

MODESTO CITY COUNCIL
RESOLUTION NO. 59-1

A RESOLUTION APPROVING ~~PLANS-AND~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING THE RENTAL OF EARTH MOVING EQUIPMENT FOR CONSTRUCTION WORK ON THE DRYDEN PARK MUNICIPAL GOLF COURSE

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

Section 1. The ~~plans-and~~ specifications for furnishing the rental of earth moving equipment for construction work on the Dryden Park Municipal Golf Course

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, 717 10th Street, in the City of Modesto, on January 19, 1959 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 7 day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

Noes: None

Absent: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-2

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PRINTING OF REVISED OR SUPPLEMENTAL PAGES OF THE MODESTO MUNICIPAL CODE

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

Section 1. The ~~plans and~~ specifications for the printing of revised or supplemental pages of the Modesto Municipal Code

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, 717 10th Street, in the City of Modesto, on January 20, 1959 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 7 day of January, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

Noes: None

Absent: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-3

A RESOLUTION ACCEPTING THE BID OF TIDEWATER OIL COMPANY FOR FURNISHING GASOLINE FOR YEAR ENDING JANUARY 15, 1960 AND WAIVING THE IRREGULARITY BASED ON THE AFFIDAVITS ON FILE IN THE OFFICE OF THE CITY CLERK

WHEREAS, Resolution No. 58-399, adopted by the Council of the City of Modesto on December 10, 1958, approved the plans and specifications for the furnishing of gasoline during the period from January 16, 1959 to January 15, 1960, and

WHEREAS, the bids received for the furnishing of gasoline during the period from January 16, 1959 to January 15, 1960 were opened at 2:00 P.M. on January 5, 1959 and later tabulated by the Finance Department for the consideration of the Council, and

WHEREAS, the City Manager reported that the low bid submitted by the Tidewater Oil Company did not arrive at the City Clerk's office until after the bids had been opened on Monday, January 5, 1959, although it was mailed by the Company at the local postoffice on Friday, January 2, 1959,

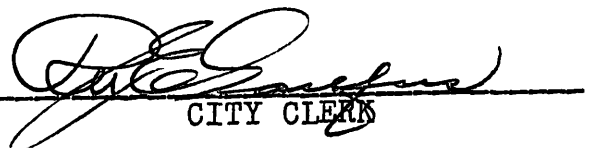
NOW, THEREFORE, BE IT RESOLVED that the irregularity in the bid of the Tidewater Oil Company be and it is hereby waived/^{based} on the affidavits on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the bid of Tidewater Oil Company for furnishing of gasoline for the year January 16, 1959 to January 15, 1960 inclusive 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 7th day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-4

A RESOLUTION GRANTING ENCROACHMENT PERMIT TO DAVE MARTINI TO INSTALL
GASOLINE STORAGE FACILITY AT 1001 EIGHTH STREET, CITY OF MODESTO

WHEREAS, Dave Martini has filed a request for an encroachment permit to install underground gasoline storage tank in the park strip adjacent to his building located on the North side of J Street at Eighth Street, and

WHEREAS, the gasoline would be piped from this tank to a pