGS CENTER TO CONSTRUCT A TEMPORARY BLACKTOP SIDEWALK ON THE HANEY AND PRINCETON AVENUE FRONTAGES OF THE RED BARN SAVINGS CENTER

WHEREAS, Red Barn Savings Center has submitted a request for a variance to permit blacktopping of an area on the Haney and Princeton Avenue frontages of the Red Barn, and

WHEREAS, Section 7-1.203 of the Municipal Code relating to sidewalk construction provides that no sidewalk shall be constructed other than of concrete unless special permission therefor has first been obtained from the Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Red Barn Savings Center be granted a variance to Section 7-1.203 of the Municipal Code to install a temporary blacktop sidewalk on the Haney and Princeton Avenue frontages of the Red Barn, in accordance with Resolution No. 58-235 of the City Council, dated July 23, 1958, subject to the following conditions:

1. That the permit is revocable upon giving the permittee 30 days notice, and upon revocation of the permit, permittee agrees to remove the blacktopping and return the street right of way to its original condition or install concrete sidewalk.

2. That the permittee indemnify and save the City harmless from any and all damages, costs and charges of any kind or character arising out of the rights granted by this permit.

3. That the permittee file a bond, cash deposit or savings and loan certificate in the amount of \$1,400 with the City Clerk to guarantee the conditions imposed in Para. 1, above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert,
NOES:	Councilmen:	VanderWall, Mayor Johansen
ABSENT:	Councilmen:	None
		None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-416

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING MEMBERS OF PRECINCT BOARDS FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, OCTOBER 8, 1963.

WHEREAS, on July 22, 1963, the Council of the City of Modesto adopted Resolution No. 63-362 calling a special municipal election to be held on Tuesday, October 8, 1963, in the City of Modesto, for the purpose of submitting to the qualified electors of said city the following referendum measure, to wit:

:		:	:	:	
:	REFERENDUM	Shall Ordinance No. 583-C.S. adopted by	:	:	:
:	MEASURE (A)	the Modesto City Council on May 20,	:	:	:
:		1963, entitled "An Ordinance of the City	:YES	:	:
:		of Modesto Declaring a Need for an Urban	:	:	:
:		Renewal Agency to Function; Declaring a	:	:	:
:		Need for Urban Renewal and Declaring	:	:	:
:		the Legislative Body of the Community to	:	:	:
:		be the Agency; and for Other Purposes",	:	:	:
:		and on file in the Office of the City	:NO	:	:
:		Clerk, be approved?	:	:	:
:			:	:	:

and

WHEREAS, said resolution fixed the manner of holding said election and provided for notice thereof, to which resolution reference is hereby made to all particulars with respect to the manner of holding and conducting said election as though fully set forth herein, and

WHEREAS, by this resolution the Council desires to select and designate the precincts, polling places and election officers for said special municipal election.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

For the purpose of holding said special municipal election, the said City of Modesto shall be and the same is hereby precincted and established into Thirty-Eight (38) special consolidated election precincts to be known and designated as follows:

- Special Consolidated Election Precinct No. 1
- Special Consolidated Election Precinct No. 2
- Special Consolidated Election Precinct No. 3
- Special Consolidated Election Precinct No. 4
- Special Consolidated Election Precinct No. 5
- Special Consolidated Election Precinct No. 6
- Special Consolidated Election Precinct No. 7
- Special Consolidated Election Precinct No. 8
- Special Consolidated Election Precinct No. 9
- Special Consolidated Election Precinct No. 10
- Special Consolidated Election Precinct No. 11
- Special Consolidated Election Precinct No. 12
- Special Consolidated Election Precinct No. 13
- Special Consolidated Election Precinct No. 14
- Special Consolidated Election Precinct No. 15
- Special Consolidated Election Precinct No. 16
- Special Consolidated Election Precinct No. 17
- Special Consolidated Election Precinct No. 18
- Special Consolidated Election Precinct No. 19
- Special Consolidated Election Precinct No. 20
- Special Consolidated Election Precinct No. 21
- Special Consolidated Election Precinct No. 22
- Special Consolidated Election Precinct No. 23
- Special Consolidated Election Precinct No. 24
- Special Consolidated Election Precinct No. 25
- Special Consolidated Election Precinct No. 26
- Special Consolidated Election Precinct No. 27
- Special Consolidated Election Precinct No. 28
- Special Consolidated Election Precinct No. 29
- Special Consolidated Election Precinct No. 30

Special Consolidated Election Precinct No. 31  
Special Consolidated Election Precinct No. 32  
Special Consolidated Election Precinct No. 33  
Special Consolidated Election Precinct No. 34  
Special Consolidated Election Precinct No. 35  
Special Consolidated Election Precinct No. 36  
Special Consolidated Election Precinct No. 37  
Special Consolidated Election Precinct No. 38

Said special consolidated election precincts have been established by consolidating the general election precincts within the City of Modesto, except as hereinafter noted, as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, now in force for general election purposes within the City, which said orders or resolution now on file and of record in the office of the Clerk of the Board of the Board of Supervisors of Stanislaus County, California, are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said precincts so established by said Board of Supervisors being herein referred to as "General Election Precincts"):

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 19, 20 and 21, have been consolidated and established into Special Consolidated Election Precinct No. 1.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 16, 17 and 18, have been consolidated and established into Special Consolidated Election Precinct No. 2.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 1, 2 and 12, have been consolidated and established into Special Consolidated Election Precinct No. 3.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 4, 8 and 13, have been consolidated and established into Special Consolidated Election Precinct No. 4.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 7, 9 and 10, have been consolidated and established into Special Consolidated Election Precinct No. 5.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 11, 54 and 101, have been consolidated and established into Special Consolidated Election Precinct No. 6.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 52 and 53, have been consolidated and established into Special Consolidated Election Precinct No. 7.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 6, 35 and 36, have been consolidated and established into Special Consolidated Election Precinct No. 8.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 55 and 83, have been consolidated and established into Special Consolidated Election Precinct No. 9.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 3, 5 and 34, have been consolidated and established into Special Consolidated Election Precinct No. 10.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 32, 33 and 45, have been consolidated and established into Special Consolidated Election Precinct No. 11.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 48, 50 and 51, have been consolidated and established into Special Consolidated Election Precinct No. 12.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 43, 44 and 81, have been consolidated and established into Special Consolidated Election Precinct No. 13.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 79, 80 and 109, have been consolidated and established into Special Consolidated Election Precinct No. 14.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 42 and 46, have been consolidated and established into Special Consolidated Election Precinct No. 15.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 49, 90 and 91, have been consolidated and established into Special Consolidated Election Precinct No. 16.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 66 and 78, have been consolidated and established into Special Consolidated Election Precinct No. 17.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 14 and 77, have been consolidated and established into Special Consolidated Election Precinct No. 18.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 73 and 104, have been consolidated and established into Special Consolidated Election Precinct No. 19.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 72 and 87, have been consolidated and established into Special Consolidated Election Printct No. 20.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 67, 68 and 103, have been consolidated and established into Special Consolidated Election Precinct No. 21.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 70, 82 and 92, have been consolidated and established into Special Consolidated Election Precinct No. 22.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 74 and 96, have been consolidated and established into Special Consolidated Election Precinct No. 23.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 75, 76 and 95, have been consolidated and established into Special Consolidated Election Precinct No. 24.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 69, 86, 88, 94 and 105, have been consolidated and established into Special Consolidated Election Precinct No. 25.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 63, 64 and 65, have been consolidated and established into Special Consolidated Election Precinct No. 26.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 15, 61 and 62, have been consolidated and established into Special Consolidated Election Precinct No. 27.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 57, 58 and 59, have been consolidated and established into Special Consolidated Election Precinct No. 28.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 37, 56 and 60, have been consolidated and established into Special Consolidated Election Precinct No. 29.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 22, 23 and 71, have been consolidated and established into Special Consolidated Election Precinct No. 30.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 24, 28 and 38, have been consolidated and established into Special Consolidated Election Precinct No. 31.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 25, 26 and 27, have been consolidated and established into Special Consolidated Election Precinct No. 32.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 29, 31, 41, 47 and 85, have been consolidated and established into Special Consolidated Election Precinct No. 33.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 30 and 40, have been consolidated and established into Special Consolidated Election Precinct No. 34.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 39 and 108 have been consolidated and established into Special Consolidated Election Precinct No. 35.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 84 and 97, have been consolidated and established into Special Consolidated Election Precinct No. 36.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 89, 98, 99 and 100, have been consolidated and established into Special Consolidated Election Precinct No. 37.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 93, 102, 106 and 107, have been consolidated and established into Special Consolidated Election Precinct No. 38.

The following places have been by said City Council fixed and designated as and for the places of holding said election within the said City of Modesto and the following named persons have been designated and appointed to act as officers of election for said election, for said City of Modesto and will conduct the same, to-wit:

Special Consolidated Election Precinct No. 1 (M19-M20-M21)

Polling Place: The L.M. Morris Company  
1107 Eye Street

PRECINCT BOARD

Inspector: Mrs. Christine Wood  
Judge: Mrs. Lottie Savercool  
Clerk: Mrs. Grace E. Darling  
Clerk: Mrs. Lillian A. Cook

Special Consolidated Election Precinct No. 2 (M16-M17-M18)

Polling Place: The Fire House  
416 Downey Avenue

PRECINCT BOARD

Inspector: Mrs. Gladys R. Caskey  
Judge: Mrs. Rose May Wells  
Clerk: Mrs. Eileen Orvis  
Clerk: Mrs. Dorothy Ann Clark

Special Consolidated Election Precinct No. 3 (M1-M2-M12)

Polling Place: The Modesto Irrigation  
District Building  
1231 Eleventh Street

PRECINCT BOARD

Inspector: Mrs. Ada Dallas Carroll  
Judge: Mrs. Leta Duggins  
Clerk: Mrs. Tennie D. Amerine  
Clerk: Mrs. Lydia B. Drennan

Special Consolidated Election Precinct No. 4 (M4-M8-M13)

Polling Place: The Latter Day Saints Church  
Basement  
Needham and Elmwood Avenues

PRECINCT BOARD

Inspector: Mrs. Muriel E. Welt  
Judge: Mrs. Eva M. Hagedorn  
Clerk: Mrs. Ann Osborne  
Clerk: Mrs. Pearl Hansen

Special Consolidated Election Precinct No. 5 (M7-M9-M10)

Polling Place: Sadie Bowlby Residence  
208 Melrose Avenue

PRECINCT BOARD

Inspector: Mrs. Martha Lehman  
Judge: Mrs. Harry V. Maloney  
Clerk: Mrs. Frank L. Motley  
Clerk: Mrs. Sadie M. Bowlby

Special Consolidated Election Precinct No. 6 (M11-M54-M101)

Polling Place: Community Service Center  
800 E. Morris Avenue

PRECINCT BOARD

Inspector: Mrs. Dorothy E. Rix  
Judge: Mrs. Lillian Tatoyan  
Clerk: Mrs. Imogene Sawyer  
Clerk: Mrs. Janet M. Reed

Special Consolidated Election Precinct No. 7 (M52-M53)

Polling Place: Fleshman Rumpus Room  
701 Castle Avenue

PRECINCT BOARD

Inspector: Mrs. Anita J. Fleshman  
Judge: Mrs. Irene K. Hicks  
Clerk: Mrs. Emily M. Turner  
Clerk: Mrs. Marguerite E. Dunlop

Special Consolidated Election Precinct No. 8 (M6-M35-M36)

Polling Place: Helen Olson Garage  
609 High Street

PRECINCT BOARD

Inspector: Mrs. F. Estella Steger  
Judge: Mrs. Edith Lo Forti  
Clerk: Mrs. Amy O. Bates  
Clerk: Mrs. Marguerite J. Owen

Special Consolidated Election Precinct No. 9 (M55-M83)

Polling Place: Don L. Tomlins Garage  
1539 Florida

PRECINCT BOARD

Inspector: Mrs. Sumiye Suzuki  
Judge: Mrs. Josephine Tomlins  
Clerk: Mrs. Elizabeth C. Crouse  
Clerk: Mrs. Lillian Speilman

Special Consolidated Election Precinct No. 10 (M3-M5-M34)

Polling Place: Boy Scout Club House  
Enslin Park

PRECINCT BOARD

Inspector: Mrs. Sarah A. Jessen  
Judge: Mrs. Virginia L. Lee  
Clerk: Mrs. Anna E. Bacciarini  
Clerk: Mrs. Marie Fagan

Special Consolidated Election Precinct No. 11 (M32-M33-M45)

Polling Place: Mrs. M. Hirseland Residence  
915 Coldwell

PRECINCT BOARD

Inspector: Mrs. Mary F. Hirseland  
Judge: Mrs. Georgia M. Reuhl  
Clerk: Mrs. Jane R. Disney  
Clerk: Mrs. Mary E. Schenewark

Special Consolidated Election Precinct No. 12 (M48-M50-M51)

Polling Place: Enslin School Entry Hall  
515 Coldwell

PRECINCT BOARD

Inspector: Mrs. Zola Hoagland  
Judge: Mrs. Geraldine V. Harris  
Clerk: Mrs. Alice E. Pickering  
Clerk: Mrs. Helen M. Fechner

Special Consolidated Election Precinct No. 13 (M43-M44-M81)

Polling Place: Richard Eaton Residence  
1429 Princeton

PRECINCT BOARD

Inspector: Mrs. Helen E. Vager  
Judge: Mrs. Edith K. Eaton  
Clerk: Mrs. Elizabeth T. Carner  
Clerk: Mrs. Mary A. Harmon

Special Consolidated Election Precinct No. 14 (M79-M80-M109)

Polling Place: Robert Kohler Garage  
1505 West Roseburg

PRECINCT BOARD

Inspector: Mrs. Esther Mae Kohler  
Judge: Mrs. Sophia J. Armstrong  
Clerk: Mrs. Mildred M. Magill  
Clerk: Mrs. Lily M. Lystra

Special Consolidated Election Precinct No. 15 (M42-M46)

Polling Place: John Bomberger Residence  
1114 Amherst Avenue

PRECINCT BOARD

Inspector: Mrs. Sadie A. Bomberger  
Judge: Mrs. Anna B. Lacy  
Clerk: Mrs. Iva H. Allen  
Clerk: Mrs. Helen J. Berdot

Special Consolidated Election Precinct No. 16 (M49-M90-M91)

Polling Place: E. F. Soderstrom Residence  
1335 Magnolia

PRECINCT BOARD

Inspector: Mrs. Mary E. Soderstrom  
Judge: Mrs. Margery L. De Lugg  
Clerk: Mrs. Theresa E. Doll  
Clerk: Mrs. Doris I. Bader

Special Consolidated Election Precinct No. 17 (M66-M78)

Polling Place: Congregational Church  
Orangeburg & College

PRECINCT BOARD

Inspector: Mrs. Helene Throssell  
Judge: Mrs. Esther A. Hovey  
Clerk: Mrs. Beatrice G. Loer  
Clerk: Mrs. Shirley M. Gianotti

Special Consolidated Election Precinct No. 18 (M14-M77)

Polling Place: H. Merkel Residence  
1550 Bronson

PRECINCT BOARD

Inspector: Mrs. Tabea Merkel  
Judge: Mrs. Gertrude C. Reed  
Clerk: Mrs. Betty F. Carlson  
Clerk: Mrs. Thelma M. Bandy

Special Consolidated Election Precinct No. 19 (M73-M104)

Polling Place: The Garrison Elementary School  
Nurse's Room  
Corner of Teresa & Martin Streets

PRECINCT BOARD

Inspector: Mrs. Patsy J. McElhaney  
Judge: Mrs. Ruby F. Duarte  
Clerk: Mrs. Twanda J. Kretz  
Clerk: Mrs. Ruth Colvin

Special Consolidated Election Precinct No. 20 (M72-M87)

Polling Place: Mary E. Snow Residence  
1529 Teresa Street

PRECINCT BOARD

Inspector: Mrs. Willma A. Grant  
Judge: Mrs. LaDean F. Messer  
Clerk: Mrs. Eula B. Lowery  
Clerk: Mrs. Mary E. Snow

Special Consolidated Election Precinct No. 21 (M67-M68-M103)

Polling Place: H. Branic Residence  
1305 Glenwood Drive

PRECINCT BOARD

Inspector: Mrs. Hazel C. Branic  
Judge: Mrs. Audrey U. Fine  
Clerk: Mrs. Bertha C. Wilson  
Clerk: Mrs. Mary E. Kirkish

Special Consolidated Election Precinct No. 22 (M70-M82-M92)

Polling Place: Lee Bloxham Residence  
2010 Sherwood Avenue

PRECINCT BOARD

Inspector: Mrs. June F. Bloxham  
Judge: Mrs. Marjorie D. Underwood  
Clerk: Mrs. Ila Mae Evans  
Clerk: Mrs. Elaine B. DeVries

Special Consolidated Election Precinct No. 23 (M74-M96)

Polling Place: The Beard Elementary School  
Entry Way  
915 Bowen Avenue

PRECINCT BOARD

Inspector: Mrs. Ruth M. Martin  
Judge: Mrs. Genevieve Johnson  
Clerk: Mrs. Mildred R. Bernacchi  
Clerk: Mrs. Mary Lea Wilson

Special Consolidated Election Precinct No. 24 (M75-M76-M95)

Polling Place: D. Dunford Residence  
2317 Monte Carlo

PRECINCT BOARD

Inspector: Mrs. Phyllis J. Trelfall  
Judge: Mrs. Donnabelle Z. Losher  
Clerk: Mrs. Harriet T. Jolley  
Clerk: Mrs. Bertha Hughes

Special Consolidated Election Precinct No. 25 (M69-M86-M88-M94-M105)

Polling Place: W. England Residence  
1425 Mt. Vernon Drive

PRECINCT BOARD

Inspector: Mrs. Anna M. England  
Judge: Mrs. Cynthia A. Given  
Clerk: Mrs. Jean T. LaNinfa  
Clerk: Mrs. Velma L. Young

Special Consolidated Election Precinct No. 26 (M63-M64-M65)

Polling Place: Mrs. R. M. Ross Residence  
2010 Haddon

PRECINCT BOARD

Inspector: Mrs. Rosaline M. Ross  
Judge: Mrs. Laverna A. Phoenix  
Clerk: Mrs. Evelyn M. Williamson  
Clerk: Mrs. Gladys B. Powell

Special Consolidated Election Precinct No. 27 (M15-M61-M62)

Polling Place: The LaLoma Junior High School  
1800 Encina

PRECINCT BOARD

Inspector: Mrs. Lelah A. Graves  
Judge: Mrs. Thelma R. Breckenridge  
Clerk: Mrs. Ardeth M. Smith  
Clerk: Mrs. Dorothy L. Miner

Special Consolidated Election Precinct No. 28 (M57-M58-M59)

Polling Place: Gerald Curtice Residence  
1325 Encina

PRECINCT BOARD

Inspector: Mrs. Iris S. Bird  
Judge: Mrs. Catherine V. Turpen  
Clerk: Mrs. Elva G. Henderson  
Clerk: Mrs. Hilda E. Hamilton

Special Consolidated Election Precinct No. 29 (M37-M56-M60)

Polling Place: Wilson School Nurse's Room  
201 Wilson Avenue

PRECINCT BOARD

Inspector: Mrs. Juanita Bystrom  
Judge: Mrs. Matilda M. Condit  
Clerk: Mrs. Sadie I. King  
Clerk: Mrs. Livia M. Lucks

Special Consolidated Election Precinct No. 30 (M22-M23-M71)

Polling Place: City Schools Board Room  
Administration Building  
426 Locust Street

PRECINCT BOARD

Inspector: Mrs. Anna L. Starr  
Judge: Mrs. Emma M. Brown  
Clerk: Mrs. Louise C. Netherton  
Clerk: Mrs. Pearl A. Duncan

Special Consolidated Election Precinct No. 31 (M24-M28-M38)

Polling Place: Washington School  
Washington and Eye Streets

PRECINCT BOARD

Inspector: Mrs. Beatrice A. Hoover  
Judge: Mrs. Henrietta Masciorini  
Clerk: Mrs. Edwina B. Mielenz  
Clerk: Mrs. Vivian F. Barber

Special Consolidated Election Precinct No. 32 (M25-M26-M27)

Polling Place: Fire House  
Second Street & G Street

PRECINCT BOARD

Inspector: Mrs. Johnnie C. Day  
Judge: Mrs. Letha G. McFarland  
Clerk: Mrs. Louise W. Olmstead  
Clerk: Mrs. Maola Wooley

Special Consolidated Election Precinct No. 33 (M29-M31-M41-M47-M85)

Polling Place: Ed Craig Residence  
131 Madera Avenue

PRECINCT BOARD

Inspector: Mrs. Esther E. Craig  
Judge: Mrs. Ina L. Houston  
Clerk: Mrs. Lola A. Isola  
Clerk: Mrs. Antoinette M. Podesto

Special Consolidated Election Precinct No. 34 (M30-M40)

Polling Place: Mrs. May Sleeman Residence  
422 Leon Avenue

PRECINCT BOARD

Inspector: Mrs. Josephine A. White  
Judge: Mrs. Mary Ann Bettencourt  
Clerk: Mrs. K. May Sleeman  
Clerk: Mrs. Marjorie J. Anderson

Special Consolidated Election Precinct No. 35 (M39-M108)

Polling Place: James Marshall School  
Hall Way  
515 Sutter

PRECINCT BOARD

Inspector: Mrs. Vera N. Marlett  
Judge: Mrs. Genevie N. Reed  
Clerk: Mrs. Dorothy E. Ford  
Clerk: Mrs. Dorothy S. Patterson

Special Consolidated Election Precinct No. 36 (M84-M97)

Polling Place: Chester Link Residence  
317 Ribier

PRECINCT BOARD

Inspector: Mrs. Patrecia N. Link  
Judge: Mrs. Evelyn Hubbard  
Clerk: Mrs. Lyla M Swan  
Clerk: Mrs. Gladys M. Montgomery

Special Consolidated Election Precinct No. 37 (M89-M98-M99-M100)

Polling Place: Standiford School  
605 Tokay

PRECINCT BOARD

Inspector: Mrs. Sandra S. Barber  
Judge: Mrs. Neva B. Switzer  
Clerk: Mrs. Johnna L. Reich  
Clerk: Mrs. Gertrude M. Shirley

Polling Place: Leo Crismon Residence  
2013 Carver Road

PRECINCT BOARD

Inspector: Mrs. Myrta G. Crismon  
Judge: Mrs. Betty S. Watson  
Clerk: Mrs. Evelyn P. Cornwell  
Clerk: Mrs. Margie Z. Smith

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
Acting City Clerk

(SEAL)

A RESOLUTION EXTENDING THE LIMITS IMPOSED  
BY THE DEVELOPMENT SCHEDULE APPROVED AS  
PART OF PLANNED DEVELOPMENT ZONE, P-D(12).  
(SPENCER ADDITION)

WHEREAS, by Ordinance No. 592-C.S., effective August 7, 1963, the Council amended Section 31 of the Zoning Map reclassifying property from Interim Planned Development Zone, (I)P-D(12), to Planned Development Zone, P-D(12), as requested by Monighan and Associates, and

WHEREAS, by Resolution No. 63-307, adopted June 24, 1963, the Council approved a development plan and development schedule as part of said Planned Development Zone, P-D(12), which provided that construction begin on or before September 1, 1963, and be completed on or before November 1, 1965, and

WHEREAS, a letter dated August 13, 1963, has been received by the Planning Department requesting an extension of the limits imposed by the development schedule because of delays in receiving final approval and the need for additional time for the letting of bids, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that upon the recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits imposed by the development schedule, and

WHEREAS, after consideration of the matter on August 20, 1963, it was determined by the Planning Commission that good cause has been shown by the applicant for his inability to meet the approved development schedule, and

WHEREAS, by Resolution No. 971, adopted August 20, 1963, the Planning Commission recommended to the Council that the limits imposed by the development schedule approved as part

of Planned Development Zone, P-D(12), be extended to provide that the date for beginning construction be extended to January 10, 1964,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The limits imposed by the development schedule approved by Section 2 of Resolution No. 63-307, adopted June 24, 1963, as part of Planned Development Zone, P-D(12), shall be extended as follows:

(a) The entire construction program shall be accomplished in one phase, construction to begin on or before January 10, 1964, and be completed on or before November 1, 1965.

SECTION 2. Except as otherwise provided in this resolution, the provisions of Resolution No. 63-307 shall continue to be in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen

NOES: Councilmen: VanderWall

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-418

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$35 FROM McHENRY LIBRARY CAPITAL OUTLAY FUND, GENERAL RESERVE TO BARRED GATES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

McHENRY LIBRARY CAPITAL OUTLAY FUND (301)

FROM:	General Reserve (600)	\$35
TO:	Barred Gates (5301)	\$35

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-419

A RESOLUTION AUTHORIZING THE RELEASE OF THE GENERAL INSURANCE COMPANY OF AMERICA SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN QUARESMA HOMES UNIT NO. 4 SUBDIVISION

WHEREAS, John and Bernice Quaresma, Subdividers of Quaresma Homes Unit No. 4 Subdivision, have filed with the City of Modesto a contract bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the contract bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the General Insurance Company of America Subdivision Bond No. 463572 in the sum of \$17,300.00 filed by John and Bernice Quaresma, to guarantee the improvements in Quaresma Homes Unit No. 4, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-420

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ORVILLE OKERSON (GASOLINE CONCESSION, AIRPORT, AND SERVICES)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and  
Orville Okerson

for gasoline concession business at Modesto City- County Airport and services  
(for a period of one year commencing on the first day of July, 1963, and ending on the 30th day of June, 1964)  
be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 19 63, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: Pauline P. Stanley  
~~XXXXXX~~  
ACTING CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-421

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 63-338 ENTITLED "A RESOLUTION RELATING TO THE GRANTING OF SPECIAL PERMITS TO USE DEL WEBB FIELD," AND RESCINDING RESOLUTION NO. 63-387

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 63-338 entitled, "A Resolution Relating to the Granting of Special Permits to Use Del Webb Field," be, and it is hereby amended as follows:

SECTION 1. GRANTING OF PERMITS. The director of Parks and Recreation is hereby authorized to grant permits to the following persons or organizations requesting permission to use Del Webb Field for the uses hereinafter specified subject to the conditions set forth in this resolution:

<u>USE</u>	<u>ORGANIZATION</u>
Fourth of July Celebration Circus	Stanislaus County Fourth of July Committee Modesto Lodge No. 1282, Benevolent and Protective Order of Elks
Dawg Daze	The Exchange Club of Modesto
Baseball Games	Modesto Community Athletic Association (Colts)
Donkey Baseball	Twenty-Thirty Club of Modesto
Trailer Rally	Travel Trailer Club
Pony Show	Kenneth Balm (Central Calif. Shetland Pony Club)
Wrestling Show	California Athletic Club
Circus	American Legion, Modesto Post #74
Circus	Modesto Junior Chamber of Commerce
Major League Baseball Teams	Sportsmen of Stanislaus
Circus	Civil Air Patrol, Modesto Squadron 50
Baseball Games	Modesto Baseball for Boys
Baseball Games	Modesto Caballero Athletic Club
Baseball Games	Modesto Retail Baseball Association

BE IT FURTHER RESOLVED that Resolution No. 63-387 entitled "A Resolution Amending Section 1 of Resolution No. 63-338 Entitled 'A Resolution Relating to the Granting of Special Permits to Use Del Webb Field,' and Rescinding Resolution No. 63-371" be, and it is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, By Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley  
ACTING CITY CLERK

A RESOLUTION ACCEPTING THE IMPOSITION OF  
ADDITIONAL HIGHWAY USERS TAXES AND FEES  
PURSUANT TO CHAPTER 1852, STATUTES OF 1963.

BE IT RESOLVED by the Council of the City of Modesto  
as follows:

SECTION 1. To comply with the provisions of Section 10.2 of the Collier-Unruh Local Transportation Development Act (Streets and Highways Code Section 186.1), the City of Modesto hereby adopts a resolution approving the imposition of additional highway users taxes and fees pursuant to said Act.

SECTION 2. The City desires apportionments to be made to it in accordance with provisions of said section of the Act and is aware of the necessity of conforming to the matching requirements prescribed by Section 14 of said Act (Streets and Highways Code Section 186.5).

SECTION 3. All monies received by the City from the State under the provisions of Section 10.2 of said Act shall be paid into the Special Gas Tax Street Improvement Fund and expended exclusively for acquisition of rights-of-way for and construction of routes on the select system of city streets established as provided in Section 12 of said Act (Streets and Highways Code Section 186.3).

SECTION 4. In compliance with said Act the City Clerk is directed to send a properly certified copy of this resolution to the Department of Public Works at Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Shastid,

who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-423

A RESOLUTION AMENDING SECTION 2 OF RESOLUTION NO. 63-185 ENTITLED, "A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT, AND RESCINDING RESOLUTION NO. 60-395."

BE IT RESOLVED by the Council of the City of Modesto that Section 2 of Resolution No. 63-185 entitled, "A Resolution Establishing Charges and Fees for Activities and Services at the Modesto City-County Airport, and Rescinding Resolution No. 60-395" be amended to read as follows:

SECTION 2. TIE DOWN FEES. Tie down charges and fees at the Modesto City-County Airport are hereby established as follows, payable in advance:

- (a) Tie Downs - Permanent - Single  
Engine . . . . . \$ 8.50 per month.
- (b) Tie Downs - Permanent - Light  
Twins . . . . . 15.00 per month.
- (c) Tie Downs - Permanent - Heavy  
Twins . . . . . 20.00 per month.
- (d) Tie Downs - Permanent - All 4  
Engine Aircraft . . . . . 25.00 per month.
- (e) Tie Downs - Transient - Single  
Engine . . . . . .50 per day.
- (f) Tie Downs - Transient - Light  
Twins . . . . . 1.00 per day.
- (g) Tie Downs - Transient - Heavy  
Twins . . . . . 1.50 per day.
- (h) Tie Downs - All 4 Engine Aircraft 2.50 per day.

Overnight tie downs of aircraft belonging to or in the custody or possession of lessee shall be subject to the normal tie down charge as specified by this section.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE BURBANK-PARADISE COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO.  
( MCBRIDE ADDITION)

WHEREAS, a portion of the Burbank-Paradise County  
Fire Protection District was annexed to the City of Modesto by  
Ordinance No. 598 -C.S. adopted on August 12, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on August 14, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and  
the County Assessor of copies of a resolution of the legislative  
body of the city, describing the included portion, and declaring  
such portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and  
provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the  
Burbank-Paradise County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and  
he is hereby directed to file a certified copy of this resolu-  
tion with the State Board of Equalization, the governing body  
of said Fire Protection District, and the Assessor of Stanis-  
laus County.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 9th  
day of September, 1963, by Councilman Shastid,

who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen.

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:   
City Clerk

(SEAL)

McBRIDE ADDITION

All that real property in the State of California, County of Stanislaus, Sections 1 and 12, Township 4 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Western line of the Modesto Sewage Disposal Plant Area Addition, as per description Recorded March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being the section corner common to Sections 1 and 12; thence along the East line of Section 12, South  $00^{\circ} 11'$  East, 324 feet, to the center line of the Tuolumne River; thence meandering Northwesterly downstream along said center line, to a point on the North-South quarter quarter line of the Southeast quarter of Section 1; thence along said quarter quarter line, North  $00^{\circ} 16'$  West, 925 feet to a point on the Southern line of a 60 foot Public Road known as Robertson Road, as shown on the map of Tuolumne Terrace, filed November 15, 1945 in Volume 14 of Maps, Page 39, Stanislaus County Records; thence along said Southern line of Robertson Road, South  $78^{\circ} 44'$  East, 1349.72 feet, to a point on the East line of Section 1; thence along said section line, South  $00^{\circ} 11'$  East, 1296.16 feet, to the point of beginning, containing 38.910 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO 63-425

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MERLE HEFFNER FOR LEASE OF ONE-HALF OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Merle Heffner

for lease of west one-half of Hangar No. 1, located at Modesto  
City-County Airport for one year beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
September, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Hughes,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST: \_\_\_\_\_

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO 8-426

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD MONTGOMERY FOR LEASE OF ONE-HALF OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald Montgomery

for lease of east one-half of Hangar No. 1, located at Modesto City-County Airport for one year beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-427

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
NATHAN J. PROVINCE FOR LEASE OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Nathan J.  
Province

for lease of Hangar No. 3, located at Modesto City-County Airport  
for one year beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
September, 1963, by Councilman Hughes, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-428

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
WALTER FOUNTAIN FOR LEASE OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Walter Fountain

for lease of Hangar No. 2, located at Modesto City-County Airport  
for one year beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
September, 1963, by Councilman Hughes, who moved its  
adoption, which motion being duly seconded by Councilman Shastid,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-429

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD P. LA TOURETTE FOR LEASE OF PORTION OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald P. LaTourette

for lease of portion of Hangar No. 5, located at Modesto City-County Airport for one year beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-430

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL CO.  
FOR THE INSTALLATION OF TRAFFIC SIGNALS AT TULLY ROAD AND  
ORANGEBURG AVENUE

WHEREAS, Resolution No. 63-373, adopted by the Council  
of the City of Modesto on Aug. 5, 1963, approved the plans  
and specifications for the installation of traffic signals at  
Tully Road and Orangeburg Avenue  
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of traffic  
signals at Tully Road and Orangeburg Avenue  
were opened at 2:00 P.M. September 4, 1963, and later tabulated  
by the ~~PUBLIC WORKS~~ <sup>Parking & Traffic</sup> Department for the consideration of the  
Council, and

WHEREAS, the Director of ~~PUBLIC WORKS~~ <sup>Parking & Traffic</sup> has recommended that  
the bid of Industrial Electrical Co. in the amount of \$7,574  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that the bid of Modesto Electrical Co.

be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
September, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-431

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR DEVELOPMENT  
OF MORAN ESTATES PARK SITE

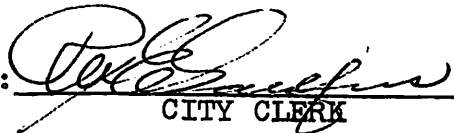
BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

From:		
	Special Fund for Capital Outlays (321)	\$5,300
	General Reserve (600)	
To:		
	Park Development, Moran Estates (5323)	\$5,300

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-432

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS  
AND UNCLAIMED PERSONAL PROPERTY.

BE IT RESOLVED by the Council of the City of Modesto  
as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell those certain items of personal property of the City of Modesto as shown on that certain document entitled "List of Surplus Property" dated September 4, 1963, on file in the Office of the City Clerk. Said personal property has been found to be surplus and of no use to the City.

SECTION 2. The City Manager is hereby authorized and directed to sell those certain items of personal property now in the possession of the Police Department, which have been unclaimed for a period of at least six (6) months, as shown on that certain document entitled "List of Unclaimed Property Held by the Police Department" dated September 4, 1963, on file in the Office of the City Clerk.

SECTION 3. The foregoing sales shall be made at public auction in the City of Modesto. The City Manager is hereby authorized to fix the time and place for said sales. At least five (5) days before the time fixed for each sale, the City Clerk shall cause notice thereof to be published once in The Modesto Tribune, the official newspaper of the City of Modesto. Said notice shall set forth the time and place of the sale and the items of property to be offered for sale.

The sale shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold at said auction sales shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of September, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 63-433 Project No. \_\_\_\_\_  
(For HHFA use.)

Resolution providing for increase in planned total expenditure for capital improvement projects.

Whereas, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authorized the making of a grant to aid in financing the construction of a specific public works project, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works project:

Now, Therefore, Be It Resolved By the Modesto City Council  
Governing Board of Applicant

- That as of the date of filing of an application by City of Modesto  
(Exact Legal Corporate Name of Applicant)  
(hereafter called Applicant) with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of North Modesto Sanitary Sewer Extension  
(Brief Project Description)  
the Applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was \$ 750,621.00 for the fiscal year ending 6-30-64 and \$ --- for the fiscal year ending ---.
- That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be [is hereby] increased by \$ 733,750 for the fiscal year ending 6-30-64 and \$ --- for the fiscal year ending --- for a total increase of \$ 733,750 in the proposed or planned total expenditure for capital improvement projects (exclusive of Federal funds).
- That said total increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.


This resolution is adopted pursuant to the authority provided by the Charter of the City of Modesto  
(cite applicable State or local law).

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Modesto  
(Title of Officer) (Exact Legal Corporate Name of Applicant)  
does hereby certify: That the attached resolution is a true and correct copy of the resolution, providing for an increase in the proposed or planned total expenditures for capital improvement projects, as regularly adopted at a legally convened meeting of the Modesto City Council duly held on the 9th day of September, 1963; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 9th day of September, 1963.

If the applicant has an official seal, impress here

  
Signature of Recording Officer  
City Clerk  
Title of Recording Officer

A RESOLUTION RELATING TO THE GRANTING OF SPECIAL PERMITS TO USE DEL WEBB FIELD, AND RESCINDING RESOLUTION NO. 63-338, RESOLUTION NO. 63-371, RESOLUTION NO. 63-387, AND RESOLUTION NO. 63-421.

WHEREAS, from time to time, the Council receives requests for special permission to use Del Webb Field for special events of a nature that it has previously approved on prior occasions, and

WHEREAS, the Council finds it desirable that permission for these uses be handled administratively, and

WHEREAS, Section 12-3.03 of the Municipal Code authorizes the Council by resolution to control and regulate the use of Del Webb Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. GRANTING OF PERMITS. (a) The Director of Parks and Recreation is hereby authorized to grant permits to the following persons or organizations requesting permission to use Del Webb Field for the uses hereinafter specified subject to the conditions set forth in this resolution:

<u>USE</u>	<u>ORGANIZATION OR PERSON</u>
Fourth of July Celebration	Stanislaus County Fourth of July Committee
Circus	Modesto Lodge No. 1282, Benevolent and Protective Order of Elks
Circus	American Legion, Modesto Post #74
Circus	Modesto Junior Chamber of Commerce
Circus	Civil Air Patrol
Dawg Daze	The Exchange Club of Modesto
Donkey Baseball	Twenty-Thirty Club of Modesto
Donkey Baseball	Modesto Retailer Baseball Association
Baseball Games	Modesto Community Athletic Association (Modesto Colts)
Baseball Games	Modesto Baseball for Boys
Baseball Games	Caballero Club
Major League Baseball Teams	Sportsmen of Stanislaus

Trailer Rally

Travel Trailer Club

Pony Show

Kenneth Balm (Central California  
Shetland Pony Club)

Wrestling Show

California Athletic Club

(b) In addition to those persons and organizations listed in subsection (a) above, the Director of Parks and Recreation is hereby authorized to grant permits to other persons and organizations which submit requests for use of said Del Webb Field in writing to the Director of Parks and Recreation. All such requests shall be approved or denied by the Director subject to the conditions hereinafter specified, provided the requested use will not interfere with the primary use of the field. Any person excepting to the denial of his request by the Director of Parks and Recreation may appeal the decision to the Council in accordance with the provisions of Chapter 4 of Title I of the Modesto Municipal Code.

SECTION 2. CONDITIONS. The granting of the special permits for the uses and to the organizations or persons as set forth in Section 1(a) of this resolution, or any other persons or organizations approved by the Director of Parks and Recreation in accordance with Section 1(b) hereof, shall be subject to the following conditions:

(a) The facilities are available and adequate for the requested use on the date requested.

(b) Applicant agrees in writing to indemnify and hold the City, its agents, officers and employees harmless from any and all liability for personal injuries, property damage and costs and charges of any kind or character arising out of or relating to or in any way connected with the exercise of said permit, and to reimburse the City for any damages to the facility occurring or resulting from or during its use.

(c) Applicant agrees in writing, at its own cost and expense, to defend any and all law suits arising out of or in any way connected with the exercise of said permit.

(d) Applicant shall take out and maintain during the life of the permit Public Liability and Property Damage Insurance to protect it and any persons performing work under the permit, from claims for damages for personal injury, including accidental death, as well as claims for property damage, which may arise out of the exercise of the rights granted by the permit, whether by itself, or anyone directly or indirectly employed or contracted by Applicant. The amount of such insurance shall be as follows:

Public Liability and Property Damage Insurance in an amount not less than One Hundred Thousand and no/100ths (\$100,000.00) Dollars for injuries, including accidental death, to any one person, subject to the same limit for each person in an amount not less than Two Hundred Thousand and no/100ths (\$200,000.00) Dollars on account of one occurrence; and Property Damage Insurance in an amount not less than Twenty-Five Thousand and no/100ths (\$25,000.00) Dollars.

Applicant shall furnish the Director of Parks and Recreation with a certificate of insurance as evidence of carriage of the insurance required.

(e) Applicant shall comply with the rules and regulations governing the use of Del Webb Field as contained in Section 12-3.02 of the Modesto Municipal Code and the rules and regulations for the use of Del Webb Field as adopted by City Council Resolution No. 61-454 as supplemented by the provisions of this resolution.

**SECTION 3. FURNISHING PERMITS.** The Director of Parks and Recreation shall furnish Applicant with a copy of the permit, setting forth the terms and conditions of the permit. The Director shall not issue a permit until he has been furnished with the certificate of insurance required by this resolution. Applicant shall be required to sign a copy of the permit which shall be maintained on file in the Parks and Recreation Department and no right shall be conferred by any permit authorized under this

resolution until said written consent to the terms and conditions of the permit is executed by the Applicant.

SECTION 4. REPEALS. Resolution No. 63-338, adopted by the Council on July 8, 1963, Resolution No. 63-371, adopted on August 5, 1963, Resolution No. 63-387, adopted on August 12, 1963, and Resolution No. 63-421, adopted on August 26, 1963, are hereby rescinded.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ALLEN GRIMES, City Attorney

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS  
TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB  
AND GUTTER ALONG CERTAIN STREETS IN THE  
CITY OF MODESTO. (1316 ROSEBURG AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets  
and Highways Code of the State of California establishes a procedure  
pursuant to which the construction of curbs and gutters  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets  
and Highways Code, the Superintendent of Streets finds that curbs  
and gutters have been constructed in front of the  
properties constituting more than fifty per cent (50%) of the street  
frontage of 1316 Roseburg Avenue

---

---

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto as follows:

SECTION 1. The Superintendent of Streets is hereby directed  
to notify the owners of record of the properties described as follows:

Lot 5, Block 935 of College Gardens as per map  
filed May 27, 1946 in Volume 14, Page 58,  
Stanislaus County Records,


to construct or cause to be constructed curb and gutter  
along the street frontage of the property/~~properties~~ hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 7th day of October, 1963, at 4:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: Mitchell

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 436

A RESOLUTION INCREASING THE 1963-64 REVENUE ESTIMATES FOR SECURED PROPERTY TAXES AND APPROPRIATING AND ALLOCATING THE FUNDS IN THE ENGINEERING RESERVE IN THE GENERAL FUND AND IN THE GENERAL RESERVE IN THE PARK FUND.

WHEREAS, it is anticipated that an additional sum of Seventy-Eight Thousand, Two Hundred Sixty-Six and no/100ths (\$78,266.00) Dollars not heretofore appropriated will be received during the 1963-64 fiscal year from secured property taxes levied within the City, and

WHEREAS, the Council desires to appropriate said funds during the 1963-64 fiscal year in an Engineering Reserve in the General Fund and in the General Reserve of the Park Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Seventy-Eight Thousand, Two Hundred Sixty-Six and no/100ths (\$78,266.00) Dollars, which is estimated to be received as increased revenue for secured property taxes during the 1963-64 fiscal year and not heretofore appropriated is hereby appropriated as follows:

602 Engineering Reserve in the General Fund in the amount of \$48,164.00

600 General Reserve in the Park Fund in the amount of \$30,102.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 437  
43 -

A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER OF THE CITY OF MODESTO TO SIGN FOR AND ACCEPT SURPLUS FEDERAL PROPERTY AND RESCINDING RESOLUTION NO. 58-82 AND 61-292

WHEREAS, by Public Law 655, 84th Congress (70th Stat. 493), the Federal Government has authorized the donation of surplus Federal property for civil defense purposes; and

WHEREAS, certain conditions are imposed by the Office of Civil and Defense Mobilization, the Department of Health, Education and Welfare, the California Disaster Office, and the State Educational Agency for Surplus Property, in connection with the acquisition of such property; and

WHEREAS, the City of Modesto, California, desires to establish its eligibility for such property;

IT IS, THEREFORE, certified that:

I. It is a civil defense organization designated pursuant to State law, within the meaning of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Department of Health, Education and Welfare.

II. Property requested by this document is usable and necessary in the State for civil defense purposes, including research for any such purpose; is required for its own use to fill an existing need; and is not being acquired for any other use or purpose, for use outside the State, or for sale.

III. Funds are available to pay the costs of care and handling incident to donation, including packing, preparation for shipping, loading, and transporting such property.

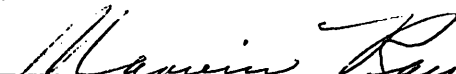
THE DONEE HEREBY AGREES TO THE FOLLOWING TERMS AND CONDITIONS:

- I. TERMS AND CONDITIONS APPLICABLE TO ALL PROPERTY, REGARDLESS OF ACQUISITION COST, DONATED FOR CIVIL DEFENSE PURPOSES:
  - A. Property acquired by the donee shall be on an "as is", "where is" basis, without warranty of any kind.
  - B. There will also be applicable such other terms and conditions as are contained in the Regulations of the Office of Civil and Defense Mobilization, Title 32, Code of Federal Regulations, Subtitle C, Part 1702, as in effect on the date hereof.
- II. ADDITIONAL TERMS AND CONDITIONS APPLICABLE TO PROPERTY HAVING A SINGLE ITEM ACQUISITION COST OF \$2,500 OR MORE DONATED FOR CIVIL DEFENSE PURPOSES:
  - A. All such property shall be distributed and, during the period of restriction, be properly maintained in good operational condition and stored, or installed or utilized only as necessary to achieve a state of operational readiness as required by the civil defense mission

assigned to the donee in accordance with the civil defense operational plans of the State, and, where applicable, local government (which shall be consistent with the National Plan for Civil Defense and Defense Mobilization, as now or hereafter amended). Operational readiness shall include necessary use in training under a civil defense training program approved by the State civil defense director as being in accordance with the civil defense operational plans of the State.

- B. Except as otherwise expressly provided hereinbelow and unless and until expressly waived in writing by the Director of the Office of Civil and Defense Mobilization (OCDM), on a case basis, the period of restriction for all items of property donated for civil defense purposes shall be four years from the date such property is first used or put in stockpile in accordance with this subsection. The specific exceptions are as follows:
1. Motor Vehicles, Federal Supply Classification (FSC) Group 23 -- for which a two-year period of restriction shall apply.
  2. Boats (FSC Group 19), Tractors (FSC Group 24), Construction, Mining, Excavating and Highway Maintenance Equipment (FSC Group 38), Firefighting and Rescue Equipment (FSC Group 42), Prefabricated Structures (FSC Group 54), and Generators (FSC Class 6115), for all of which a six-year period shall apply.
  3. Aircraft (FSC Group 15), for which the special terms and conditions provided in the DHEW Conditional Transfer Document (Aircraft) covering the transfer shall apply.
- C. Reserve stock storage and installation of equipment for operational readiness shall, in addition to meeting the above criteria, meet all applicable criteria established by the OCDM.
- D. During the period of restriction, the property shall not be sold, traded, leased, loaned, bailed, encumbered, or otherwise disposed of without the specific, prior, written approval of the Director OCDM.
- E. If, during the period of restriction, property is no longer suitable, usable, or further needed for the purpose for which acquired, the donee shall promptly notify the OCDM through the State Civil Defense Director and shall, as directed by the OCDM, either retransfer the property to such department or agency of the United States of America or such other donee as may be designated, or sell the property at a public sale.
- F. In the event any of the terms and conditions set forth in this section are breached, all right, title and interest in the property involved, at the option of the Director of OCDM, shall revert to the United States of America. In addition, where there has been an unauthorized disposal or improper use of any kind, the donee, at the option of the Director of OCDM, shall be liable to the United States for all damages. Where the property is not returned to the United States Government or where property is improperly used, the donee shall be liable to the United States for any proceeds from the disposal or improper use of or for the fair market value or rental value of the property at the time of such disposal, or improper use, at the option of and as determined by the Director of OCDM.

NOW, THEREFORE, IT IS RESOLVED by the City Council of said City that:

  
Marvin Ray, Deputy City Manager

  
John C. Keefe, City Manager

shall be and are hereby authorized as the representatives of said City to sign for and accept surplus Federal property, regardless of acquisition cost, in accordance with the conditions imposed by the above agencies; and

IT IS FURTHER RESOLVED that this resolution of authorization shall remain in full force and effect until superseded or rescinded by resolution of this Council transmitted in duplicate to the California Disaster Office; and

IT IS FURTHER RESOLVED that the Clerk of this Council is hereby authorized and directed to send two (2) certified copies of this Resolution to the California Disaster Office, for filing with said Disaster Office and with the State Department of Education.


BE IT FURTHER RESOLVED that Resolution Nos. 58-82 and 61-292 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST:   
Rex E. Gailfus, City Clerk

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Peter W. Johansen, Mayor

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 438

A RESOLUTION ADDING SECTION 1(a) TO RESOLUTION NO. 62-29 ENTITLED, "A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO', AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO", AND RESCINDING RESOLUTION NO. 62-147.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Section 1(a) is hereby added to Resolution No. 62-29 entitled, "A Resolution Establishing One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding Resolution No. 59-191, Entitled 'A Resolution Establishing Parking Meter Zones, One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding All Prior Resolutions and Regulations Relating Thereto', and Rescinding All Subsequent Resolutions and Regulations Relating Thereto", to read as follows:

(a) One-way Streets:

- 10th Street, from D Street to Needham Street  
(southeasterly direction)
- 11th Street, from D Street to Needham Street  
(northwesterly direction)
- 14th Street, from L Street to Needham Street  
(southeasterly direction)
- 17th Street, from H Street to J Street (south-  
easterly direction)
- 19th Street, from Burney Street to Downey Avenue  
(northwesterly direction)
- California Street, from Jefferson Street to  
Paradise Road (westerly direction)
- Downey Avenue, from Burney Street to McHenry  
Avenue (westerly direction)

H Street, from Washington to Burney Street  
(northeasterly direction)

I Street, from Washington Street to Downey  
Avenue (southwesterly direction)

Sycamore Avenue (east portion), from Griswold  
Avenue to north side of Block 724  
(northerly direction)

Sycamore Avenue (west portion), from Griswold  
Avenue to north side of Block 724  
(southerly direction)

SECTION 2. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 3. Resolution No. 62-147, adopted by the Council on March 26, 1962, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1963, by Mayor Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
City Clerk

(SEAL)

A RESOLUTION APPROVING REQUEST OF DOWNTOWN MODESTO ASSOCIATION TO  
SELL FROM SIDEWALKS DURING FALL "SIDEWALK SALE" PROMOTION

WHEREAS, the Downtown Modesto Association has requested that merchants in the downtown area be permitted to sell from sidewalks as a part of its fall "Sidewalk Sale" promotion, and

WHEREAS, the sales promotion event is of community-wide interest and importance, and sponsored by a bona fide merchants' association, as provided in Section 4-5.08 of the Modesto Municipal Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Permission is hereby granted to the Downtown Modesto Association of merchants, property owners and professional services, to sell from sidewalks as a part of its fall "Sidewalk Sale" promotion for a three-day period beginning October 3, 1963, and ending October 5, 1963, subject to the following conditions:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall assume the responsibility for cleaning the facility after its use.

(e) Proper arrangements shall be cleared by the Permittee through the appropriate City departments.

SECTION 2. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written

acceptance of this permit, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-440

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DRILLING, CASING,  
TESTING AND DEVELOPMENT OF DEEP WELL NO. 27

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of drilling, casing, testing and development  
of deep well No. 27

has been completed by Valley Water Well Drilling and Pump Company

in accordance with the contract agreement, dated May 27, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of drilling,  
casing, testing and development of Deep Well No. 27  
be accepted from said contractor, Valley Water Well Drilling and  
Pump Company

that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 23rd day of  
September, 1963, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Hughes,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Tabbert

ATTEST: 

CITY CLERK

(SEAL)



WHEREAS, in accordance with Section 203 (c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the building(s) unsafe, and

WHEREAS, the owner ~~(s)~~ of the above referred to property has ~~(been)~~ failed and neglected to comply with the notice to commence the required repairs or demolish and remove the building(s) located thereon,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DECLARATION OF INTENTION. The Council hereby declares its intention to proceed in accordance with the provisions of Section 203 (d) of the Uniform Building Code, <sup>1961</sup>/~~1952~~ Edition, to authorize and direct the Chief Building Official to demolish and remove the aforesaid described building(s) as constituting ~~an~~ unsafe building(s) and a public nuisance, the owner ~~(s)~~ having failed and neglected to comply with the aforementioned notice to commence the required repairs or to demolish and remove the aforesaid building(s).

SECTION 2. NOTICE OF TIME AND PLACE FOR HEARING. Notice is hereby given that the 7th day of October, 1963, at the hour of 4:35 o'clock P.M. of said day, in the Council Chambers at the City Hall located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said matter, at which time and place any person owning such real or personal property and having any objections to the proposed removal or demolition of said building(s) may appear before the Council of the City of Modesto and show cause why said building(s) should not be ordered demolished and removed.

SECTION 3. MAILING OF NOTICE TO OWNER OR OWNERS. The City Clerk shall cause a copy of this resolution to be mailed by registered mail to the owner or owners of the property affected at least ten (10) days prior to the date set for the hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Tabbert

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-442

A RESOLUTION RECOMMENDING EXTENSION OF TIME FOR FILING THE FINAL  
MAP OF BROOKDALE PARK NO. 3 SUBDIVISION

WHEREAS, by Resolution No. 850 adopted on October 2, 1962,  
the Planning Commission approved the tentative map of Brookdale  
Park No. 3 Subdivision, and

WHEREAS, a letter has been received from the subdivider re-  
questing an extension of time for filing the final map of Brookdale  
Park No. 3 Subdivision to October 2, 1964, and

WHEREAS, the Planning Commission finds that conditions in  
the area have not materially changed since the tentative map was  
approved, and

WHEREAS, the Planning Commission adopted Resolution No. 976 on  
September 17, 1963, recommending that the City Council approve the  
request;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the request of the developer to extend the time of  
filing the final map of Brookdale Park No. 3 Subdivision to  
October 2, 1964, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 23rd day of  
September, 1963, by Councilman VanderWall, who moved its adoption,  
which motion being duly seconded by Councilman Shastid, was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
REX E. GAILFUS, City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 7 OF THE ZONING MAP (HIGBEE)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1963, in the Council Chambers for the purpose of considering an amendment to Section 7 of the Zoning Map to rezone from R-1 to R-2

the following described property:

Lot 26 in Block 13201 and Lot 22 in Block 13220;  
located at the northwest and southwest corners  
of Tully Road and Morada Drive

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 974 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:00 P.M., October 14, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-444

A RESOLUTION GRANTING DRIVEWAY VARIANCES ON CITY LEASED PROPERTY  
(Located on the east side of 9th Street between J and K Streets)

WHEREAS, the Director of Parking and Traffic has requested a variance to the provisions of Sections 7-1.104(a) and 7-1.104(c) of the Modesto Municipal Code to permit the installation of two driveways, (one 32 feet in width and one 15-1/2 feet in width) on property leased by the City and on the east side of 9th Street located between J and K Streets, on which a City parking lot will be constructed, and

WHEREAS, the Director of Parking and Traffic has filed with the Director of Public Works a plot plan designating the precise dimensions and location of the two driveways, and

WHEREAS, Section 7-1.104(a) of the Modesto Municipal Code provides that driveways shall not exceed thirty (30') feet in width unless a variance is approved by the Council, and

WHEREAS, Section 7-1.104(c) of the Modesto Municipal Code provides that driveways shall not exceed forty (40%) per cent of the frontage of any street of the lot or parcel of land to be served thereby, and

WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires the curb cuts for full utilization of the parking lot facilities proposed to be installed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the Director of Parking and Traffic for a variance to Sections 7-1.104(a) and 7-1.104(c) of the Modesto Municipal Code to permit installation of two driveways on property located on the east side of 9th Street between J and K Streets, in accordance with dimensions and locations indicated on the plot plan on file in the office of the Director of Public Works be, and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-445

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR DEMOLITION OF MODESTO PLYMOUTH BUILDING AND CONSTRUCTION OF PARKING LOT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for demolition of the Modesto Plymouth building and construction of a parking lot on the east side of 9th Street, between J and K Streets, copies of which are on file, are hereby accepted and approved.


Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 18, 1963, at 2:00 P.M., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 30th day of September, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-446

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE  
CITY OF MODESTO AND HOYT R. AND ROSELLE E. GANT

BE IT HEREBY RESOLVED by the Council of the City  
of Modesto that Right of Way Agreement between the City of  
Modesto and Hoyt R. and Roselle D. Gant for right of way  
(Project No. 55-10)  
for the widening of Orangeburg Avenue

be and it is hereby approved. For further particulars,  
reference is made to a copy of the Agreement on file in  
the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and  
City Clerk of the City of Modesto be, and they are hereby  
authorized and directed to execute said Right of Way  
Agreement on behalf of the City of Modesto.

The foregoing resolution was introduced at a  
regular meeting of the Council of the City of Modesto held  
on the 30th day of September, 1963, by  
Councilman Shastid, who moved its adoption, which  
motion being duly seconded by Councilman Hughes,  
was upon roll call carried and the resolution adopted by  
the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-447

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON  
AN UNCLASSIFIED USE PERMIT TO DOCTORS' HOSPITAL FOR EXPANSION  
OF HOSPITAL FACILITIES

WHEREAS, the Modesto City Planning Commission has, by resolution filed with the City Council, recommended the approval of the following application for an unclassified use permit, filed by Dallas Riddle, Agent for Modesto Medical Development Company, for expansion of hospital facilities located at 333 West Orangeburg Avenue,  
and,

WHEREAS, Section 10-2.2112 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters,

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing be held on said application for an unclassified use permit in the Council Chambers, City Hall, 801 11th Street in the City of Modesto at 8:10 P.M. on October 14, 1963.

BE IT FURTHER RESOLVED that the City Clerk give notice of the time and place of said hearing as provided in Section 10-2.2206 (b) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-448

A RESOLUTION URGING THE REGISTERED VOTERS OF THE CITY OF MODESTO TO VOTE "YES" ON TUESDAY, OCTOBER 8, 1963, FOR ACTIVATION OF AN URBAN RENEWAL AGENCY

WHEREAS, the Council of the City of Modesto has found and determined that there exists within the City of Modesto certain blighted and deteriorated or deteriorating areas, and

WHEREAS, the Council of the City of Modesto has unanimously proposed the adoption of Ordinance No. 583-C.S. declaring a need for an Urban Renewal Agency to function, declaring a need for urban renewal and declaring the legislative body of the community to be the agency; and

WHEREAS, a special referendum election will be held on October 8, 1963, to determine whether or not such an Urban Renewal Agency shall be established,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Council of the City of Modesto does hereby urge all registered voters of the City of Modesto to vote YES on Tuesday, October 8, 1963, for the activation of an Urban Renewal Agency, for the following reasons:

1. To remove the cancerous growth and blight in the heart of the City;
2. To effect increased efficiency in government;
3. To decrease police and fire protection costs;
4. To make downtown streets of the City of Modesto safe for women and children;
5. To increase the tax base for the City of Modesto, the County of Stanislaus, and the City Schools;
6. To enable the City of Modesto to improve its position as a primary shopping center for the County of Stanislaus and adjacent areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1963, by Mayor Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen  
Noes: Councilmen: None  
Absent: Councilmen: Tabbert

ATTEST:   
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-449

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR CONSTRUCTION OF IMPROVEMENTS IN CALIFORNIA-  
FRANKLIN PARK

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the Con-  
struction of improvements in California-Franklin Park

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on 2:00 P.M., October 29, 1963,  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 7th  
day of October, 19 63, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Council-  
man Shastid, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Patton, Tabbert

ATTEST:

  
CITY CLERK

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN STREETS  
IN THE CITY OF MODESTO. (1316 Roseburg Avenue)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets find that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along 1316 Roseburg Avenue

WHEREAS, the Council, did, on September 16, 1963, adopt its Resolution No. 63-435, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the city of Modesto, as provided therein, and

WHEREAS, the Council, did by said resolution, set the 7th day of October, 1963, at 4:30 o'clock P.M. in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notice to be given as directed by said Resolution No. 63-435, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the proposed work, the said Council proceeded to hear the same and no protests having been received,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

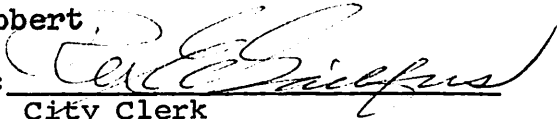
SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 63-435 and Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Patton, Tabbert,

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM

By: ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-451

A RESOLUTION ORDERING THE BUILDING OFFICIAL  
OF THE CITY OF MODESTO TO DEMOLISH THE BUILDING(S)  
LOCATED AT 526-16th Street  
IN THE CITY OF MODESTO IN ACCORDANCE WITH THE  
PROVISIONS OF SECTION 203(a) OF THE UNIFORM  
BUILDING CODE.

1961

WHEREAS, the Uniform Building Code, ~~1958~~ Edition, has  
been adopted by reference by Section 9-1.01 of Chapter 1 of  
Title IX of the Modesto Municipal Code on the 6th day of October,  
1954, as amended, and

WHEREAS, Section 203(a) of the Uniform Building Code,  
1961  
~~1958~~ Edition, provides that a building which is structurally  
unsafe, or which constitutes a fire hazard, or is otherwise  
dangerous to human life and is declared to be a public nuisance,  
shall be abated by repair, rehabilitation, demolition, or removal  
in accordance with the procedure specified in said Uniform  
Building Code, ~~1958~~ Edition, and

WHEREAS, the Chief Building Official after examining  
the building(s) at 526 - 16th Street, found ~~it~~ (them) to  
be unsafe and dangerous, and gave to the owner thereof written  
notice stating the defects thereof, and requiring commencement  
of work to make required repairs or to demolish and remove the  
building(s), and

WHEREAS, the owner was advised by ~~registered mail~~  
(personal service) on August 29, 1963, in accordance  
with Section 203(b) of the Uniform Building Code, ~~1958~~ Edition,  
1961  
to comply with the order of the Building Official, and

WHEREAS, in accordance with Section 203(c) of said  
Building Code, the Building Official caused signs to be posted  
at the hereinabove referred to property, declaring the build-  
ing(s) unsafe, and

WHEREAS, the owner of the above referred to property  
has failed and neglected to comply with the notice to commence  
the work of repair or remove the building(s) located thereon, and

WHEREAS, the matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, at 4:35 o'clock P.M., on the 7th day of 8 October, 1963, and

WHEREAS, said hearing was held before the Council at the above time and place, and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. All of the provisions of Section 203(b) of the Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, adopted by reference by Section 9-1.01 of the Modesto Municipal Code, have been complied with; and

2. The building(s) referred to above ~~is~~ (are) structurally unsafe, constitute~~s~~ a fire hazard, ~~is~~ (are) otherwise dangerous to human life and ~~is~~ (are) declared to be a public nuisance; and

3. A notice was given to the owner of said property in accordance with Section 3 of Resolution No. 63-441, adopted by the Council of the City of Modesto on September 23, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEMOLITION. In accordance with Section 203(d) of the Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, the owner having failed and neglected to comply with the notice to repair or demolish and remove said building(s), the Building Official is hereby authorized and directed to proceed with the work specified in the notice referred to above.

SECTION 2. COSTS. The costs incurred in the demolishing and removal of said building(s) shall be paid out of the City Treasury. Such costs shall be charged and assessed against the premises involved as a special assessment lien on the land on which the building(s) ~~is~~ (are) located, and shall be collected

in the manner provided for the collection of general property taxes of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, ~~Patton~~, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert, Patton

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-452

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC COMPANY, FOR INSTALLATION OF FLASHING LIGHTS AT TULLY AND 99 HIGHWAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Southern Pacific Company

for installation of flashing lights at Tully and 99 Highway

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-453

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$225 TO  
REPAIR PHOENIX AVENUE FIRE STATION BUILDING

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From: General Fund, General Reserve 101-600 \$225

To: Miscellaneous Unclassified,  
Maintenance of Rental Property (65-225) \$225

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
7th day of October, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-454

A RESOLUTION APPROVING REDUCTION OF THE PERFORMANCE BOND FILED BY WOLVERINE BUILDING SERVICE, INC. AND ARTHUR AND FLORENCE WYLIE TO GUARANTEE IMPROVEMENTS IN LORENZEN PARK NO. 2 SUBDIVISION

WHEREAS, Wolverine Building Service, Inc., and Arthur and Florence Wylie, posted a performance bond in the amount of \$21,000 with the City of Modesto to guarantee the improvements in the afore-said subdivision, and

WHEREAS, a progress payment in the amount of \$18,000 was made by the City on September 26, 1963, leaving a balance of \$3,000, and

WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of certain improvements which can better be accomplished at such time that the adjacent area to the south develops,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the balance of the cash deposit in the amount of \$3,000 filed by Wolverine Building Service, Inc., and Arthur and Florence Wylie to guarantee improvements in Lorenzen Park No. 2 Subdivision, be and it is hereby released.

BE IT FURTHER RESOLVED that the subdividers of Lorenzen Park No. 2 Subdivision be required to file a performance bond with the City of Modesto in the sum of \$100 to cover the remaining work to be done.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October , 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by <sup>Mayor</sup> ~~Councilman~~ Johansen , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert, Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-455

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP HOUSE AT STATION  
NO. 27

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of a pump house at Station No. 27

has been completed by Oscar P. Olson

in accordance with the contract agreement, dated July 1, 19 63.

NOW, THEREFORE, BE IT RESOLVED that the construction of  
the pump house at Station No. 27

be accepted from said contractor Oscar P. Olson, and

that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 7th day of  
October, 19 63, by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman VanderWall,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

ATTEST:   
CITY CLERK

(SEAL)

A RESOLUTION RELEASING CASH DEPOSIT IN THE AMOUNT OF \$25,000  
FILED BY FRANK DENNY, DEVELOPER OF BEL AIR SUBDIVISION NO. 3

WHEREAS, Frank Denny, developer of Bel Air Subdivision No. 3  
filed a cash deposit in the amount of \$6,800 on March 12, 1963  
and a cash deposit of \$36,200 on May 15, 1963 to guarantee the  
improvements in the aforesaid subdivision, and

WHEREAS, a progress payment in the amount of \$18,000 was  
made by the City of Modesto to the developer of Bel Air Subdivision  
on August 8, 1963, leaving a balance of \$25,000 and

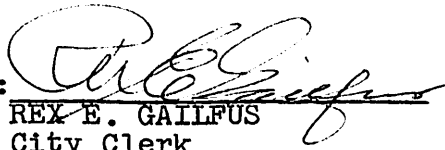
WHEREAS, the Director of Department of Public Works has  
reported that all work in the subdivision has been completed to  
the satisfaction of said Department,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of  
the City of Modesto that the balance of the cash deposit in the  
amount of \$25,000 filed by Frank Denny to guarantee improvements  
in Bel Air Subdivision No. 3 be, and it is hereby released.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 7th  
day of October, 1963 by Councilman Shastid, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
REX E. GAILFUS  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-457

A RESOLUTION DETERMINING THE GENERAL PREVAIL-  
ING RATES OF PER DIEM WAGES.

WHEREAS, Section 1773.3 of the Labor Code of the State of California requires that the awarding body of each city shall file, annually, with the Director of Industrial Relations its determination, made pursuant to Section 1733 of the Labor Code, of the general prevailing rates of per diem wages in the locality in which the public work is to be performed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The general prevailing rates of per diem wages in the locality of the City of Modesto is hereby determined to be those shown on the document entitled "Hourly Rate Plus Total Fringe Benefit - Per Diem Wage (Hour)", attached hereto, marked Exhibit "A", and hereby made a part of this resolution.

SECTION 2. The City Clerk is hereby instructed to transmit a copy of this resolution, with attachment, to the Director of Industrial Relations of the State of California for filing.

SECTION 3. Resolution No. 62-463 adopted by the Council of the City of Modesto on October 1, 1962, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

(SEAL)

HOURLY RATE PLUS TOTAL FRINGE BENEFIT - PER DIEM WAGE (Hour)

Craft	Hourly Rate	Vacation Plan	H & W	Pension Plan	Total Fr. Benefits	Per Diem Wage (Hour)	Overtime
Tool Operator	\$3.725	.15	.15	.05	.35	4.075	1 1/2 Sat. DT S&H
Asphalt Rakers & Ironers	3.725	.15	.15	.05	.35	4.075	1 1/2 Sat. DT S&H
Asphalt Layers	4.40	.10	-	-	.10	4.50	DT Sat. S&H
Painters	4.105	.15	.18	.20	.53	4.635	DT Sat. S&H
Plaster Mason	4.05	.25	.16	.10	.51	4.56	1 1/2 Sat. DT S&H
Crane Boom	4.88	.15	.145	.15	.445	5.325	1 1/2 Sat. DT S&H
Combination Road Oiler-Bootman	4.155	.20	.175	.15	.525	4.680	1 1/2 Sat. DT S&H
Compressor	4.03	.15	.145	.15	.445	4.475	1 1/2 Sat. DT S&H
Compressor (2 to 6)	4.48	.15	.145	.15	.445	4.925	1 1/2 Sat. DT S&H
Concrete Laborer	3.575	.15	.15	.05	.35	3.925	1 1/2 Sat. DT S&H
Concrete Mixer (up to 1 yd.)	4.03	.15	.145	.15	.445	4.475	1 1/2 Sat. DT S&H
Construction Laborer	3.475	.15	.15	.05	.35	3.825	1 1/2 Sat. DT S&H
Electricians	4.98	.15	.145	.15	.445	5.425	1 1/2 Sat. DT S&H
Drilling Mach. Engineers	4.53	.15	.145	.15	.445	4.975	1 1/2 Sat. DT S&H
Emptrucks, under 4 yds.	3.715	.20	.175	.15	.525	4.24	1 1/2 Sat. DT S&H
Emptrucks, 4 yds. & under 6	3.79	.20	.175	.15	.525	4.315	1 1/2 Sat. DT S&H
Emptrucks, 6 yds. & under 8	4.00	.20	.175	.15	.525	4.525	1 1/2 Sat. DT S&H
Emptrucks, 8 yds. & over	4.25	.20	.175	.15	.525	4.775	1 1/2 Sat. DT S&H
Electrical Workers	4.74	(6% incl.)	.18	.15	.2274	4.967	DT Sat. S&H
Elevator Erector	4.80	.10	.15	.10	.35	5.15	DT Sat. S&H
Flat Racks carrying under 10,500 lbs.	3.715	.20	.175	.15	.525	4.24	1 1/2 Sat. DT S&H
Flat Racks carrying over 10,500 lbs.	3.91	.20	.175	.15	.525	4.435	1 1/2 Sat. DT S&H
Fork Lift or Lumber Stacker	4.38	.15	.145	.15	.445	4.825	1 1/2 Sat. DT S&H
Hoist Crane	4.60	.15	.145	.15	.445	5.045	1 1/2 Sat. DT S&H
Heavy Duty Repairman or Welders	4.69	.15	.145	.15	.445	5.135	1 1/2 Sat. DT S&H
Heavy Duty Repairman's Helper	3.88	.15	.145	.15	.445	4.325	1 1/2 Sat. DT S&H
Truck Carrier, Brick	3.50	.15	.15	.05	.35	3.85	DT Sat. S&H
Truck Carrier, Plaster	3.35	.15	.15	.05	.35	3.70	DT Sat. S&H
Truck Workers, Structural	5.00	.10	.15	.10	.35	5.35	DT Sat. S&H
Material Hoist, 1 drum	4.38	.15	.145	.15	.445	4.825	1 1/2 Sat. DT S&H
Material Hoist, 2 or more drums	4.60	.15	.145	.15	.445	5.045	1 1/2 Sat. DT S&H
Painters, Brush	3.70	-	.15	-	.15	3.85	1 1/2 Sat. S&H
Painters, Spray	3.95	-	.15	-	.15	4.10	1 1/2 Sat. S&H
Powerment Breakers	4.60	.15	.145	.15	.445	5.045	1 1/2 Sat. DT S&H
Truck Trucks	3.715	.20	.175	.15	.525	4.24	1 1/2 Sat. DT S&H

BIT "A"

## HOURLY RATE PLUS TOTAL FRINGE BENEFIT - PER DIEM WAGE (Hour)

Craft	Hourly Rate	Vacation Plan	H & W	Pension Plan	Total Fr. Benefits	Per Diem Wage (Hour)	Overtime
Layers, Caulkers, Bonders	3.725	.15	.15	.05	.35	4.075	1½ Sat. DT S&H
sterer	3.80	.15	.10	-	.25	4.05	DT Sat. S&H
bers, Pipe & Steamfitters	5.27	-	.175	.10	.275	5.545	DT Sat. S&H
er Blade Operator	4.88	.15	.145	.15	.445	5.325	1½ Sat. DT S&H
er Shovel, and/or ther excavating equipment with ovel-type controls, up to and ncluding 1 yd.	4.98	.15	.145	.15	.445	5.425	1½ Sat. DT S&H
er Shovel, and/or other xavating equipment with ovel-type controls, over 1 yd.	5.11	.15	.145	.15	.445	5.555	1½ Sat. DT S&H
lers	4.53	.15	.145	.15	.445	4.975	1½ Sat. DT S&H
fers, Foreman	4.875	-	.20	-	.20	5.075	DT Sat. S&H
fers, Journeyman	4.50	-	.20	-	.20	4.70	DT Sat. S&H
omobile (when used as loader)	4.60	.15	.145	.15	.445	5.045	1½ Sat. DT S&H
omobile (when used as hoist)	4.38	.15	.145	.15	.445	4.825	1½ Sat. DT S&H
ctor Loader, up to 2 yds.	4.78	.15	.145	.15	.445	5.225	1½ Sat. DT S&H
ctors	4.69	.15	.145	.15	.445	5.135	1½ Sat. DT S&H
ctors (boom)	4.88	.15	.145	.15	.445	5.325	1½ Sat. DT S&H
ctors (tandem)	4.98	.15	.145	.15	.445	5.425	1½ Sat. DT S&H
nsit Mix, under 6 yds.	3.865	.20	.175	.15	.525	4.39	1½ Sat. DT S&H
nsit Mix, 6 yds. & under 8 yds.	3.965	.20	.175	.15	.525	4.49	1½ Sat. DT S&H
nsit Mix, 8 yds. & over	4.065	.20	.175	.15	.525	4.59	1½ Sat. DT S&H
nching Machine	4.60	.15	.145	.15	.445	5.045	1½ Sat. DT S&H
ck-type Loader	4.60	.15	.145	.15	.445	5.045	1½ Sat. DT S&H
er Trucks under 2,500 gals.	3.825	.20	.175	.15	.525	4.35	1½ Sat. DT S&H
er Trucks over 2,500 gals.	3.925	.20	.175	.15	.525	4.45	1½ Sat. DT S&H
ider 4,000 gals.							

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 458

A RESOLUTION OF THE CITY OF MODESTO ESTAB-  
LISHING FLAT-RATE CHARGES FOR WATER SERVICE  
TO THE SHERWOOD SCHOOL.

WHEREAS, a request has been received from the Sylvan Union School District for the establishment of flat-rate water charges for the Sherwood School, and

WHEREAS, a flat-rate service will be helpful both to the City and the School District in respect to the problem of metering,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges be established for the Sherwood School in accordance with the number of pupils enrolled in the School as of the 31st day of October of each year as follows:

- |     |                     |                  |
|-----|---------------------|------------------|
| (1) | 1 to 300 students   | \$48.60 per year |
| (2) | 301 to 600 students | \$89.10 per year |

BE IT FURTHER RESOLVED that the School shall provide the City with a written statement of the number of pupils.

BE IT FURTHER RESOLVED that the billing date for said flat-rate water service charge shall be November 1st of each year, but that a prorata bill be prepared from the date construction starts to October 31, 1963, fees to be based on the number of students reported as of that date.

BE IT FURTHER RESOLVED that the School District shall promptly notify City of any change in area irrigated from the City water system and that charges shall be immediately revised in accordance with said charges.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963, by Councilman Shastid,

who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-459

A RESOLUTION INCREASING THE 1963-64 REVENUE ESTIMATES FOR APPORTIONMENTS AND GRANTS AND APPROPRIATING THE FUNDS IN THE SPECIAL FUND FOR CAPITAL OUTLAYS.

WHEREAS, it is anticipated that an additional sum of Twenty-Seven Thousand, Two Hundred and no/100ths (\$27,200.00) Dollars not heretofore appropriated will be received during the 1963-64 fiscal year from a project grant under Public Law No. 660, for Project APW-Calif. -160G and deposited in the Special Fund for Capital Outlays, and

WHEREAS, the Council desires to appropriate the funds during the 1963-64 fiscal year in the Special Fund for Capital Outlays,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Twenty Seven Thousand, Two Hundred and no/100ths (\$27,200.00) Dollars, which is anticipated to be received during the 1963-64 fiscal year from a project grant under Public Law No. 660 for Project APW-Calif. -160G not heretofore appropriated, is hereby appropriated as follows:

5321 Park Development, California-Franklin Park, in  
the amount of \$27,200.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:   
REX E. GAILFUS, City Clerk

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-460

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES V. JEFFERS and MARGUERITTE K. JEFFERS-STRATHMORE NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles V. Jeffers and Margueritte K. Jeffers, subdividers of Strathmore No. 2 Subdivision for installation of water lines on private property

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes, Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-461

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON PROPOSED AMENDMENTS TO CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE (ZONING REGULATIONS)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 1, 1963 in the Council Chambers for the purpose of considering amendments to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations), and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendments, adopted Resolutions No. 973 and 978 recommending to the Council certain amendments to the zoning regulations, as contained in those documents entitled "Proposed Zoning Amendments," dated August 30, 1963 and September 11, 1963 on file in the office of the City Clerk,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendments be set for 8:00 P.M. on October 28, 1963 in the Council Chambers, 801 11th Street, City of Modesto, as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

Noes: None Absent: Hughes, Tabbert

ATTEST:   
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-462

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,000  
FOR NORTH MODESTO MUNICIPAL SEWER DISTRICT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

From:	General Fund, Engineering Reserve (101-602)	\$3,000
To:	Miscellaneous Unclassified, North Modesto Municipal Sewer District (65-405)	\$3,000

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
CITY CLERK

**A RESOLUTION GRANTING AN UNCLASSIFIED USE  
PERMIT TO MODESTO MEDICAL DEVELOPMENT COMPANY FOR  
EXPANSION OF DOCTORS HOSPITAL, 333 WEST  
ORANGEBURG AVENUE.**

WHEREAS, a verified application for an unclassified use permit for expansion of Doctors Hospital, 333 West Orangeburg Avenue, was filed by Dallas Riddle, agent for Modesto Medical Development Company, on September 10, 1963, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto at 7:30 P.M. on September 19, 1963, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 977 recommending to the Council that an unclassified use permit be granted in accordance with the provisions of said resolution, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located in the City Hall, 801 - 11th Street in the City of Modesto, at 8:10 P.M. on October 14, 1963, and

WHEREAS, said hearing was held before the Council at the above time and place and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. Granting of the unclassified use permit is required by public necessity, convenience and general welfare because additional hospital and convalescent beds are required to serve this expanding area.

2. Compatibility with the surrounding area will be maintained through one-story construction and proper landscaping.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an unclassified use permit be granted to Modesto Medical Development Company for expansion of Doctors Hospital at 333 West Orangeburg Avenue, Block 6062, in accordance with the plan titled "Doctors Hospital", dated August 30, 1963, as amended in red and on file in the office of the Planning Director, subject to the following conditions:

1. That construction of buildings and development of grounds be in compliance with the plan titled "Doctors Hospital", dated August 30, 1963, sheets A-1 and L-1, as amended, on file in the office of the Planning Director.

2. That the service drive connecting the two (2) parking areas be eliminated, and that concrete curbs or timber barriers be installed to contain cars in parking and driveway areas.

3. That the north parking area be used for doctor and staff parking only, and be so designated with illuminated sign and set back fifteen (15') feet from the Sherwood Avenue property line.

4. That the parking spaces proposed for the front of the hospital, which will use areas presently devoted to landscaping, be eliminated.

5. That within thirty (30) days following final approval of the unclassified use permit by the Council, the seventy-two (72) vehicle parking area to the east be fenced on the property line on the south and east sides with a solid six (6') foot masonry wall to protect the adjacent residences from noise and light emanating from the parking area, or a corporate surety bond, cash deposit, or savings and loan

certificate be furnished the City in an amount to be determined by the City Engineer to cover the cost of construction of the wall within thirty (30) days following final approval of this unclassified use permit, said bond to guarantee the faithful performance of the conditions of this resolution. The release date of this bond shall coincide with the construction of the fence.

6. That the two (2) new parking areas be improved in compliance with Section 10-2.1807 of the Municipal Code.

Failure to comply with the above conditions shall constitute grounds for revocation of the permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-464

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
THE CALL FOR BIDS FOR THE INSTALLATION OF WATER MAINS IN  
STRATHMORE NO. 2 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the  
installation of water mains in Strathmore No. 2 Subdivision,  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on October 29, 1963, at 2:30 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 14th  
day of October, 1963, by Councilman VanderWall, who  
moved its adoption, which motion being duly seconded by Council-  
man Mitchell, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 465

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE McHENRY-DRY CREEK COUNTY  
FIRE PROTECTION DISTRICT BY REASON OF ITS  
ANNEXATION TO THE CITY OF MODESTO.  
(McHenry Village Center Addition)

WHEREAS, a portion of the McHenry-Dry Creek County  
Fire Protection District was annexed to the City of Modesto by  
Ordinance No. 609 -C.S. adopted on September 23, 1963,  
and

WHEREAS, said territory officially became a part of the  
City on September 25, 1963, and

WHEREAS, the Health and Safety Code of the State of  
California provides that whenever any portion of such a District  
is included within a city by reason of annexation, such portion  
may be withdrawn from the District by the filing with the State  
Board of Equalization, the governing body of the District, and  
the County Assessor of copies of a resolution of the legislative  
body of the city, describing the included portion, and declaring  
such portion withdrawn, and

WHEREAS, it is to the best interests of the residents  
in the area of said Fire District which has been annexed to the  
City that the area be withdrawn from said Fire District and  
provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that the territory, the description of which is  
attached hereto, be withdrawn from the boundaries of the  
McHenry-Dry Creek County Fire Protection District.

BE IT FURTHER RESOLVED that the City Clerk be, and  
he is hereby directed to file a certified copy of this resolu-  
tion with the State Board of Equalization, the governing body  
of said Fire Protection District, and the Assessor of Stanis-  
laus County.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 14th  
day of October, 1963, by Councilman Shastid,



All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the McHenry Village Addition as per map filed May 11, 1954, as Instrument 11745, Stanislaus County Records, said point being on the Northern line of a 40 foot Public Road known as Granger Avenue, 249.50 feet East of the Section line that is common to Section 16 and Section 17; thence along the existing City Limits the following bearings and distances: North  $00^{\circ}48'$  West, 112.00 feet, South  $89^{\circ}39'$  East, 410.50 feet, South  $00^{\circ}48'$  East, 112.00 feet, to the Northern line of Granger Avenue; thence leaving the City Limits along the Northern line of Granger Avenue, North  $89^{\circ}39'$  West, 410.50 feet to the point of beginning, containing 1.055 acres more or less.

RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT A MUNICIPAL SEWER DISTRICT BE ORGANIZED IN A PORTION OF THE CITY OF MODESTO AND IN CONTIGUOUS UNINCORPORATED TERRITORY; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA OF THE PROPOSED DISTRICT AND OF THE SEWER WORK PROPOSED TO BE DONE THEREIN AND A GENERAL ESTIMATE OF THE COSTS AND EXPENSES OF THE PROPOSED SEWER WORK; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE FILED WITH THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY AND REQUESTING THAT SAID BOARD CONSENT AND AGREE TO THE FORMATION OF SAID DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON FORMATION OF SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF.

---

BE IT RESOLVED by the Council of the City of Modesto as follows:

Section 1. The public interest and convenience require that municipal sewer district, to be designated "Modesto Municipal Sewer District No. 1", be organized under the Municipal Sewer District Law of 1911 (California Health and Safety Code Sections 4600, et seq.) in a portion of the City of Modesto and in contiguous unincorporated territory in Stanislaus County pursuant to Article 2a of said Law.

Section 2. A general description of the area of the proposed district is that certain territory in the City of Modesto, County of Stanislaus, State of California, and that certain unincorporated territory in said County of Stanislaus contiguous to said territory in said City of Modesto within the following boundaries:

All that real property in the State of California, County of Stanislaus, being located in Sections 12, 13, 24 and 25, Township 3 South, Range 8 East, and Sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19 and 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the Western line of the Freeway Right of Way for U. S. Highway 99 and the Southern line of Lot 33 of the Maze Colony, as per map filed March 24, 1904, in Volume 1 of Maps, Page 83, Stanislaus County Records; thence Westerly along the Southern line of Lots 33, 32 and 28 of said Maze Colony to a point on the Eastern line of the property conveyed to Bessie I. Wagoner as Parcel 1 by Deed recorded February 24, 1959, as Instrument 5342, Stanislaus County Records; thence Northerly 20.00 feet along said Eastern line; thence Westerly along the Northern line of said Wagoner property, 252.00 feet, to the Western line of Lot 28; thence Southerly along the Western line of Lot 28, 20.00 feet, to the Southern line of Lot 27; thence Westerly along the Southern line of Lot 27 to the intersection of the Center Lines of Langdon Avenue and Torrid Road; thence continuing Westerly along the Center Line of Torrid Road to the Western line of Mercy Avenue; thence continuing Westerly to the Center Line of an Irrigation Ditch as shown on the map of the Elliott Tract filed March 16, 1909 in Volume 4 of Maps, Page 17, Stanislaus County Records; thence Westerly and Northwesterly along the Center Line of the Irrigation Ditch to the West Line of Section 25, Township 3 South, Range 8 East, thence Northerly along the West Lines of Sections 25 and 24 to the Northern line of the Modesto Irrigation District Lateral No. 3; thence Northeasterly along the Northern line of said Lateral No. 3 to the Southwestern line of the Southern Pacific Railway Right of Way; thence Northwesterly along said Railway Right of Way to the West Line of Section 13, Township 3 South, Range 8 East; thence Northerly along the West Line of Section 13 and the West Line of Section 12 to the Southern line of the Modesto Irrigation District Lateral No. 7; thence Easterly and Northeasterly along the Southern line of said Lateral No. 7 and across Section 12, Township 3 South, Range 8 East, to the Southern line of the Modesto Irrigation District Lateral No. 6; thence Easterly along the Southern line of said Lateral No. 6 and across Section 7, Township 3 South, Range 9 East, to the North Line of Section 8, Township 3 South, Range 9 East; thence Easterly along the North line of Section 8 to the Center Line of McHenry Avenue; thence 494.55 feet Northerly along said Center Line, to the Westerly extension of the Northern line of property conveyed to Sidney M. Smith, by Deed recorded October 25, 1956, as Instrument 29033, Stanislaus County Records; thence 892.70 feet Easterly along said Northern line and its Westerly extension to the Eastern line of said Smith property; thence Southerly 249.44 feet along said Eastern

line; thence Easterly 1747.06 feet, to the North-South quarter section line of said Section 4; thence Southerly 271.56 feet along said quarter section line, to the quarter corner common to Sections 4 and 9; thence Easterly along the North line of Sections 9 and 10 to the East line of Section 10; thence Southerly along the East line of Section 10 and Section 15 to the Center line of Floyd Avenue; thence Westerly along the Center line of Floyd Avenue to the Southerly extension of the Eastern line of Sherwood Manor No. 2 Subdivision, as per map filed October 30, 1962, in Volume 20 of Maps, Page 29, Stanislaus County Records; thence Northerly along said Eastern line and its Southerly extension, to the Center line of Rumble Road; thence Westerly along the Center line of Rumble Road to the Center line of Edward Avenue; thence Southerly along the Center line of Edward Avenue to the Center line of Kavanagh Avenue; thence Westerly along the Center line of Kavanagh Avenue to the Center line of McHenry Avenue; thence Southerly along the Center line of McHenry Avenue to the Center line of Leveland Lane; thence Westerly along the Center line of Leveland Lane and its Westerly extension to the Western line of the Tidewater Southern Railway Right of Way; thence Southerly along the Western line of said Railway Right of Way, to the Northern line of the Ashford Tract No. 2, as per map filed January 20, 1956, in Volume 18 of Maps at Page 44, Stanislaus County Records; thence Westerly along the Northern line of Ashford Tract No. 2 to the East line of the Northwest quarter of the Northwest quarter of Section 17; thence Northerly along said East line, to the Center line of Rumble Road; thence Westerly along the Center line of Rumble Road to the Center line of Tully Road; thence Northerly along the Center line of Tully Road to the Easterly extension of the Northern line of Lot 5 in Block 13201, of the Glen Aulen Subdivision, as per map filed May 23, 1961, in Volume 19 of Maps, Page 69, Stanislaus County Records; thence Westerly along the Northern line of Lot 5 to the Eastern line of Lot 9; thence Northerly along the Eastern line of Lot 9 to the Northern line of Lot 9; thence Westerly along the Northern line of Lot 9 and its Westerly extension to the Eastern line of Block 13200; thence Northerly along the Eastern line of Block 13200 to the Southern line of Lot 1 of Block 13200; thence Westerly along the Southern line of Lots 1 to 11 inclusive and its Westerly extension to the Eastern line of Lot 8 of Block 13202; thence Southerly along said Eastern line to the Southern line of Lot 8 of Block 13202; thence Westerly along said Southern line of Lot 9 and its Westerly extension, to the Western line of Glen Aulen Subdivision and the Eastern line of Renee Manor Unit 1, as per map filed November 27, 1962, in Volume 20 of Maps, Page 34, Stanislaus County Records; thence Southerly along said Eastern line to the Southeastern corner of Renee Manor Unit 1; thence Westerly along the Southern line of Renee Manor Unit 1 to the Center line of Carver Road; thence Northerly along the Center line of Carver Road to the Center line of Rumble Road; thence Westerly along the Center line of Rumble Road to the Center line of Prescott Road; thence Southerly along the Center line of Prescott Road to the Southeastern line of the Modesto Irrigation District Lateral No. 3; thence Southwesterly along said Southeastern line and its Southwesterly extension to the Northeastern line of the Southern Pacific Railway Right of Way; thence Southeasterly along said Right of Way to the Western line of the State of California Freeway Right of Way for U. S. Highway 99; thence Southerly along the Western line of said Freeway Right of Way to the true point of beginning.

Section 3. A description in general terms of the sewer work proposed to be done in said proposed District is as follows:

The construction of the following improvement, to wit: A trunk sewer system for the collection of sanitary wastes in said proposed District comprising a system of pipes ranging from 12 inches to 36 inches in diameter and two sewage pump stations constructed as integral parts of said system, all expenses in connection with the formation of said District and all expenses incidental to the financing of said work, lands, rights of way and other works, property or structures necessary or convenient for said improvement in said District. A map showing the general location of said trunk sewer system and pump stations and the boundaries of said proposed District is on file in the office of the City Clerk and may be examined by any interested person.

Section 4. A general estimate of the cost of said proposed sewer work (including an estimate of all costs and expenses incidental to said work or to the financing of said sewer work and all engineering, inspection, legal and fiscal agent's fees, expenses in connection with the formation of said proposed District, costs of the bond election to authorize bonds to finance the cost of said sewer work and of the issuance of the bonds, bond reserve funds and working capital and bond interest estimated to accrue during the construction period and for a period of not to exceed 12 months after completion of construction) is \$1,462,000.

Section 5. The Council hereby declares that said proposed Modesto Municipal Sewer District No. 1 and all lands therein is the District that will be benefited by said proposed sewer work described in Section 3 hereof.

Section 6. Monday, November 25, 1963, at the hour of 7:30 P.M. (P.S.T.) is hereby named as the time and the Council Chambers, City Hall, Modesto, California, is hereby named as

the place for the hearing by the Council of the City of Modesto of objections by any person interested in the formation of said District, in the inclusion within said District of any land within the boundaries described in Section 2 hereof or in the doing of said proposed sewer work. On said day fixed for said hearing, or any day to which said hearing is continued, the Council shall hear and consider all written and oral objections presented to the formation of said District, the inclusion of any lands in said District, or the doing of said proposed sewer work. At said hearing, the Council may make changes in the sewer work but said estimated costs and expenses of said work as changed shall not exceed by more than 10% the amount set forth in Section 4 hereof. At said hearing the Council may exclude from said District any territory which in the opinion of the Council, will not be benefited by said sewer work. The Council may also, subject to the limitations of said Law, add territory to said District. At said hearing, the Council may exclude from said District any territory that in its opinion would not be benefited by said sewer work as finally determined. The Council will not modify the boundaries of said District so as to exclude from it any land which would in the judgment of the Council be benefited by said sewer work as finally determined, nor will the Council include in said proposed District any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of said District or in said sewer work, the Council may by resolution passed by a vote of two-thirds of all of its members, establish said District, fix and determine its boundaries and generally describe said sewer work as finally determined.

Section 7. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two weeks before the day fixed for said hearing in the <sup>Tribune</sup> Modesto ~~Bee~~, a newspaper of general circulation printed and published in the City of Modesto. The first of said publications shall be not more than 60 nor less than 30 days prior to the date fixed for said hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within said proposed District, which said public places are hereby fixed and determined by the Council as follows:

- (1) at Chrysler School  
2818 Conant Avenue ;
- (2) at Sylvan Club House  
McHenry and Sylvan Ave. ; and
- (3) at Modesto State Hospital  
Blue Gum Avenue .

Said posting shall be made not earlier than the 60th or later than the 30th day prior to the date fixed for said hearing. Not earlier than 60 nor later than 30 days prior to said hearing a printed copy of this Resolution shall be mailed postage prepaid:

- (1) to each person to whom land in said proposed District is assessed either (a) as such owner as shown on the last equalized county assessment roll of Stanislaus County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the

owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of Stanislaus County as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in said proposed District as of a date not more than 30 days prior to the date of said hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquire at other sources); and

(2) to each person who has any interest in any land in said proposed District whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this Resolution shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of said hearing and no other notice of said hearing need be given.


Section 8. The City Clerk is hereby authorized and directed to file a certified copy of this Resolution with the Board of Supervisors of Stanislaus County, in which county the unincorporated territory to be included in said proposed District is situated.

Section 9. The Board of Supervisors of Stanislaus County is hereby requested by resolution, to consent to the formation of said proposed Modesto Municipal Sewer District No. 1 which will include said unincorporated territory within its boundaries.


Section 10. This Resolution is adopted, and all proceedings for the formation of said proposed District and, if said District shall be formed, for the incurring of indebtedness by said District to provide funds for said improvement, shall be taken, pursuant to said Municipal Sewer Districts Law of 1911.

PASSED AND ADOPTED this 14th day of October, 1963, by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

  
\_\_\_\_\_  
Mayor of the City of Modesto,  
State of California

Attest:

  
\_\_\_\_\_  
City Clerk

CLERK'S CERTIFICATE


I, REX E. GAILFUS, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds vote of all members of the Council at a \_\_\_\_\_ regular meeting of said Council duly and regularly and legally called and held on due notice on the 14th day of October, 1963, of which meeting all of the members of said Council had due notice, and at which two-thirds thereof were present and acting; that at said meeting said resolution was introduced by Councilman Shastid ~~and seconded by Councilman~~ ~~Patton~~ ~~and adopted by~~ ~~the following vote:~~

seconded by Councilman Patton, adopted by the following vote:

- AYES: Councilmen Mitchell, Patton, Shastid, VanderWall, Mayor Hohansen
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Tabbert

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book \_\_\_\_\_ of \_\_\_\_\_, at pages \_\_\_\_\_ to \_\_\_\_\_, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of the City of Modesto this 14th day of October, 1963.

  
City Clerk of the City of Modesto  
California

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-467

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$244 -  
CITY'S PUBLIC LIABILITY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:  
General Fund, General Reserve (101-600) \$244

To:  
Miscellaneous Unclassified, Public Liability  
Insurance (65-415) \$244

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
14th day of October, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Patton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Tabbert

ATTEST:

  
CITY CLERK

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON  
THE APPEAL OF MRS. GEORGE R. WILLS TO CONDITION NO. 2 OF  
CONDITIONAL USE PERMIT GRANTED BY BOARD OF ZONING ADJUSTMENT

WHEREAS, an application for a conditional use permit to provide parking in an R-2 and R-3 zone on the north side of Downey Avenue east of McHenry Avenue was filed by Mrs. George R. Wills on September 11, 1963 and

WHEREAS, the Board of Zoning Adjustment, after public hearing held on September 26, 1963 granted a conditional use permit to Mrs. George R. Wills for parking in an R-2 and R-3 zone in Block 568, Lots 1 through 5 and the south 12½ feet of lots 44 to 49 inclusive, subject to certain conditions, and

WHEREAS, an appeal to Condition 2 of said conditional use permit was filed with the City Clerk on October 9, 1963 by Mrs. George R. Wills, namely, "That if and when the City initiates action to acquire right-of-way for the widening of Downey Avenue, the applicant agrees to dedicate right-of-way along the Downey Avenue frontage as shown in the aforementioned plot plan, without cost to the City, upon demand by the City," and

WHEREAS, Section 10-2.2012 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters;

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing on the appeal of Mrs. George R. Wills will be held in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto at 8:00 P.M. November 12, 1963.

BE IT FURTHER RESOLVED that the City Clerk shall give notice of the time and place of said hearing as provided in Section 10-2.2206 (a) of the Modesto Municipal Code.

The Foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1963, by Councilman VanderWall who moved its adoption, which motion being duly seconded by Councilman Patton was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
Noes: Councilmen: None  
Absent: Councilmen: Hughes, Tabbert

1)

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-469

A RESOLUTION DETERMINING THE RESULT OF A SPECIAL MUNICIPAL REFERENDUM  
ELECTION HELD ON OCTOBER 8, 1963

WHEREAS, a special Municipal Referendum Election was held in and for the City of Modesto on the 8th day of October, 1963 pursuant to Chapter III of Article II of the Elections Code, State of California to vote upon the question of the adoption or rejection of a certain ordinance, theretofore passed and adopted by the Council of the City of Modesto, designated as Ordinance No. 583-C.S., a copy of which ordinance is attached hereto marked "Exhibit A" and made a part hereof as though the same were set forth in full herein; and

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to check the canvass of results of said election and has received all the returns of said election and find that the same are in proper form, and said Council has ascertained the results of said election as hereinafter stated:

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED by the Council of the City of Modesto that the said Special Municipal Referendum Election was regularly called, held, and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same has been properly canvassed, and that from the said returns so made, received and canvassed as aforesaid, it appears and the Council so finds that at said special Municipal Referendum Election the total number of votes cast at the polls was and is 9,597, including 115 absentee ballots or votes; that the total number of votes cast in favor of said Ordinance was and is 2,812; that the total number of votes cast for the rejection of said Ordinance was and is 6,773; that twelve ballots were rejected or spoiled; that the total number of votes cast at each special precinct and the total number of votes cast for the adoption of said Ordinance at each special precinct and the total number of votes cast against the adoption of said Ordinance at each special precinct were and are as follows:

	<u>TOTAL VOTES CAST</u>	<u>FOR THE ORDINANCE</u>	<u>AGAINST THE ORDINANCE</u>
Absentee	115	35	80
Special Precinct No. 1	162	67	95
Special Precinct No. 2	238	79	158
Special Precinct No. 3	269	102	167
Special Precinct No. 4	229	102	127
Special Precinct No. 5	274	49	224
Special Precinct No. 6	328	81	247
Special Precinct No. 7	202	62	140
Special Precinct No. 8	310	72	237
Special Precinct No. 9	226	60	166
Special Precinct No. 10	288	80	207
Special Precinct No. 11	397	187	210
Special Precinct No. 12	370	117	252
Special Precinct No. 13	330	95	235
Special Precinct No. 14	349	108	241
Special Precinct No. 15	276	142	134
Special Precinct No. 16	266	56	210
Special Precinct No. 17	262	85	176
Special Precinct No. 18	235	68	166
Special Precinct No. 19	159	21	138
Special Precinct No. 20	175	28	147
Special Precinct No. 21	287	72	215
Special Precinct No. 22	320	126	194
Special Precinct No. 23	174	47	127
Special Precinct No. 24	239	87	152
Special Precinct No. 25	253	55	198
Special Precinct No. 26	247	41	206
Special Precinct No. 27	288	72	214
Special Precinct No. 28	340	97	243
Special Precinct No. 29	362	81	281
Special Precinct No. 30	137	47	89
Special Precinct No. 31	195	38	157
Special Precinct No. 32	168	55	112
Special Precinct No. 33	208	55	153

	<u>TOTAL VOTES CAST</u>	<u>FOR THE ORDINANCE</u>	<u>AGAINST THE ORDINANCE</u>
Special Precinct No. 34	199	29	170
Special Precinct No. 35	104	40	63
Special Precinct No. 36	191	42	149
Special Precinct No. 37	305	103	202
Special Precinct No. 38	<u>120</u>	<u>29</u>	<u>91</u>
TOTAL VOTES CAST	9,597	2,812	6,773
Rejected	<u>12</u>		
	9,585		

That said City Council sitting as such canvassing board further finds that Ordinance No. 583-C.S. did not receive the necessary majority in favor thereof, and that said Ordinance No. 583-C.S. is rejected.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of October, 1963 by Councilman Mitchell, who moved its adoption, which motion being duly seconded, <sup>by Councilman Patton,</sup> was upon roll call carried and the resolution adopted by the following vote:

Ayes:	Councilmen:	Hughes, Mitchell, Patton, Tabbert, Mayor pro tempore VanderWall
Noes:	Councilmen:	None
Absent:	Councilmen:	Shastid, Mayors Johansen

ATTEST:   
City Clerk

**ORDINANCE NO. 583-C.S.  
AN ORDINANCE OF THE CITY OF MO-  
DESTO DECLARING A NEED FOR AN  
URBAN RENEWAL AGENCY TO FUNC-  
TION: DECLARING A NEED FOR URBAN  
RENEWAL AND DECLARING THE  
LEGISLATIVE BODY OF THE COM-  
MUNITY TO BE THE AGENCY; AND  
FOR OTHER PURPOSES.**

WHEREAS, the Community Redevelopment Law of the State of California which is found in Sections 33000 through 33954 of the California Health and Safety Code declares in Section 33040 of said Code that there exists in many communities in the State blighted areas which constitute either social or economic liabilities or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of those communities and of the State, and

WHEREAS, Sections 33041 to 33044 inclusive of said Code list conditions which are determinative in characterizing areas as blighted areas, and

WHEREAS, the City of Modesto through studies made by consultants, citizens committees and through the staff of its Planning Department have made studies of Urban Blight in the City of Modesto, and

WHEREAS, the Council of the City of Modesto finds and determines that there exists within the City of Modesto blighted areas and deteriorated or deteriorating areas as defined in Chapters 1 and 6 respectively of Part 1, Division 24 of the California Health and Safety Code, which Part 1 of said Division 24 of said Code is known as the Community Redevelopment Law, and

WHEREAS, Section 33200 of the Community Redevelopment Law created in the City of Modesto a public body, corporate and politic for the purpose of exercising the powers granted by the Community Redevelopment Law, but provided, pursuant to Section 33201 thereof, that said public body, corporate and politic shall not transact any business or exercise any power, unless, by ordinance, the City Council of the City of Modesto declares there is a need for such Agency to function, and

WHEREAS, Section 33983 of the Community Redevelopment Law provides that the provisions for urban renewal provided by Chapter 6 of said Law shall not become operative in any community until the legislative body of the community declares by resolution, that there is need for urban renewal in the community, and

WHEREAS, Resolution No. 61-212 entitled "A Resolution Declaring a Need for an Agency to Function, Authorizing and Directing the Appointment of Members of the Agency, and for Other Purposes," was adopted by the City Council on May 8, 1961, and

WHEREAS, no action has been taken to date in accordance with Section 2 of said resolution to appoint five (5) resident electors of the City of Modesto to serve as members of the Redevelopment Agency provided by Section 1 of the aforesaid resolution, and

WHEREAS, the Legislature of the State of California amended the Community Redevelopment Law in 1961 by

adding Section 33231.5; amended the California Redevelopment Law by amending Section 33201 of the State Health and Safety Code relating to the requirements imposed upon the legislative body as a prerequisite for a Redevelopment Agency to function in the community, and provided that said action declaring a need of such an agency to function shall be accomplished by the adoption of an ordinance, and

WHEREAS, an ordinance has been introduced pursuant to Section 33203 of the Health and Safety Code of the State of California declaring that there is no further need for the Agency created by Resolution No. 61-212 adopted May 8, 1961, because it has exercised no powers for two (2) years following the adoption of said resolution and the Council itself desires to exercise the powers of the agency,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

**SECTION 1. DECLARATION OF NEED FOR REDEVELOPMENT AGENCY TO FUNCTION.** It is hereby found and declared, pursuant to Section 33201 of the Community Redevelopment Law, that there is a need for the Agency created by Section 33200 of said Law to function in the City of Modesto, and said Agency is hereby authorized to transact business and exercise its powers under the Community Redevelopment Law. Said Agency shall be known as the Modesto Redevelopment Agency.

**SECTION 2. ADOPTION OF URBAN RENEWAL PROVISIONS OF THE COMMUNITY REDEVELOPMENT LAW.** It is hereby further found and declared, pursuant to Section 33983 of the Community Redevelopment Law, that there is need for urban renewal as defined in Chapter 6 of said Law, in the City of Modesto, and that all of the provisions of said Chapter 6 are operative in the community and applicable to the Agency provided by Section 1 hereof.

**SECTION 3. BODY TO SERVE AS REDEVELOPMENT AGENCY.** PURSUANT to the provisions of Section 33231.5 of the Community Redevelopment Law, this Body hereby declares itself to be the Agency provided in Section 1 hereof, and that all the rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in such Agency shall be, and are hereby vested in this Body.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

**SECTION 5. PUBLICATION.** This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1963, by Councilman Shastid, who moved its introduction and passage to print, which mo-

tion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

**AYES:** Councilmen:  
Mitchell, Patton, Shastid, Tabbert,  
VanderWall Mayor Johansen

**NOES:** Councilmen:

None

**ABSENT:** Councilmen:

None

**APPROVED:**

PETER W. JOHANSEN, Mayor

**ATTEST:**

REX E. GAILFUS, City Clerk

(SEAL) 5-16-63

**FINAL ADOPTION CLAUSE**

**Ord. No. 583-C.S.**

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

**AYES:** Councilmen:

Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

**NOES:** Councilmen:

None

**ABSENT:** Councilmen:

None

**APPROVED:**

PETER W. JOHANSEN, Mayor

**ATTEST:**

REX E. GAILFUS, City Clerk

**EFFECTIVE DATE:**

June 19, 1963

## SPECIAL MUNICIPAL REFERENDUM ELECTION

OCTOBER 8, 1963

	NO. OF PRECINCT	REGISTERED VOTERS	TOTAL VOTE	REFERENDUM MEASURE (A)	
				YES	NO
Absentee			115	35	80
1	365	162		67	95
2	492	238		79	158
3	549	269		102	167
4	428	229		102	127
5	475	274		49	224
6	587	328		81	247
7	382	202		62	140
8	518	310		72	237
9	451	226		60	166
10	465	288		80	207
11	592	397		187	210
12	621	370		117	252
13	572	330		95	235
14	591	349		108	241
15	426	276		142	134
16	448	266		56	210
17	439	262		85	176
18	359	235		68	166

SPECIAL MUNICIPAL REFERENDUM ELECTION

OCTOBER 8, 1963

NO. OF PRECINCT	REGISTERED VOTERS	TOTAL VOTE	REFERENDUM MEASURE (A)	
			YES	NO
19	395	159	21	138
20	329	175	28	147
21	503	287	72	215
22	525	320	126	194
23	347	174	47	127
24	484	239	87	152
25	632	253	55	198
26	562	247	41	206
27	492	288	72	214
28	523	340	97	243
29	571	362	81	281
30	313	137	47	89
31	474	195	38	157
32	383	168	55	112
33	375	208	55	153
34	350	199	29	170
35	272	104	40	63
36	373	191	42	149
37	611	305	103	202
38	367	120	29	91
<b>17641</b>		<b>9597</b>	<b>2812</b>	<b>6773</b>

TOTAL

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-470

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS AND RENTAL OF POLLING PLACES FOR THE SPECIAL MUNICIPAL REFERENDUM ELECTION HELD ON OCTOBER 8, 1963

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. A payment of \$18 to each inspection official and \$15 to each judge and clerk who served at the Special Referendum Election held in the City of Modesto on October 8, 1963, is hereby authorized, and

SECTION 2. A payment of \$15 for the rental of each polling place at said election is hereby authorized.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of October, 1963, by Councilman Tabbert , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Tabbert, Mayor pro tempore VanderWall
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Shastid, Mayor Johansen

ATTEST:   
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-471

A RESOLUTION REJECTING THE CLAIM OF MRS. GARY WIENS FOR DAMAGES  
AGAINST THE CITY OF MODESTO

WHEREAS, Mrs. Gary Wiens, 1103 Enslin Avenue, Modesto, California, has filed a claim for damages against the City of Modesto on the 11th day of October, 1963, a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claimant has presented a claim against the City of Modesto in the amount of \$150.50 for plumbing services performed by Rex A. Tanner and Sons, Plumbing, to correct plumbing difficulties allegedly caused by improper sewer connections made at the time the storm drain was installed; and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Mrs. Gary Wiens against the City of Modesto in the amount of \$150.50 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:   
REX E. GALLFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 472

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR ANNUAL LAMP REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for annual lamp  
requirements,

copies of which are on file, are hereby accepted and approved.


Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on Monday, November 4, 1963 at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 28th  
day of October, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-473

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$90 FROM  
THE GENERAL RESERVE TO OFFICE SERVICES - OFFICES SUPPLIES

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:	General Fund (101)	
	General Reserve (600)	\$90
To:	Parking & Traffic Service Division (58)	
	Office Supplies (301)	\$90

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
28th day of October, 1963, by Councilman  
Shastid, who moved its adoption, which motion  
being duly seconded by Councilman Tabbert  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-474

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN DOWNEY PARK NO. 3 SUBDIVISION

WHEREAS, Arthur J. Wylie and Florence E. Wylie, Subdividers of Downey Park No. 3 Subdivision, have filed with the City of Modesto a cash deposit of \$1,520 to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the cash deposit of \$1,520,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the cash deposit in the sum of \$1,520 filed by Arthur J. and Florence E. Wylie, to guarantee the improvements in Downey Park No. 3 Subdivision, be and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman Shastid , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
City Clerk

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DEEP WELL PUMP AND ELECTRICAL EQUIPMENT

WHEREAS, a report has been filed by the Director of Public Works that the construction of deep well pump and electrical equipment, has been completed by Jacuzzi Bros., Inc., 5377 Jacuzzi Avenue, Richmond, California in accordance with the contract agreement, dated July 11, 1963.


NOW, THEREFORE, BE IT RESOLVED that the construction of the deep well pump and electrical equipment be accepted from said contractor, Jacuzzi Bros., Inc.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Easton

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-476

A RESOLUTION AUTHORIZING THE RELEASE OF CASH DEPOSIT FILED TO  
GUARANTEE IMPROVEMENTS IN TULLY MANOR NO. 1 SUBDIVISION

WHEREAS, Precision Materials Company, Inc., subdivider of  
Tully Manor No. 1 Subdivision, deposited with the City of Modesto  
a cash sum of \$26,000.00 to guarantee the improvements in Tully  
Manor No. 1 Subdivision, and

WHEREAS, \$13,050.00 of said sum was released August 7, 1963,  
and

WHEREAS, the Director of Public Works has reported that the  
improvements have been completed in the aforesaid subdivision to  
his satisfaction, and has recommended the release of the balance  
of the cash deposit in the amount of \$12,950.00,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the  
City of Modesto that the <sup>balance of the</sup> cash deposit in the amount of \$12,950.00  
deposited by the subdivider of Tully Manor No. 1 Subdivision be,  
and it is hereby released.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
October, 1963, by Councilman Shastid , who moved its adoption,  
which motion being duly seconded by Councilman Hughes , was  
upon roll call carried and the resolution adopted by the following  
vote:

AYES:	Councilmen:	Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

ATTEST: \_\_\_\_\_

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-477

*leds for*  
A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE DEVELOPMENT OF GARRISON PARK SITE *Council call for*

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City Manager is hereby authorized to proceed with the development of the Garrison Park site.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

Noes: Councilmen: None

Absent: Councilmen: Patton

ATTEST:

*Rex E. Gallfus*  
REX E. GALLFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-478

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$23,400 FOR  
DEVELOPMENT OF THE GARRISON PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

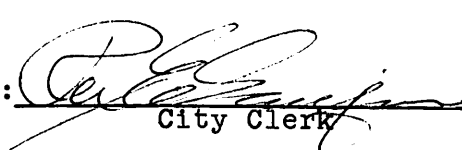
From:	Special Fund for Capital Outlays (321)	
	General Reserve (600)	\$23,400
To:	Park Development,	
	Garrison Park Site (5324)	\$23,400

To appropriate funds for the development of the  
Garrison Park Site

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
28th day of October, 1963, by Councilman  
VanderWall, who moved its adoption, which motion  
being duly seconded by Councilman Shastid  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

ATTEST:

  
City Clerk

A RESOLUTION OBJECTING TO THE SALE OF CERTAIN REAL PROPERTY HEREIN DESCRIBED BY THE TAX COLLECTOR OF THE COUNTY OF STANISLAUS AS PROVIDED BY SECTION 3695 OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.

WHEREAS, the Board of Supervisors of the County of Stanislaus, State of California has authorized the Tax Collector of the County of Stanislaus to sell at public auction certain real property situated in said County and which has been deeded to the State of California for nonpayment of delinquent taxes, and

WHEREAS, the hereinafter described property is situated in the City of Modesto, County of Stanislaus, State of California, and

WHEREAS, said property has also been sold for nonpayment of taxes levied and assessed by said City of Modesto on said property for a period of five (5) years and said taxes due to said City have not been paid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 3695 of the Revenue and Taxation Code of the State of California, said City of Modesto hereby objects to the sale of said property hereinafter described by said County Tax Collector.

BE IT FURTHER RESOLVED that the City of Modesto desires to purchase said property under the provisions of Chapter 8, Part 6, Division 1 of the Revenue and Taxation Code of the State of California (Sections 3771 et seq., Revenue and Taxation Code) and hereby authorizes the City Manager to execute an agreement with the County of Stanislaus to purchase said property.

The real property herein mentioned is situated in the City of Modesto, County of Stanislaus, State of California, and is more particularly described as follows:

City of Modesto, All Oil, Gas & Mineral rights, Beg 1020.30 ft South of South line Rouse Ave with center line Sunset; th South 2201.34 ft; Southwesterly 2140.08 ft; North 1398.28 ft; East 658.69 ft; Northeasterly 2512.48 ft; East to beginning Section 5, twp 4 S., Rge 9 E., M.D.B. & M.

Zlab Subdivision Block 1068 Begin 30 ft North and 13 ft. West of Northwest corner lot 10; th. South 167.01 ft; East 1 ft; North 167.01 ft; West 1 ft to beg. City of Modesto.

Zlab Subdivision Block 1073 Lot 9, Begin 30 ft South and 13 ft West of Southwest corner lot 9; th. North 173.01 ft; East 1 ft; South 173.01 ft; West 1 ft to beginning City of Modesto.

Zlab Subdivision, a 1 ft. reservation along Southerly line of Block 1068.

City of Modesto, Zlab Subdivision Block 1073 Begin 10 ft. South of Southeast corner lot 15; th. East 211.28 ft; South 1 ft; West 211.28 ft; North 1 ft. to beginning.

City of Modesto, Zlab Subdivision Block 1073 Begin Northeast corner lot 15; th North 21.17 ft; Southwesterly 1 ft more or less; Southerly 21.17 ft; Northeasterly to beginning.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-480

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
DARRELL OLSON FOR LEASE OF ONE-HALF OF AIRPORT HANGAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Darrell Olson

for lease of west one-half of Hangar No. 5, located at Modesto  
City-County Airport for one year, beginning July 1, 1963

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
October, 1963, by Councilman Mitchell, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-481

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
THE MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY - AFTER-  
SCHOOL RECREATION PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and the Modesto  
City School District of Stanislaus County

for an after-school recreation program commencing on or about  
October 1, 1963, and extending to on or about June 5, 1964,

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
October, 1963, by Councilman VanderWall, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-482

A RESOLUTION REJECTING THE CLAIM OF BETTY YOUNG, 1238 COLLEGE COURT, MODESTO, CALIFORNIA, FOR DAMAGES AGAINST THE CITY OF MODESTO

WHEREAS, Betty Young, 1238 College Court, Modesto, California, has filed a claim for damages against the City of Modesto on the 14th day of October, 1963 a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of \$175,000 for injuries allegedly sustained by the claimant on July 11, 1963 as the result of a collision of a Southern Pacific train and claimant's automobile, east of the intersection of B Street and 7th Street, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Betty Young against the City of Modesto in the amount of \$175,000 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963 by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:   
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-483

A RESOLUTION REJECTING THE CLAIM OF ALICE COOPRIDER FOR DAMAGES  
AGAINST THE CITY OF MODESTO

WHEREAS, Alice Cooprider, 208 Ruberto Street, Modesto, California has filed a claim for damages against the City of Modesto on the 17th day of October, 1963 a copy of which claim is on file in the office of the City Clerk, and

WHEREAS, the claim is in the amount of \$10,000 for injuries allegedly sustained on July 21, 1963 as the result of a fall on the south side of K Street in the vicinity of the alley running north and south between 10th and 11th Streets in the City of Modesto, and

WHEREAS, the claim should be rejected by reason of the fact that the City has no liability in this matter;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Alice Cooprider against the City of Modesto in the amount of \$10,000 be, and it is hereby rejected in its entirety, both as to the City of Modesto and the officials therein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST

  
REX E. GALLFUS, City Clerk

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20 OF THE ZONING MAP (AMERICAN LUMBER COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 20 of the Zoning Map (American Lumber Company) to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2 the following described property:

The northwest corner of West Roseburg and Alma Avenues,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 979 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:20 <sup>25</sup>~~8:30~~ P.M., Monday, November 25, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28 OF THE ZONING MAP (GENE CRISMON)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 28 of the Zoning Map (Gene Crismon) to reclassify from General Commercial Zone, C-2, to Multiple-Family Zone, R-3  
the following described property:

The southwest corner Las Flores and Cuesta. Beginning at a point on the center line of Las Flores Avenue, a 60-foot street, and the center line of Cuesta Avenue, a 50-foot street; thence South 0° 54' East along the center line of Las Flores Avenue 137 feet; thence West 180 feet; thence North 0° 54' West 137 feet to the center line of Cuesta Avenue; thence easterly along the center line of Cuesta Avenue 180 feet to the point of beginning, being located at the southwest corner of Las Flores and Cuesta Avenues, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 982 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:40 P.M., Monday, November 18, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28 OF THE ZONING MAP (JUSTO FERRARIO)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 28 of the Zoning Map (Justo Ferrario) to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D

the following described property:

Lot 1 and the north one-half of Lot 2 in Block 243, including the east one-half of Las Flores Avenue and the south one-half of La Sombra Avenue adjacent to said property, being located at the southeast corner of Las Flores and La Sombra Avenues,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 983 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:00 P.M., Monday, November 25, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19 OF THE ZONING MAP (ALFORD AND BARTON)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 19 of the Zoning Map (Alford and Barton) to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D (15)

the following described property:

That portion of Block 6253 lying north of the alley and bounded on the east by Carver Road, on the west by Grape Avenue and on the north by Garrison Park

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No 981 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:30 P.M., Tuesday, November 12, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 18 OF THE ZONING MAP (GEORGE KLEMM)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 18 of the Zoning Map (George Klemm) to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2

the following described property:

Both sides of Rumble Road in Renee Manor No. 1.  
Lots 1 to 9 inclusive in Block 13204, lot 1 in Block 6649 and lots 12 and 13 in Block 6648, located on the north and south sides of Rumble Road east of Carver Road

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 984 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 8:10 P.M., Monday, November 25, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19 OF THE ZONING MAP (JOE TROMBETTA)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Section 18 of the Zoning Map (Joe Trombetta) to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2

the following described property:

Lots 2 and 3 in Block 6019, in Westland Manor No. 2 Subdivision, located south of Clayton Avenue on the east side of Carver Road

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 985 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:50 P.M., Monday, November 18, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-490

A RESOLUTION APPROVING APPROPRIATION TRANSFER \$547 FROM GENERAL FUND, GENERAL RESERVE, TO MISCELLANEOUS UNCLASSIFIED - TAXES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

From:	General Fund (101)	
	General Reserve (600)	\$547
To:	Miscellaneous Unclassified (65)	
	Taxes (430)	\$547

To provide additional amount needed to pay off Bond 516, Assessment 6196-10, Improvement District No. 8, "Snedigar" property owned by City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-491

A RESOLUTION APPROVING AGREEMENTS BETWEEN THE CITY OF MODESTO AND ALBERT LANDINI, ET AL, FOR ACQUISITION OF PROPERTY FOR ROSE AVENUE PARK SITE AND LEASE AGREEMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Albert Landini, et al,

for acquisition of property for Rose Avenue park site and lease agreement for leasing of the property

they are  
be, and ~~it is~~ hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreements by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton

ATTEST:

  
CITY CLERK

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR  
INSTALLATION OF WATER MAINS IN STRATHMORE NO. 2 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution  
No. 63-464, on October 14, 1963, approving the plans and specifi-  
cations for the installation of water mains in Strathmore No. 2  
Subdivision

and directed the City Clerk to advertise for sealed proposals for  
doing said work, and providing that bids be submitted on the 29th  
day of October, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution,  
thereafter duly and regularly caused a notice to be published in the  
manner and for the time prescribed by law, and

WHEREAS, no bids were received pursuant to said notice, and

WHEREAS, the Director of Public Works estimates that the cost  
of such work to be performed by city forces for the sum of \$8412.35,  
which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its  
opinion, based upon the estimate approved by the City Manager, the  
work in question may be performed better and more economically by  
the City with its own employees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that, in accordance with the provisions of Section 1307 of  
the Charter of the City of Modesto, the City Manager is hereby  
authorized to proceed to have the work in question performed by the  
City by its own employees.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 4th day of November,  
1963, by Councilman Hughes, who moved its adoption, which  
motion being duly seconded by Councilman VanderWall, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor  
NOES: Councilmen: Johansen  
ABSENT: Councilmen: None  
Patton, Shastid

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-493

A RESOLUTION REJECTING ALL BIDS ~~AND AUTHORIZING THE ENGINEER BE RECOMMENDED BY THE CITY~~ FOR THE CONSTRUCTION OF PARKING LOT ON 9TH STREET BETWEEN J AND K STREETS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 63-445, on September 30, 1963, approving the plans and specifications for demolition of Modesto Plymouth Building and construction of Parking Lot and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 18th day of October, 1963, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the Director of Parking and Traffic reported that the landlord of the property and the adjacent property owner have now offered to pay \$2,000 to have the southerly wall replaced rather than reinforced, and

WHEREAS, the Director of Parking and Traffic recommends that the bids be rejected, that the building be left and the lot be operated on an attendant basis through Christmas, and, at that time, new bids be sought.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-494

A RESOLUTION ACCEPTING THE BID OF P. E. VAN PELT, INC., FOR TWO 1250 GALLON PER MINUTE FIRE ENGINE PUMPERS

WHEREAS, Resolution No. 63-345, adopted by the Council of the City of Modesto on July 15, 1963, approved the plans and specification for two 1250 gallon per minute fire engine pumpers and authorized the calling for bids, and

WHEREAS, the bids received for the two 1250 gallon per minute fire engine pumpers were opened at 2:00 P.M. on August 20, 1963, and later tabulated by the Finance Department for the consideration of the Council, and

WHEREAS, the Council by Resolution No. 63-411 rejected the bids received for the two 1250 gallon per minute fire engine pumpers on August 26, 1963, due to technicalities, and

WHEREAS, the City Manager was authorized by motion of the Council on August 26, 1963, to secure informal bids for the two 1250 gallon per minute fire engine pumpers, and

WHEREAS, informal bids received for the two 1250 gallon per minute fire engine pumpers were opened October 28, 1963, and later tabulated by the Finance Department for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the informal bid of P. E. Van Pelt, Inc., P. O. Box 365, Oakdale, California, <sup>in the amount of \$57,914.98</sup> be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of P. E. Van Pelt, Inc., be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-495

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR TWO 1250  
GALLON PER MINUTE FIRE ENGINE PUMPERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

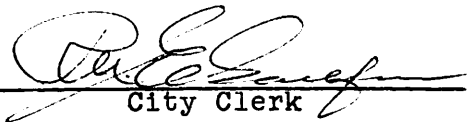
From:	Special Fund for Capital Outlay (321)	
	General Reserve (600)	\$4000
To:	Special Fund for Capital Outlay (321)	
	Pumpers, Station 5 (5402)	\$4000

To appropriate an additional amount needed for the purchase of the fire truck. Bids were higher than anticipated when preparing the budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Hughes was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC LIGHTS AT 10TH  
AND D STREETS

WHEREAS, a report has been filed by the Director of Public Works  
that the construction of traffic signals and street lights at  
10th and D Streets  
has been completed by Industrial Electrical Company, P. O. Box 3806,  
Modesto, California,  
in accordance with the contract agreement, dated July 22, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of  
the traffic lights at 10th and D Streets  
be accepted from said contractor, Industrial Electrical Company,  
that Notice of Completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due, as provided in the contract,  
be authorized.

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 4th day of  
November, 1963, by Councilman Mitchell, who moved its  
adoption, which motion being duly seconded by Councilman VanderWall,  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. ~~63~~ 63-497

A RESOLUTION GIVING NOTICE OF PROPOSED DEMOLITION OF THE BUILDING(S) LOCATED AT 510 WEST FAIRMONT AVENUE IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203 (a) OF THE UNIFORM BUILDING CODE AND FIXING THE TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, the Uniform Building Code, <sup>1961</sup>~~1979~~ Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203 (a) of the Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, provides that a building which is structurally unsafe, or which constitutes a fire hazard, or is otherwise dangerous to human life and is declared to be a public nuisance, shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in said Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, and

WHEREAS, the Chief Building Official, after examining the building(s) at 510 West Fairmont Avenue, found ~~it~~ (them) to be unsafe and dangerous, and gave to Dorothy Penfield the owner ~~(s)~~ thereof, written notice stating the defects thereof, and requiring commencement of work to make required repairs within forty-eight (48) hours from such notice or to demolish and remove the building(s), and

WHEREAS, the owner ~~(s)~~, Dorothy Penfield, was ~~(waived)~~ advised by ~~(waived)~~ ~~(waived)~~ (personal service) on October 18, 1963, in accordance with Section 203 (b) of the Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, to comply with the order of the Building Official, and

WHEREAS, in accordance with Section 203 (c) of said Building Code, the Building Official caused signs to be posted at the hereinabove referred to property, declaring the building(s) unsafe, and

WHEREAS, the owner ~~(s)~~ of the above referred to property has ~~(s)~~ failed and neglected to comply with the notice to commence the required repairs or demolish and remove the building(s) located thereon,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DECLARATION OF INTENTION. The Council hereby declares its intention to proceed in accordance with the provisions of Section 203 (d) of the Uniform Building Code, <sup>1961</sup> ~~1958~~ Edition, to authorize and direct the Chief Building Official to demolish and remove the aforesaid described building(s) as constituting an unsafe building(s) and a public nuisance, the owner ~~(s)~~ having failed and neglected to comply with the aforementioned notice to commence the required repairs or to demolish and remove the aforesaid building(s).

SECTION 2. NOTICE OF TIME AND PLACE FOR HEARING. Notice is hereby given that the 18th day of November, 1963, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the City Hall located at 801 Eleventh Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said matter, at which time and place any person owning such real or personal property and having any objections to the proposed removal or demolition of said building(s) may appear before the Council of the City of Modesto and show cause why said building(s) should not be ordered demolished and removed.

SECTION 3. MAILING OF NOTICE TO OWNER OR OWNERS. The City Clerk shall cause a copy of this resolution to be mailed by registered mail to the owner or owners of the property affected at least ten (10) days prior to the date set for the hearing.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST: 

City Clerk

(SEAL)

APPROVED AS TO FORM

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-498

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,901 FOR  
ROSE AVENUE PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:	Special Fund for Capital Outlay (321) General Reserve (600)	\$3,901
To:	Special Fund for Capital Outlay (321) Park Acquisition, Neighborhood #11 (near Rose Ave. School - Landini property) (5105)	\$3,901

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
4th day of November, 1963, by Councilman  
VanderWall, who moved its adoption, which motion  
being duly seconded by Councilman Tabbert  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST:

  
City Clerk

A RESOLUTION SETTING A HEARING ON CONFIRMATION OF THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE BUILDING(S) LOCATED AT 526 - 16th STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203(a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (JOTTIE M. ALBRITTON)

WHEREAS, in accordance with the provisions of the Uniform Building Code, 1961 Edition, adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, pursuant to Section 203 (a) through (d) of the Uniform Building Code, 1961 Edition, a procedure is established whereby the City Council may, after due notice to the owners, order the Building Official to proceed with demolition and removal of buildings and structures unsafe or dangerous to human life and declared to be a public nuisance, and

WHEREAS, after receiving such notice the owner of the property situate at 526 - 16th Street in the City of Modesto failed and neglected to comply with said notice to repair or demolish and remove the building(s) located thereon, the Building Official proceeded with the work specified in a notice to the owner given by ~~registered mail~~ (personal service) on August 29, 1963,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Monday, the 18th day of November, 1963, at 4:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, be set as the time and place for hearing and passing upon a report of the Department of Public Works with respect to the demolishing and removing of the building(s) located at 526 - 16th Street in the City of Modesto, in accordance with the provisions of Section 203(a) of the Uniform Building Code, together with any objections or protests, if any, which may be raised by the property owner or other interested persons.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 19 63, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-500

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO THE STATE OF CALIFORNIA, DEPARTMENT OF MOTOR VEHICLES, TO INSTALL A SIGN IN THE SIDEWALK AREA ON THE WEST SIDE OF JEFFERSON STREET BETWEEN BEECH AND CHESTNUT STREETS

WHEREAS, the State of California, Department of Motor Vehicles, has filed a request with the Council of the City of Modesto for permission to install a sign in the sidewalk area on the west side of Jefferson Street between Beech and Chestnut Streets,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. An encroachment permit, revocable upon thirty (30) days' written notice by City is hereby granted to said applicant to install a sign in the sidewalk area on the west side of Jefferson Street between Beech and Chestnut Streets, subject to the other provisions of this resolution.

SECTION 2. Said revocable encroachment permit is granted for each of the conditions herein set forth, which conditions Permittee agrees, by acceptance of this permit, to faithfully perform to wit:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) In the event of revocation of this permit by the City, Permittee agrees to remove such portions of the sign as is located on public property, including appurtenances, at its own expense.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-501

A RESOLUTION ACCEPTING THE BID OF MODESTO INDUSTRIAL ELECTRICAL CO., INC., FOR ANNUAL LAMP REQUIREMENTS

WHEREAS, Resolution No. 63-472, adopted by the Council of the City of Modesto on Oct. 28, 1963, approved the plans and specifications for the annual lamp requirements,

and authorized the calling for bids, and

WHEREAS, the bids received for the annual lamp requirements, were opened at 2:00 P.M., November 4, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of the Modesto Industrial Electrical Co., Inc., 1417 Coldwell Avenue, Modesto, California, be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of the Modesto Industrial Electrical Co., Inc., 1417 Coldwell Avenue, Modesto, California, be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 502

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT GRANTING A CONDITIONAL USE PERMIT TO MRS. GEORGE R. WILLS FOR PARKING IN AN R-2 AND R-3 ZONE ADJACENT TO C-2 ZONING IN BLOCK 568, DOWNEY AVENUE.

WHEREAS, an application for a conditional use permit to provide parking in an R-2 and R-3 Zone on the north side of Downey Avenue east of McHenry Avenue was filed by Mrs. George R. Wills on September 11, 1963, and

WHEREAS, after a public hearing held on September 26, 1963, the Board of Zoning Adjustment adopted Resolution No. 230, granting a conditional use permit to Mrs. George R. Wills for parking in an R-2 and R-3 Zone in Block 568, Lots 1 through 5 and the south twelve and one half (12½') feet of Lots 44 to 49 inclusive, subject to the conditions contained in said resolution, and

WHEREAS, an appeal to said decision of the Board of Zoning Adjustment was filed with the City Clerk on October 9, 1963, and

WHEREAS, the Council set November 12, 1963, at 8:00 P.M. in the Council Chambers, located in the City Hall, 801 - 11th Street, in the City of Modesto, as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence, both oral and documentary, taken and introduced at said public hearing, the Council finds and determines that the decision of the Board of Zoning Adjustment should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Mrs. George R. Wills to the decision of the Board of Zoning Adjustment be denied, and that the decision of the Board of Zoning Adjustment as

set forth in its Resolution No. 230 be affirmed on the basis of the findings set forth in said resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen

**NOES:** Councilmen: None

**ABSENT:** Councilmen: Patton, Shastid

**ATTEST:**

  
City Clerk

(SEAL)

**APPROVED AS TO FORM:**

By

ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-503

A RESOLUTION CONFIRMING THE REPORT OF THE SUPER-INTENDENT OF STREETS CONCERNING THE WORK OF REPAIR OF SIDEWALK AND DRIVEWAY IN FRONT OF PROPERTY LOCATED AT 222 MELROSE AVENUE IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN.

WHEREAS, Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the repair of sidewalks may be required, and

WHEREAS, the Superintendent of Streets, did, on August 23, 1963, notify the owner of the property fronting on 222 Melrose Avenue in the City of Modesto to repair said sidewalk and driveway by mailing a written notice with postage thereon prepaid, to the owner thereof at his last known address, and

WHEREAS, the Superintendent of Streets did thereafter on September 11, 1963, cause to be posted in a conspicuous place on the property a notice to repair said sidewalk and driveway within two (2) weeks, and

WHEREAS, the owner having failed to repair said sidewalk and driveway as required by the notice to repair, the Superintendent of Streets proceeded to complete the said work as aforesaid, in compliance with the provisions of Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 12, 1963, at 8:15 o'clock P.M. in the Council Chambers, located in the City Hall, 801 - 11th Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of Forty-Nine and 79/100ths (\$49.79) Dollars,

of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of Forty-Nine and 79/100ths (\$49.79) Dollars, be assessed as a lien against the parcel of property fronting upon the sidewalk and driveway so repaired, to wit, 222 Melrose Avenue, Modesto, California, described as follows:

Lot 54 and 55, Block 590, City of Modesto as per map filed December 21, 1942, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5628 of the Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The City Clerk shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed by Section 5629 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM

By Allen Grimes  
ALLEN GRIMES, City Attorney

A RESOLUTION APPROVING A DEVELOPMENT PLAN  
FOR PLANNED-DEVELOPMENT ZONE, P-D (15).  
(ALFORD AND BARTON)

WHEREAS, a verified application for an amendment to  
Section 19 of the Zoning Map was filed by Robert Alford  
and V. E. Barton on September 30,  
19 63, to reclassify from One-Family Zone, R-1,  
to Planned-Development Zone, P-D, the following described property:

Beginning at a point on the north line of Teresa  
Street, a 40 foot street, and the center line of  
Grape Avenue, a 60 foot street; thence South 89°  
44' 30" East, 380 feet to the east line of Carver  
Road; thence South 0° 31' East, 150 feet; thence  
north 89° 44' 30" West, 380 feet more or less to  
the center line of Grape Avenue; thence Northerly  
along the center line of Grape Avenue 150 feet  
more or less to the point of beginning, being  
located between Carver Road and Grape Avenue north  
of Orangeburg Avenue, and

WHEREAS, after public hearing held on October 15,  
1963, it was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare for the following  
reasons:

- (1) The proposed use is on a collector street one half  
( $\frac{1}{2}$ ) block from its intersection with a major street.
- (2) The property faces commercial uses and zoning  
across the collector street.

(3) The development will not be materially detrimental to the Single-Family Zone to the west and south, as it is separated by a street and alley and is so designed as to orient the buildings away from the single-family development, with single-story construction facing the single-family residences, and

WHEREAS, after a public hearing held on November 12, 19 63, the Council found and determined that the application of Robert Alford and V. E. Barton for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. \_\_\_\_\_-C.S. on the 12th day of November, 19 63, reclassifying the above-described property from One-Family Zone, R-1, to Planned-Development Zone, P-D (15).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (15), is hereby approved in accordance with the plan titled "32 Unit Apartment House" as amended on its face dated October 1, 19 63, which said plan is on file in the office of the Planning Director, subject to the following conditions:

~~SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone:~~

(a) That the applicants dedicate right-of-way for Grape Avenue, Carver Road and the adjacent alley within thirty (30) days following establishment of the zone.

(b) That the applicants install curb, gutter, sidewalk and street surfacing on Grape Avenue and Carver Road, in accordance with city standards in effect upon the date that a building permit is issued for such construction.

(c) That the alley be developed in accordance with city standards in effect upon the date that a building permit is issued for such construction.

(d) That all public improvements required above be installed prior to final inspection of the buildings by the Chief Building Official of the City.

(e) That a cash deposit, savings and loan certificate, or a performance bond issued by a corporate surety company in an amount to be determined by the City Engineer to cover the cost of public improvements shall be filed with the City Clerk within thirty (30) days following establishment of the zone, said bond to guarantee the faithful performance of the provisions of this resolution.

(f) That the final site plan and a landscaping and fencing plan be submitted to the Secretary of the Planning Commission for approval prior to the time application is made for a building permit.

**SECTION 2. DEVELOPMENT SCHEDULE.** The following development schedule is hereby approved for said Planned-Development Zone, P-D(15):

(a) The entire construction program shall be accomplished in one phase, construction to begin on or before May 1, 1965, and be completed not later than December 1, 1965.

**SECTION 3. CHANGES IN DEVELOPMENT PLAN.** Any changes in the above mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

**SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC.** In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

**SECTION 5. EFFECTIVE DATE.** This resolution shall not become effective unless and until the ordinance reclassifying the above described property to Planned-Development Zone, P-D(15) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

**AYES:** Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen  
**NOES:** Councilmen: None  
**ABSENT:** Councilmen: Patton, Shastid

**ATTEST:**   
City Clerk

(SEAL)

**APPROVED AS TO FORM:**

By ALLEN GRIMES, City Attorney

A RESOLUTION ADOPTING "RULES FOR THE CONDUCT OF APPEALS FROM ACTIONS OF THE PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT" FOR THE COUNCIL OF THE CITY OF MODESTO.

WHEREAS, Section 710 of the Charter of the City of Modesto authorizes the Council to determine its own rules of procedure,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that "Rules for the Conduct of Appeals from Actions of the Planning Commission and Board of Zoning Adjustment", as shown on the attached Exhibit "A", and made a part of this resolution as though set forth in full herein, be and they are hereby adopted by reference as the rules for the conduct of appeals at the meetings of the Council of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

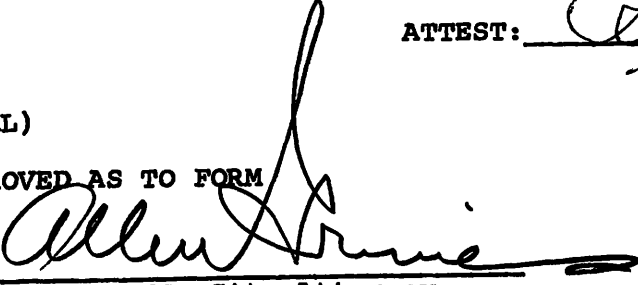
ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM

By

  
ALLEN GRIMES, City Attorney

COMMISSION AND BOARD OF ZONING ADJUSTMENT

1. Appeals to the City Council from actions of the Planning Commission or the Board of Zoning Adjustment shall be heard "de novo", and the Council will hear and receive all pertinent and proper evidence.
2. The real parties in interest, including in all cases the applicant, the appellant (if this be someone other than the applicant) and any other parties having a substantial interest in the hearing, may be represented by counsel.
3. All hearings will be recorded by mechanical means. If a phonographic reporter is desired, the fee or fees of such reporter shall be paid by the party requesting his services.
4. Prior to the hearing, the City Clerk shall furnish each member of the Council with a copy of the resolution or order of the Planning Commission or Board of Zoning Adjustment from which the appeal has been taken.
5. At the opening of the hearing, the resolution or order of the Planning Commission or Board of Zoning Adjustment from which the appeal has been taken, will be read aloud by the City Clerk.
6. A report prepared in advance of the hearing by the staff of the Planning Department, will then be read or presented by the Director of Planning, or a member of his staff designated by him. As a part of this presentation, suitable large scale zoning maps, land use maps and plot plans of the area concerned may be identified and placed in view of the Council and all persons attending the hearing.
7. At the conclusion of the presentation by the staff of the Planning Department, appellant may testify, call witnesses, and present any material exhibits, documents or other physical evidence.
8. At the conclusion of the appellant's presentation, evidence supporting the action of the Planning Commission or Board of Zoning Adjustment may be presented by the Planning staff or other interested parties.
9. Witnesses shall not be required to be sworn. Each witness will be required to approach a microphone and give his full name and address for the record before testifying.
10. The right to cross examine witnesses shall be afforded, if requested. However, the presiding officer of the Council, in his discretion, may require that such questions be addressed to him for resubmission to the witness.

Exhibit "A"  
November 5, 1963

11. The reading of details of letters and petitions will not be permitted. Such documents may be filed with the City Clerk and the City Clerk shall mark them as exhibits for the limited purpose of showing the names of the persons protesting or supporting the action of the Planning Commission or Board of Zoning Adjustment.

12. Evidence and testimony which is cumulative and repetitious only may be foreclosed by the presiding officer. Similarly, testimony and evidence which is incompetent, irrelevant, immaterial or hearsay, shall be excluded by the presiding officer. If, because of the informality of the hearing, such improper evidence is received, it shall not be considered by the Council in reaching its decision.

13. At the conclusion of the hearing, the presiding officer, in his discretion, may allot a limited amount of time to the appellant, or his counsel, for the summation of his presentation. A similar amount of time shall be allowed for summation in support of the decision of the Planning Commission or Board of Zoning Adjustment.

14. Before arriving at a decision, the City Council may inspect the premises involved in the appeal, either before the hearing or after the hearing. Where the members of the Council have either viewed the site or are personally familiar with it and by their own knowledge are aware of the physical condition of the site and of the neighborhood characteristics, the members of the City Council may consider such view and knowledge as independent evidence in arriving at a decision on the appeal.

15. In the event that the decision of the Council on an appeal is continued to a future date and any member of the Council was not present at the time of the hearing, or at any meeting to which the hearing was continued, it shall be the responsibility of the absent councilman to read the transcript of the proceedings before the hearing, if a transcript is prepared, or in lieu thereof, to listen to the entire transcript of the proceedings as recorded by the electronic device prior to attending the meeting at which the matter is placed on the agenda for decision. No councilman shall be eligible to participate in the voting on the decision on the appeal if he has not either read the transcript of prior hearing proceedings or listened in full to the proceedings on the electronic wax transcription. It shall be the duty of a member of the Council absent at any of the hearing proceedings to declare for the record, prior to voting on the decision, that he has familiarized himself with the proceedings which occurred at prior meetings during his absence.

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-506

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MARCUS C. JOHNSON FOR RENTAL OF CITY OWNED PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Marcus C. Johnson  
for rental of city-owned property at 217 Elm Street for \$60 per month  
effective November 7, 1963 on a month-to-month basis

~~for~~

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 12th day of  
November, 1963, by Councilman VanderWall, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-507

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND H. RUSSELL BRIGGS, ROSE CHAPMAN AND LINN C. ALEXANDER AND ASSOCIATES, INC.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and H. Russell Briggs, Rose Chapman and Linn C. Alexander and Associates, Inc. establishing conditions in connection with the rezoning of real ~~for~~ property located on the west side of McHenry Avenue between Briggsmore and Bowen Avenues (Ordinance No. 608-C.S.)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman VanderWall was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-508

A RESOLUTION CONFIRMING THE APPOINTMENT OF MEMBERS TO THE HUMAN RIGHTS COMMITTEE OF THE CITY OF MODESTO

WHEREAS, the Mayor and Councilmen of the City of Modesto believe that all residents of the City of Modesto, regardless of race, color or creed should have equal advantages relating to human rights, and

WHEREAS, the Council has authorized the Mayor to select thirty-seven members to serve on the Human Rights Committee;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto:

Section 1. The following persons are hereby appointed members of the Human Rights Committee:

Miss Alice Ahlberg  
2409 Henry Avenue  
Ceres, California

Don Davis  
220 Maze Boulevard  
Modesto, California

Dr. Leslie G. Billingsley  
716 Spencer  
Modesto, California

David J. Dill  
304 Spencer  
Modesto, California

Rev. Eddie Bolden  
712 Spencer  
Modesto, California

Robert J. Gallo  
1716 Maze  
Modesto, California

Donald Buller  
1909 Klemm Court  
Modesto, California

Mrs. Odessa Gamble  
220 Pine  
Modesto, California

Rev. Howard L. Clarke  
716 Marshall  
Modesto, California

Silas W. Green  
202 Maple  
Modesto, California

Joseph Cox  
319 Spencer  
Modesto, California

Mrs. Virgil Howard  
325 La Loma  
Modesto, California

Lee Davies  
109 Bonita Circle  
Modesto, California

James B. Johnston  
1201 Payne Avenue  
Ceres, California

Richard H. Kinser  
1140 Mills Avenue  
Modesto, California

Leopold Prescott  
119 Oak  
Modesto, California

Harry Kullijian  
3001 Coffee Road  
Modesto, California

George Reed  
529 Covena  
Modesto, California

William R. Lundgren  
224 Palm Avenue  
Modesto, California

Lois Ritter  
140 E. Orangeburg  
Modesto, California

Harold McKee  
808 Notre Dame  
Modesto, California

Dr. Frank Sample  
1305 Nelson Avenue  
Modesto, California

Mrs. John Mensinger  
1320 Magnolia Avenue  
Modesto, California

Joe Sims  
408 Spencer  
Modesto, California

William Meyer  
517 Ribier Avenue  
Modesto, California

Robert Stonum  
1905 Devonshire Avenue  
Modesto, California

Miss Bernice Middleton  
408 Oak Street  
Modesto, California

Judge Carson Taylor  
206 N. Morton Boulevard  
Modesto, California

Marion Moorehead  
1133 Woodman Way  
Modesto, California

Mrs. Ruby Wilson  
1104 Superior  
Modesto, California

Max A. Mota  
1325 Del Mar  
Modesto, California

Dr. Harry Wiser  
1225 Trinity  
Modesto, California

Rev. R. Truman-Northup  
918 Sierra Drive  
Modesto, California

Paul E. Whitmore  
1514 Nutwood Drive  
Modesto, California

Dr. William O'Brien  
1741 Blue Gum Avenue  
Modesto, California

Charles Yates  
819 Enslin  
Modesto, California

Stanley Pang  
1426 Glenwood Drive  
Modesto, California

Section 2. Reverend R. Truman Northup is hereby appointed  
Chairman of the Human Rights Committee.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 12th day of  
November, 1963, by Councilman VanderWall, who moved its adoption,  
which motion being duly seconded by Councilman Tabbert, was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-509

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR CONSTRUCTION OF GENERAL IMPROVEMENTS IN CALIFORNIA-  
FRANKLIN PARK

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the general  
improvements in California-Franklin Park,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on November 26, 1963, at 2:00 P.M.,  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 12th  
day of November, 19 63, by Councilman Mitchell,  
who moved its adoption, which motion being duly seconded by  
Councilman VanderWall, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST: 

City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-510

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR LANDSCAPING INSTALLATION AT CALIFORNIA-FRANKLIN  
PARK

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for landscaping  
installation at California-Franklin Park

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on November 26, 1963, at 2:00 P.M.,  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 12th  
day of November, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Tabbert, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-511

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR SPRINKLER SYSTEM AT CALIFORNIA-FRANKLIN PARK

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for the sprinkler  
system at California-Franklin Park

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on November 26, 1963, at 2:00 PM,  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 12th  
day of November, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shatid

ATTEST:

  
City Clerk

A RESOLUTION CONFIRMING THE REPORT OF THE DIRECTOR OF PUBLIC WORKS CONCERNING THE WORK OF DEMOLISHING AND REMOVING THE BUILDING(S) LOCATED AT 526 - 16th STREET IN THE CITY OF MODESTO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 203 (a) OF THE UNIFORM BUILDING CODE, ASSESSING THE COST OF SAID WORK AGAINST THE PARCEL OF REAL PROPERTY, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (JOTTIE M. ALBRITTON)

WHEREAS, the Uniform Building Code, ~~1958~~ <sup>1961</sup> Edition, has been adopted by reference by Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code on the 6th day of October, 1954, as amended, and

WHEREAS, Section 203 (a) of the Uniform Building Code, ~~1958~~ <sup>1961</sup> Edition, establishes a procedure whereby the City Council may order the Building Official to proceed with the demolishing and removing of buildings and structures which are unsafe or dangerous to human life and declared to be a public nuisance after the giving of due notice to the owners of said property, and

WHEREAS, the Council did, on October 7, 1963, adopt its Resolution No. 63-451, directing the Building Official to proceed with said work, as provided therein, and

WHEREAS, the Director of Public Works proceeded to complete the said work in accordance with Council Resolution No. 63-451, and

WHEREAS, November 18, 1963, at 4:30 P.M. in the Council Chambers, located in the City Hall, 801 11th Street, Modesto, California, was set as the time and place for hearing and passing upon a report of the Director of Public Works with respect to the demolishing and removing of the building(s) located on said piece of property, and

WHEREAS, on the completion of said hearing, said Council confirmed the report of the Director of Public Works as submitted,

and on file in the office of the City Clerk, the cost of said work being determined in the total amount of Seventy-Two and No/100ths (\$72.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of Seventy-Two and No/100ths (\$72.00) Dollars, be assessed as a lien against the parcel of real property located at 526 - 16th Street in the City of Modesto, County of Stanislaus, State of California, and more particularly described as follows:

Block N, Lots 29 and 30.

SECTION 2. In accordance with the provisions of Section 203 (e) of the Uniform Building Code, <sup>1961</sup>~~1958~~ Edition, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The City Clerk shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the assessment book to the County Board of Equalization. The lien shall be collected in accordance with Section 203 (e) of the Uniform Building Code and shall be collected in the manner provided for special assessments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 19 63, by Councilman Hughes,

who moved its adoption, which motion being duly seconded by Council-  
man Mitchell, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM

By

  
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-513

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHESTER D. CHAMBERS FOR AN EXCHANGE OF PROPERTIES BETWEEN PARTIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Chester D. Chambers providing for an exchange of properties between parties; City to acquire a parcel of property needed for a fire station ~~for~~ site on Northern Boulevard and approval of payment of \$700 to Mr. Chambers

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-514

A RESOLUTION CONFIRMING THE APPOINTMENT OF MEMBERS TO THE  
ADVISORY COMMITTEE ON CITY PARKING AND TRAFFIC

WHEREAS, the Council of the City of Modesto has felt the need of  
a study of city traffic and parking problems, with special emphasis on  
the downtown area, and

WHEREAS, the Council has authorized the Mayor to select ten members  
to serve on the Advisory Committee on Parking and Traffic;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City  
of Modesto:

Section 1. The following persons are hereby appointed members of  
the Advisory Committee on City Parking and Traffic:

Stanley D. Adkins  
2029 Torrid Avenue  
Modesto, California

J. A. Saletta  
206 Griswold Avenue  
Modesto, California

William D. Bair  
316 King Richard Lane  
Modesto, California

Wickham S. Scott  
1013 Encina Avenue  
Modesto, California

Mrs. Claire Bartholomew  
2018 Joaquin Street  
Modesto, California

G. Dale Smith  
302 Northwood Drive  
Modesto, California

Mrs. Pat Gaard  
923 Melinda Lane  
Modesto, California

Ray E. Starn  
2102 College Avenue  
Modesto, California

A. A. Hamaway  
1006 Yale Avenue  
Modesto, California

Roy E. Fredricksen  
1105 Mount Vernon Drive  
Modesto, California

Section 2. Mr. G. Dale Smith is hereby appointed Chairman of the  
Advisory Committee on City Parking and Traffic.

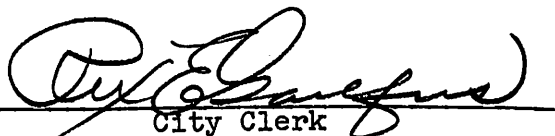
The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 18th day of November,  
1963, by Councilman VanderWall, who moved its adoption, which motion  
being duly seconded by Councilman Tabbert, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall, Mayor  
Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

**A RESOLUTION DESIGNATING CERTAIN AREAS AS MUNICIPAL OFF-STREET PARKING LOTS, PROVIDING FOR CONTROL OF VEHICULAR PARKING THEREON BY MEANS OF PARKING ATTENDANTS, ESTABLISHING THE DAYS AND HOURS DURING WHICH CONTROL BY PARKING ATTENDANTS SHALL BE EFFECTIVE, AND FIXING THE RATES TO BE CHARGED.**

WHEREAS, Section 3-2.1601(c) of the Modesto Municipal Code provides that certain municipal off-street parking lots shall be established as attendant parking lots, and

WHEREAS, Section 3-2.1603 of said Code provides that the Council, by resolution, shall determine the hours and days of operation on said lots and establish the rates to be charged,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following areas are hereby designated as municipal off-street parking lots:

- (a) 9th Street between I and J Street parking lot (PAL-2)
- (b) 11th Street between H and I Street (street level) parking lot (PAL-4a)
- (c) 10th Street between K and L Street parking lot (PAL-5)
- (d) 9th Street between J and K Street parking lot (Modesto Plymouth Parking Lot) (PAL-12)

SECTION 2. That vehicular parking on said municipal off-street parking lots, PAL-2, PAL-4a, PAL-5, and PAL-12, shall be controlled and regulated by parking attendants from 9:00 a.m. to 9:00 p.m., Monday through Saturday. Attendant parking may be used on such additional special occasions as may be deemed appropriate by the City Manager.

SECTION 3. That the rate of ten (10¢) cents per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1603 of the Modesto Municipal Code, is hereby established for said attendant parking lots, PAL-2, PAL-4a, PAL-5 and PAL-12.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: Hughes

ABSENT: Councilmen: Patton, Shastid


ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-516

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$6,000 FOR  
VALIDATED PARKING OPERATION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:	Parking Fund (209)	
	General Reserve (600)	\$6,000
To:	Present Lot Development (5301)	\$6,000

To provide an amount estimated to be required to modify  
three parking lots for validation-type operation

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
18th day of November, 1963, by Councilman  
VanderWall, who moved its adoption, which motion  
being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-517

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,154 TO PROVIDE FUNDS FOR PAYMENT OF PERIMETER STREET LIGHTS IN RENEE MANOR NO. 1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

From:	Special Fund for Capital Outlay (321)	
	General Reserve (600)	\$1,154
To:	Perimeter Street Lights (321-5322)	\$1,154

To provide funds for payment of perimeter street lights in Renee Manor No. 1 (1/2 share on five lights).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 19 63, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton, Shastid

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-518

A RESOLUTION RELEASING PERFORMANCE BOND IN THE AMOUNT OF \$92,000 AND ACCEPTING BOND IN THE AMOUNT OF \$1,000 TO GUARANTEE REMAINING IMPROVEMENTS IN RENEE MANOR NO. 1 SUBDIVISION

WHEREAS, George Klemm and Helyn Soderlund, subdividers of Renee Manor No. 1 Subdivision, posted a performance bond with the City of Modesto to guarantee improvements in Renee Manor No. 1 Subdivision, and

WHEREAS, the Department of Public Works has reported that all work in the subdivision is complete with the exception of street work at one location which can better be accomplished at such time as the adjacent area to the south is developed, and

WHEREAS, the Department of Public Works has recommended that the subdivision improvement bond in the amount of \$92,000 be released upon receipt from the developer of a \$1,000 cash deposit or savings and loan certificate,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the performance bond filed by George Klemm and Helyn Soderlund in the amount of \$92,000 be released and that the subdividers be required to file a cash deposit or savings and loan certificate in the amount of \$1,000 to guarantee the remaining improvements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:

  
City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO  
PLEDGING ALL PRACTICAL AND FEASIBLE STEPS WILL BE TAKEN  
TOWARD ELIMINATION OF ODORS EMANATING FROM THE MODESTO  
SEWAGE TREATMENT PLANT

WHEREAS, on November 5, 1963, the Stanislaus County Board of Supervisors did request, by Resolution, that the City Council of the City of Modesto issue a formal pledge that the City would take "all possible steps to eliminate the odors emanating from the Municipal Sewer Plant"; and

WHEREAS, continuing, season-long observation and review of treatment plant operations, aimed at counteracting or minimizing the problems created by increasing volumes of industrial wastes have resulted, even prior to receipt of the Board's resolution, in many adjustments and improvements of plant operations and of "housekeeping" practices; and

WHEREAS, City representatives have met on several occasions with citizens of the South Modesto area, and have kept them informed of improvements made and contemplated at the sewage treatment plant; and

WHEREAS, in a memorandum to the City Manager dated November 12, 1963, the City Director of Public Works listed the following eleven improvements to be made at the sewage treatment plant prior to next year's processing season:

1. Application of the chemical chloro-benzene to the sewage in the collection system and at the headworks of the Plant to control odors and growth of sulphide-producing organisms.
2. The application of anhydrous ammonia to the sewage in the Plant to obtain a better nutrient balance in the sewage and enhance bacteriological action on the biofilter and in the activated sludge of the spiro-vortex tank.
3. The application of calcium nitrate to the oxidation ponds to provide oxygen for B.O.D. removal and nitrogen as nutrient for algae growth.
4. Installation of piping to provide direct recirculation of the 200-foot diameter biofilter.
5. Installation of piping to bypass the gas scrubber and permit a direct connection to the waste gas burner to prevent the escape of odorous gas to the atmosphere through the digester pressure relief valves.

6. Extension of Plant water system to make water more readily available at spiro-vortex mixing tank for cleaning and housekeeping purposes.

7. Provide additional sludge drying beds to eliminate need for supernatant return to the Plant during high industrial waste loading.

8. Construction of baffle in discharge box of primary clarifier to regulate flow to the spiro-vortex mixing tank.

9. Construct scum removal facilities in the leeward corner of ponds.

10. Install flow recorder at pond discharge.

11. Employment of industrial waste inspectors during cannery seasons to provide adequate inspection and control of waste discharges from the various industries; and

WHEREAS, some of these changes have already been put into effect, others are scheduled for the near future, and still other improvements of a capital nature may be recommended as a result of a study now under way of such needs and possible means of financing; and

WHEREAS, City representatives are confident that when all the proposed changes have been made the odor nuisance from the Modesto City sewage treatment plant will be eliminated (but point out that even after complete elimination of such odors residents of the South Modesto area may continue to experience some undesirable odors from sources other than the sewage treatment plant);

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto is taking and will continue to take all feasible and practical steps to eliminate odors from the Modesto Sewage Treatment Plant;

AND BE IT FURTHER RESOLVED that the City staff be and it is hereby instructed to convey a copy of this Resolution to the Stanislaus County Board of Supervisors as promptly as possible.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

ATTEST:   
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-520

A RESOLUTION GRANTING A VARIANCE TO TEXACO, INC., TO INSTALL A 35-FOOT FIN SIGN AT SERVICE STATION PROPERTY LOCATED AT SIXTH AND G STREETS

WHEREAS, Texaco, Inc., has submitted a request to the Council of the City of Modesto for a variance to permit the erection of a 35-foot fin sign at the Texaco Service Station located at Sixth and G Streets, and

WHEREAS, Texaco, Inc., has stated that the success of its service at this location is primarily dependent upon the business obtained from the new freeway now nearing completion, particularly the northbound traffic; and

WHEREAS, Section 9-6.27(c)(2) of the Municipal Code provides that no fin sign shall have its highest point more than twenty-five feet above the ground level except that the Council may authorize erection of the sign in excess of the said height limitation if it finds that said sign will not endanger the public health, safety or welfare, and

WHEREAS, the Director of Public Works has indicated that a field check shows that a 25-foot sign will not be visible in time for north bound motorists to safely make use of the off-ramp serving said Texaco Station;

WHEREAS, the Council finds that the sign will not endanger the public, health, safety and welfare, and will not adversely affect the surround/<sup>ing</sup>residents;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Texaco, Inc., be granted a variance to Section 9-6.27(c)(2) of the Municipal Code and ~~per~~mitted to erect a thirty-five foot fin sign at its Texaco Service Station located at the corner of Sixth and G Streets, Modesto, California, subject to the following conditions:


1. That the permittee indemnify and save the City harmless from any and all damages, costs and charges of any kind or character arising out of the rights granted by this permit.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall

NOES: Councilmen: Shastid, Mayor Johansen

ABSENT: Councilmen: Hughes

ATTEST:   
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-521

A RESOLUTION RENEWING BID OF CALIFORNIA PHYSICIANS' SERVICE FOR EMPLOYEES' GROUP HOSPITAL-MEDICAL INSURANCE AT A MONTHLY RATE OF \$5.45 FOR INDIVIDUAL EMPLOYEES AND \$12.83 FOR FAMILY COVERAGE

WHEREAS, California Physicians' Service has expressed its willingness to renew its contract with the City of Modesto for employees' group hospital-medical insurance at existing monthly rates of \$5.45 for individual employees and \$12.83 for family coverage;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that renewal of the City of Modesto employees' group hospital-medical insurance for the period January 1, 1964, through December 31, 1964, at existing rates be, and it is hereby approved.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
Rex E. Gailfus, City Clerk

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TAXIWAY LIGHTING SYSTEM  
AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, a report has been filed by the Director of Public Works that the construction of taxiway lighting system at the Modesto City-County Airport has been completed by Industrial Electrical Co., P. O. Box 3806, Modesto, California, in accordance with the contract agreement, dated July 16, 19 63.

NOW, THEREFORE, BE IT RESOLVED that the construction of the taxiway lighting system at the Modesto City-County Airport be accepted from said contractor, Industrial Electrical Co.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at <sup>an adjourned</sup> a/regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:   
CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-523

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE UNITED STATES OF AMERICA (FEDERAL AVIATION AGENCY) FOR AIR TRAFFIC CONTROL TOWER AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the United States of America (Federal Aviation Agency)

for Air Traffic Control Tower at the Modesto City-County Airport, commencing December 2, 1963, to and ending on June 30, 1964, at a rental of \$1.00 for the initial period  
be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at <sup>an adjourned</sup> ~~a~~ regular meeting of the Council of the City of Modesto held on the 2nd day of December, 19 63, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-524

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE UNITED STATES OF AMERICA (FEDERAL AVIATION AGENCY) FOR REMOTE TRANSMITTER SITES AT THE MODESTO CITY-COUNTY AIRPORT .

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the United States of America (Federal Aviation Agency) for remote transmitter sites at the Modesto City-County Airport, commencing December 2, ~~xxx~~ 1963, to and ending on June 30, 1964, at a rental of \$1.00 for initial period

be, and it is hereby approved, pending clearance from Stanislaus Co. - joint owner of the proposed site,

BE IT FURTHER RESOLVED that the execution of said agreement .

by the designated city officials be authorized.

The foregoing resolution was introduced at ~~an~~ <sup>an adjourned</sup> regular meeting of the Council of the City of Modesto held on the 2nd day of December, 19 63, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-525

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT P. BOMBERGER, ET AL, SETTING FORTH CONDITIONS CONNECTED WITH A LOT SPLIT, BLOCK 2156, NORTH SIDE OF YOSEMITE BOULEVARD, 217 FEET, MORE OR LESS, WEST OF SAN JUAN DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert P. Bomberger, et al, setting forth conditions connected with a lot split, Block 2156, north side of Yosemite Boulevard, 217 feet, ~~xxx~~ more or less, west of San Juan Drive

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at ~~a~~ <sup>an adjourned</sup> regular meeting of the Council of the City of Modesto held on the 2nd day of December, 19 63, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
CITY CLERK

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTIONS 28 AND 33 OF THE ZONING MAP (HARRY KULLIJIAN)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1963, in the Council Chambers for the purpose of considering an amendment to Sections 28, 33 and 34 of the Zoning Map (Harry Kullijian) to reclassify from Neighborhood Commercial, C-1, to General Commercial, C-2 the following described property:

All of those properties on the north side of Yosemite Boulevard between Las Flores and Santa Barbara Avenues, and on the south side of Yosemite Boulevard between Santa Rosa Avenue and the alley in Block 2053, east of Santa Ana Avenue,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 988 recommending to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:40 P.M., Monday, December 16, 1963, in the Council Chambers of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at/<sup>an adjourned</sup> a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-527

A RESOLUTION GRANTING A VARIANCE REQUESTED BY ROBERT BOMBERGER TO CONSTRUCT TEMPORARY PLANT MIX DRIVEWAY APPROACHES TO PROPERTY LOCATED ON NORTH SIDE OF YOSEMITE BOULEVARD, 217 FEET WEST OF SAN JUAN DRIVE

WHEREAS, Robert Bomberger has requested permission to construct plant mix driveway approaches at property located on the north side of Yosemite Boulevard, 217 feet west of San Juan Drive, and

WHEREAS, Section 7-1.203 of the Municipal Code requires that concrete materials be used in the construction of driveways unless special permission is obtained from the Council of Modesto, and

WHEREAS, Mr. Bomberger has filed a request for a variance to permit the construction of such driveways to a width not to exceed the Municipal Code width requirements, and

WHEREAS, said applicant has waived the five-day written notice of the hearing required by the Municipal Code, and

WHEREAS, permanent improvements are not feasible until such time as the State of California, Division of Highways, has established grades in connection with the proposed improvement of Yosemite Boulevard, and

WHEREAS, after investigation and study of the property, the Director of Public Works has recommended that the request for plant mix driveway approaches be granted on a temporary basis;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Robert Bomberger be granted a variance to Section 7-1.203 of the Municipal Code to install temporary plant mix driveway approaches to property located at 1530 Yosemite Boulevard, in accordance with Resolution No. 58-235 of the City Council, dated July 23, 1958, subject to the following conditions:

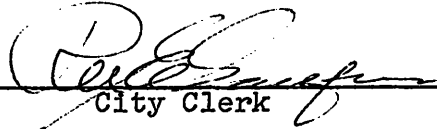
1. That the temporary variance is granted until such times as Yosemite Boulevard is improved, and/or curbs, gutters and sidewalks required on adjacent property.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the

2nd day of December, 1963, by Councilman Patton, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-528

CONTRACT

A RESOLUTION APPROVING ~~AGREEMENT~~ <sup>CONTRACT</sup> BETWEEN THE CITY OF MODESTO AND UNITED STATES OF AMERICA HOUSING AND HOME FINANCE AGENCY FOR GRANT TO ACQUIRE OPEN-SPACE LAND UNDER TITLE VII OF THE HOUSING ACT OF 1961 (Davis High School Park)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the ~~agreement~~ <sup>contract</sup> between the City of Modesto and United States of America Housing and Home Finance Agency

for a grant to acquire open-space land under Title VII of the Housing Act of 1961 (Davis High School Park)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-529

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$958 FOR AN  
ADDITIONAL APPROPRIATION REQUIRED TO PAY COUNTY PROPERTY TAXES

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:	General Fund (101)	
	General Reserve (600)	\$958
To:	Parks - Taxes (35-430)	\$958

To provide additional amounts estimated to be needed  
for 1963-64 property taxes.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
2nd day of December, 19 63, by Councilman  
Shastid, who moved its adoption, which motion  
being duly seconded by Councilman VanderWall  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-530

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1000 FOR EX-  
CHANGE OF PROPERTY BETWEEN CHESTER CHAMBERS AND THE CITY OF  
MODESTO

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

From:	Special Fund for Capital Outlay (321)	
	General Reserve (600)	\$1000
To:	Land Acquisition, Fire Station,	
	No. Blvd. and Timothy (5106)	\$1000

To provide funds for the exchange of property between  
Chester Chambers and the City of Modesto.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
2nd \_\_\_\_\_ day of \_\_\_\_\_ December \_\_\_\_\_, 19 63 \_\_\_\_\_, by Councilman  
\_\_\_\_\_ VanderWall \_\_\_\_\_, who moved its adoption, which motion  
being duly seconded by Councilman \_\_\_\_\_ Tabbert \_\_\_\_\_  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
City Clerk

A RESOLUTION ADJOURNING THE COUNCIL MEETING  
IN HONOR OF THE MEMORY OF THE LATE PRESIDENT  
JOHN FITZGERALD KENNEDY.

WHEREAS, John Fitzgerald Kennedy, 35th President of the United States, was taken from the people of the United States on Friday, November 22, 1963, by an act which has saddened and grieved men everywhere, and

WHEREAS, he strongly advocated freedom for all men in the best tradition of our heritage, and

WHEREAS, he did not shrink from responsibilities, he was an outstanding statesman, he disliked bigotry, and his passing has resulted in the loss of a truly valiant man, and

WHEREAS, the loss of President Kennedy is hard to grasp and it is difficult to believe that he is gone,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that this council meeting be adjourned in memory of our late President, John Fitzgerald Kennedy, whose death has not only been a tragedy to the United States, but to other countries as well.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by ~~Councilman~~ Mayor Johansen, who moved its adoption, which motion being duly seconded by Councilman VanderWall was upon roll call carried by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

(SEAL)

A RESOLUTION DENYING THE APPLICATION OF JUSTO FERRARIO TO RECLASSIFY CERTAIN PROPERTY IN SECTION 28 OF THE ZONING MAP AND REQUESTING A FURTHER REPORT FROM THE PLANNING COMMISSION IN ACCORDANCE WITH SECTION 10-2.2114 OF THE MUNICIPAL CODE

WHEREAS, a verified application for an amendment to Section 28 of the Zoning Map was filed by Justo Ferrario on September 30, 1963, to reclassify from One-Family Zone, R-1, to Planned Development Zone, P-D, the following described property:

Lot 1 and the north one-half of Lot 2 in Block 243, City of Modesto, and including the east one-half of Las Flores Avenue and the south one-half of La Sombra Avenue adjacent to said property, being located at the southeast corner of Las Flores and La Sombra Avenues, and

WHEREAS, the Planning Commission held a public hearing in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto on October 15, 1963, on the proposed amendment, and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 983, recommending to the Council that the rezoning of the area be approved, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers located at 801 11th Street, in the City of Modesto at 8:00 P.M. on November 25, 1963, which meeting was adjourned to December 2, 1963, and

WHEREAS, said hearing was held before the Council on December 2, 1963, and evidence, both oral and documentary, was taken and introduced and the Council found and determined that:

1. The property can properly be subdivided into four R-1 residential lots;
2. The area proposed for rezoning is entirely surrounded by R-1 zoning (Single-family uses);
3. The rezoning of the area is not required by public necessity, convenience and general welfare; and

WHEREAS, the Council believes that the Planning Commission should consider very carefully any application for rezoning which, if granted, will permit the intrusion of multiple-family zoning into exclusive R-1 areas, and should give unusual attention to the reasons for recommending such a rezoning;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the application of Justo Ferrario to reclassify the above described property from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, be denied.

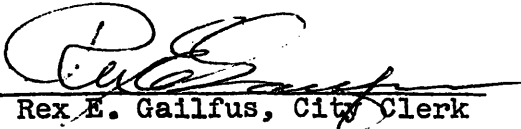
BE IT FURTHER RESOLVED that the Council does hereby request a further report from the Planning Commission on the proposed rezoning of the above described property, as provided by Section 10-2.2114 of the Modesto Municipal Code.

BE IT FURTHER RESOLVED that the City Council's decision in this matter shall not be final until such time as the City Council receives and acts upon a further report of the Planning Commission; provided, however, that failure of the Planning Commission to act within forty (40) days of receipt of said request shall automatically make said decision final.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-533

A RESOLUTION GRANTING A VARIANCE TO MC HENRY VILLAGE, INC., TO REPAIR AND PATCH BLACKTOPPED AREAS ADJACENT TO THE CURB AND IN DRIVEWAY AREAS

WHEREAS, McHenry Village, Inc., has submitted a request for a variance to permit repairs to blacktopped areas adjacent to the curb and in driveway areas, and

WHEREAS, Section 7-1.203(c) of the Municipal Code provides that no sidewalk, driveway, driveway approach, curb, or curb and gutter shall be constructed other than of concrete unless special permission therefor has first been obtained from the Council, and

WHEREAS, said applicant has waived the five-day written notice of the hearing required by the Municipal Code;

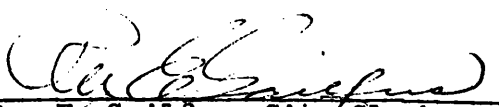
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that McHenry Village, Inc., be granted a variance to Section 7-1.203(c) of the Municipal Code to make necessary repairs to blacktopped areas adjacent to the curb and in driveway areas as requested in its letter of December 5, 1963, subject to the following conditions:

1. That the permit is revocable upon demand of the Council of the City of Modesto.
2. That the permittee indemnify and save the City harmless from any and all damages, costs and charges of any kind or character arising out of the rights granted by this permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-534

A RESOLUTION ACCEPTING THE BID OF WILLIAM M. MINENI OF  
~~\$35,205~~ FOR CONSTRUCTION OF IMPROVEMENTS FOR CALIFORNIA-  
FRANKLIN PARK - GENERAL CONSTRUCTION

WHEREAS, Resolution No. ~~63-509~~, adopted by the Council  
of the City of Modesto on Nov. 12, 1963, approved the plans  
and specifications for the construction of improvements for  
California-Franklin Park - General Construction  
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of improve-  
ments for California-Franklin Park - General Construction  
were opened at 2:00 P.M., November 26, 1963, and later tabulated  
by the Public Works Department for the consideration of the  
Council, and

WHEREAS, the Director of Public Works has recommended that  
the bid of William M. Mineni, in the amount of \$35,205.00  
(base proposal, less alternates)

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that the bid of William M. Mineni

be accepted and the execution of a contract for the completion of  
the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
December, 1963, by Councilman Mitchell, who moved its  
adoption, which motion being duly seconded by Councilman Patton,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-535

A RESOLUTION ACCEPTING THE BID OF ALBERT M. BIEHL OF \$11,488 FOR CONSTRUCTION OF IMPROVEMENTS FOR CALIFORNIA-FRANKLIN PARK-SPRINKLER SYSTEM

WHEREAS, Resolution No. 63-511, adopted by the Council of the City of Modesto on Nov. 12, 1963, approved the plans and specifications for the construction of improvements for California-Franklin Park - Sprinkler System and authorized the calling for bids, and

WHEREAS, the bids received for the construction of improvements for California-Franklin Park - Sprinkler System were opened at 2:00 P.M., November 26, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Albert M. Biehl, in the amount of \$11,488 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Albert M. Biehl

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the ~~12th~~<sup>9th</sup> day of December, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-536

A RESOLUTION ACCEPTING THE BID OF HARRY O. KLINE OF \$7,345 FOR CONSTRUCTION OF IMPROVEMENTS FOR CALIFORNIA-FRANKLIN PARK - LANDSCAPING INSTALLATION

WHEREAS, Resolution No. 63-510, adopted by the Council of the City of Modesto on Nov. 12, 1963, approved the plans and specifications for the construction of improvements for California-Franklin Park - Landscaping Installation and authorized the calling for bids, and

WHEREAS, the bids received for the construction of improvements for California-Franklin Park - Landscaping Installation were opened at 2:00 PM, November 26, 1963, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Harry O. Kline in the amount of \$7,345

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Harry O. Kline

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

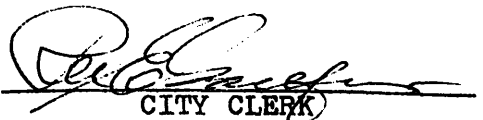
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of ~~20th~~ December, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-537

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,438 FOR ADDITIONAL FUNDS FOR GENERAL CONSTRUCTION AT THE CALIFORNIA-FRANKLIN PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) be approved:

From:	Special Fund for Capital Outlays General Reserve (321-600)	\$4,438
To:	California-Franklin Park (5321)	\$4,438

Additional funds needed for general construction at the California-Franklin Park

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Mitchell was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-538

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALL FOR BIDS FOR FURNISHING REVISED OR SUPPLEMENTAL PAGES OF THE MODESTO MUNICIPAL CODE FOR CALENDAR YEAR 1964

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

Section 1. The plans and specifications for furnishing revised or supplemental pages of the Modesto Municipal Code for calendar year 1964,

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 7, 1964, at 2:00 P.M., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-539

A RESOLUTION APPROVING <sup>LEASE</sup> / AGREEMENT BETWEEN THE CITY OF MODESTO AND EAST MODESTO INDUSTRIAL WASTE COMPANY FOR LEASE OF LAND AT MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto <sup>East</sup> that the agreement between the City of Modesto and / Modesto Industrial Waste Company for lease of 40 acres of land at the Modesto City-County Airport for one year, beginning January 1, 1964, at a yearly ~~for~~ rental of \$1,000 payable upon the execution of this agreement

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-540

A RESOLUTION AUTHORIZING THE RELEASE OF THE GLENS FALLS INSURANCE COMPANY SUBDIVISION BOND FILED TO GUARANTEE IMPROVEMENTS IN NORTHWOOD ESTATES SUBDIVISION

WHEREAS, James B. Johnston, Shirley L. Johnston, Joe H. Tidwell, Lois Tidwell, Alfred L. Flory and Gertrude E. Flory, subdividers of Northwood Estates Subdivision, have filed with the City of Modesto a subdivision bond to guarantee the improvements in the aforesaid subdivision, and

WHEREAS, the Director of Public Works has reported that the improvements have been completed in the aforesaid subdivision to his satisfaction, and has recommended the release of the subdivision bond,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Glens Falls Insurance Company Subdivision Bond No. 92-50-14 in the sum of \$56,000 filed by James B. Johnston, Shirley L. Johnston, Joe H. Tidwell, Lois Tidwell, Alfred L. Flory and Gertrude E. Flory to guarantee the improvements in Northwood Estates Subdivision be, and it is hereby released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Hughes , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	VanderWall

ATTEST:   
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-541

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
COUNTY OF STANISLAUS FOR ANNUAL RECREATION ALLOCATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and the County of  
Stanislaus

for annual recreation allocation in the amount of \$14,783.08 for  
fiscal year 1963-64

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement  
by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
December, 19 63, by Councilman Mitchell, who moved its  
adoption, which motion being duly seconded by Councilman Tabbert,  
was upon roll call carried and the resolution adopted by the follow-  
ing vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-542

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RAY C. ABST, ARCHITECT, FOR ARCHITECTURAL SERVICES NEEDED FOR CONSTRUCTION OF NORTHERN BOULEVARD FIRE STATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ray C. Abst, Architect, for architectural services needed for construction of Northern Boulevard Fire Station

~~FOR~~

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 19 63, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-543

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$56,000 FOR  
CONSTRUCTION OF NORTHERN BOULEVARD FIRE STATION

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the following appropriation transfer(s) be  
approved:

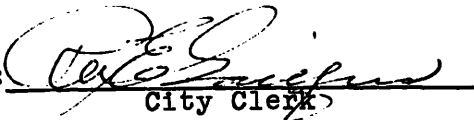
From:	Special Fund for Capital Outlays (321) General Reserve (600)	\$56,000
To:	Fire Station No. 5, Northern Boulevard (5202)	\$56,000

Project was estimated in the Capital Improvement Program  
at \$57,000 for the 1963-64 fiscal year. An amount of \$1,000  
has been appropriated for land; \$56,000 is proposed as our  
estimate for the building.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
9th day of December, 1963, by Councilman  
Mitchell, who moved its adoption, which motion  
being duly seconded by Councilman Hughes  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-544

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES CHESTER CHAMPION, ET UX, FOR ACQUISITION OF RIGHT OF WAY FOR WIDENING OF TULLY ROAD AND LEONARD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James Chester Champion

for acquisition of Right of Way for widening of Tully Road and Leonard Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 19 63, by Councilman Tabbert, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-545

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES CHESTER CHAMPION, ET UX, FOR ACQUISITION OF RIGHT OF WAY FOR WIDENING OF TULLY ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and James Chester Champion, et ux,

for acquisition of right of way for widening of Tully Road

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-546

A RESOLUTION RECOMMENDING EXTENSION OF TIME FOR FILING THE FINAL  
MAP OF FAIRWAY ESTATES NO. 1 SUBDIVISION

WHEREAS, by Resolution No. 871 adopted on December 4, 1962,  
and amended by Resolution No. 917 adopted on March 5, 1963, the  
Planning Commission approved the tentative map of Fairway Estates  
No. 1 Subdivision, and

WHEREAS, the required date for filing of the final map of the  
subdivision is on or before December 4, 1963; and

WHEREAS, a letter has been received from the subdivider re-  
questing an extension of time for filing of the final map of  
Fairway Estates No. 1 Subdivision, and

WHEREAS, the Planning Commission finds that conditions in  
the area have not materially changed since the tentative map was  
approved, and

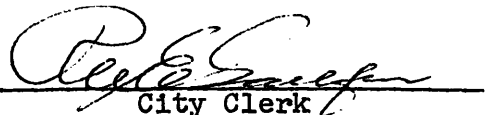
WHEREAS, the Planning Commission adopted Resolution No. 990  
on December 3, 1963, recommending that the City Council approve  
the request;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the request of the developer to extend the time of  
filing the final map of Fairway Estates No. 1 Subdivision to  
December 4, 1964, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 9th day of  
December, 1963, by Councilman Mitchell, who moved its adoption,  
which motion being duly seconded by Councilman Hughes, was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: VanderWall

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-547

A RESOLUTION AUTHORIZING ESTABLISHMENT OF A PETTY CASH ACCOUNT IN THE PARKING FUND ACCOUNT FOR PURPOSES OF MAKING CHANGE ON OFF-STREET PARKING LOTS WHICH ARE ATTENDANT OPERATED.

WHEREAS, three (3) off-street parking lots in the City of Modesto have been made into attendant operated lots, and

WHEREAS, authorization is necessary to establish a Petty Cash Account in the Parking Fund Account for the purpose of providing money to the attendants employed on said lots in order that they may make change when collecting parking fees,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a Petty Cash Account in the sum of Seventy-five and No/100ths (\$75.00) Dollars is hereby established in the Parking Fund Account, and

BE IT FURTHER RESOLVED that the sum of Seventy-five and No/100ths (\$75.00) Dollars, which is estimated will be needed for purposes of making change on the three (3) attendant operated off-street parking lots, is authorized to be placed in a Petty Cash Account in the Parking Fund Account.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1963, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:

  
City Clerk

(SEAL)

APPROVED AS TO FORM BY

  
ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-548

A RESOLUTION GRANTING A VARIANCE TO HUMBLE OIL AND REFINING COMPANY TO REPAIR BLACKTOPPED DRIVEWAY APPROACH AT 1500 MC HENRY AVENUE

WHEREAS, Humble Oil and Refining Company has submitted a request for a variance to permit repairs to a blacktopped driveway approach to the service station located at 1500 McHenry Avenue, Modesto, California, and

WHEREAS, Section 7-1.203(c) of the Municipal Code provides that no sidewalk, driveway, driveway approach, curb, or curb and gutter shall be constructed other than of concrete unless special permission therefor has first been obtained from the Council, and

WHEREAS, the Director of Public Works has recommended that the request be granted, and

WHEREAS, said applicant has waived the five-day written notice of the hearing required by the Municipal Code;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Humble Oil Company be granted a variance to Section 7-1.203(c) of the Municipal Code to make necessary repairs to the blacktopped driveway approach to the Enco Service Station located at 1500 McHenry Avenue, as requested in letter dated December 12, 1963, subject to the following conditions:


1. That the permit is revocable upon demand of the Council of the City of Modesto.

2. That the permittee indemnify and save the City harmless from any and all damages, costs and charges of any kind or character arising out of the rights granted by this permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-549

RESOLUTION OF THE MODESTO CITY COUNCIL ACCEPTING THE REPORT OF THE FORWARD MODESTO COMMITTEE '62 AND EXPRESSING THE COUNCIL'S APPRECIATION FOR THE WORK OF THE COMMITTEE

WHEREAS, the Forward Modesto Committee '62 was assigned to take stock, for the whole community, of "things done and not done" and to submit to the Council its recommendations for community action to meet existing and foreseeable community needs, and

WHEREAS, the members of the Committee have worked long and earnestly in carrying out this assignment; and

WHEREAS, the final consolidated report of the Forward Modesto Committee '62 has now been submitted to the Modesto City Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the report of the Forward Modesto Committee '62 is hereby accepted, with sincere appreciation for the countless hours spent by the Committee in research, discussion, thought, and review which were required for its completion.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-550

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR ~~30~~ VEHICLES BUDGETED FOR FISCAL YEAR 1963-64

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for ~~30~~x vehicles  
budgeted for fiscal year 1963-64

copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on January 14, 1964, at 2:00 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 23rd  
day of December, 1963, by Councilman VanderWall,  
who moved its adoption, which motion being duly seconded by  
Councilman Shastid, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-551

A RESOLUTION ACCEPTING THE BID OF FIEZ AUTO WRECKERS FOR WRECKED  
POLICE CARS

WHEREAS, informal sealed bids for the sale of wrecked police cars Nos. 4 and 6 (1962 Dodge 4-door, Serial Number 5922157075 and 1962 Dodge 4-door, Serial Number 592215734) were opened at 2:00 P.M. on December 13, 1963, and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Fiez Auto Wreckers, Oakdale, California, in the amount of \$766 be accepted as the highest responsible bid for the wrecked cars;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Fiez Auto Wreckers for \$766 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST: \_\_\_\_\_  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-552

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING  
CALL FOR BIDS FOR REPAINTING OF SUBMERGED METAL AND CONCRETE  
SURFACES - SEWAGE TREATMENT PLANT

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto as follows:

Section 1. The plans and specifications for repainting of  
submerged metal and concrete surfaces - Sewage Treatment Plant  
copies of which are on file, are hereby accepted and approved.

Section 2. The City Clerk is hereby authorized to call  
for public competitive sealed bids for the above named project,  
to be opened in the office of the City Clerk, 801 11th Street,  
in the City of Modesto, on <sup>1-7-64</sup> January 7, 1964, 2:15 P.M.  
and the City Clerk is hereby directed to give notice inviting  
such sealed bids in the time, form and manner provided by law.

Section 3. After the bids are opened, they shall be  
tabulated and analyzed and a report submitted to the Council  
at its next regular meeting.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 23rd  
day of December, 1963, by Councilman Shastid,  
who moved its adoption, which motion being duly seconded by  
Councilman Mitchell, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-553

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAWAII AND SAN FRANCISCO INVESTMENT COMPANY WHEREBY CITY AGREES TO FURNISH SEWER SERVICE TO PROPERTY LOCATED ON SCENIC DRIVE


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hawaii and San Francisco Investment Company for sewer service to property on the north side of Scenic Drive between Brighton and Rose Avenues be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes

ATTEST:

  
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 63- 554

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN. (1316 ROSEBURG AVENUE)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of curbs and gutters may be required, and

WHEREAS, the Council, did, on September 16, 1963, adopt its Resolution No. 63-435, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, December 23, 1963, at 8:00 P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of One Hundred Seventy-One and no/100ths (\$171.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:


SECTION 1. That the cost of the aforesaid work, being the amount of One Hundred Seventy-One and no/100ths / <sup>(\$171.00)</sup> Dollars, be assessed as a lien against the parcels ~~is~~ of property fronting upon the work so constructed, to wit,

Lot 5, Block 935 of College Gardens as per map filed May 27, 1946 in Volume 14, Page 58, Stanislaus County Records.

SECTION 2. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of Finance shall deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By ALLEN GRIMES, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-555

A RESOLUTION APPROVING BUDGET PROPOSAL BETWEEN THE CITY OF MODESTO AND STATE DIVISION OF HIGHWAYS FOR ENGINEERING FUNDS, FISCAL YEAR 1963-64

WHEREAS, a master agreement has been executed by the City and the State of California on February 17, 1960, for expenditure of State allocated (engineering) funds under Section 2107.5 of the Streets and Highways Code; and

WHEREAS, the City Council has prepared a budget proposal showing estimated expenditures of such funds recommended to be made during the 1963-64 fiscal year; and


WHEREAS, the City Council has reviewed said budget proposal and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said budget proposal be and it is hereby adopted as the budget of proposed expenditures of the State allocated funds for engineering to cities, said budget proposal to be and the same is hereby approved and the City Manager and the City Clerk are directed to sign the same on behalf of said City, and said budget proposal to be submitted to the Department of Public Works, State of California, in accordance with the provisions of Section 197 of the Streets and Highways Code.

The following resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

ATTEST:

  
Rex E. Gailfus, City Clerk

## A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT TULLY AND ORANGEBURG AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of traffic signals and street lighting at Tully Road and Orangeburg Avenue has been completed by Industrial Electrical Co., P. O. Box 3806, Modesto, California in accordance with the contract agreement, dated September 9, 1963.

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lighting at Tully/<sup>Road</sup>and Orangeburg Avenue, in the amount of \$7,574.00, be accepted from said contractor, Industrial Electrical Co.,

that Notice of Completion be filed with the Recorder of Stanislaus County and that payment of amounts due, as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
 CITY CLERK

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 63-557

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE APPEAL OF MR. W. S. TICKLE TO CONDITIONAL USE PERMIT GRANTED BY BOARD OF ZONING ADJUSTMENT TO MODESTO COVENANT CHURCH

WHEREAS, an application for a conditional use permit to construct church buildings in Block 12949 was filed by Rev. Luverne W. Sands for Modesto Covenant Church on November 13, 1963, and

WHEREAS, after public hearing held on December 5, 1963, the Board of Zoning Adjustment found and determined that compatibility will be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which such use is proposed to be located because, the proposed use is accessory to the existing church located on the site, and the location of the proposed building is in compliance with the original plan reviewed by the Board in 1959, and

WHEREAS, an appeal to the granting of the conditional use permit was filed with the City Clerk on December 18, 1963, by Mr. W. S. Tickle on the basis that "The posted announcement of the public hearing contains such a gross error in the plot plan that affected property owners were not alerted and those who did attend were confused by the two different maps. Therefore, the City Council should deny the application." and

WHEREAS, Section 10-2.2012 of the Modesto Municipal Code provides that the Council shall conduct a duly advertised public hearing on such matters;

NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing on the appeal of W. S. Tickle will be held in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto at 8:00 P.M. January 13, 1964.

BE IT FURTHER RESOLVED that the City Clerk shall give notice of the time and place of said hearing as provided in Section 10-2.2206(a) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman VanderWall, who moved its adoption,

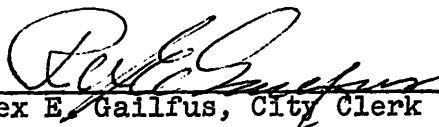
which motion being duly seconded by Councilman Mitchell was upon  
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:



Rex E. Gailfus, City Clerk

**A RESOLUTION REMOVING THE SUSPENSION OF  
RESOLUTION NO. 63-532 DENYING THE APPLICATION  
OF JUSTO FERRARIO TO RECLASSIFY CERTAIN PROPERTY  
IN SECTION 28 OF THE ZONING MAP.**

WHEREAS, by Resolution No. 63-532, adopted on December 2, 1963, the Council denied the application and requested a further report from the Planning Commission on the rezoning of the property owned by Justo Ferrario hereinafter described, and suspended the effectiveness of said decision until such time as it received a further report from the Planning Commission as required by Section 10-2.2114 of the Modesto Municipal Code, and

WHEREAS, by Resolution No. 994, adopted on December 17, 1963, the Planning Commission made its further report and recommendation to the Council, reversing its former decision, rescinding Resolution No. 983, adopted October 15, 1963, and recommending denial of the rezoning of the following described property as requested by Justo Ferrario:

Lot 1 and the north one half of Lot 2 in Block 243, City of Modesto, and including the east one half of Las Flores Avenue and the south one half of La Sombra Avenue adjacent to said property, being located at the southeast corner of Las Flores and La Sombra Avenues, and

WHEREAS, after further considering the matter, the Council still finds that the denial of the requested rezoning is in the public interest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the suspension of Resolution No. 63-532, adopted by the Council on December 2, 1963, be removed and that the provisions of the resolution denying the application for rezoning become effective immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1963, by Councilman Shastid, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: ~~XXXXXX~~ None

ATTEST:   
City Clerk

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
ALLEN GRIMES, City Attorney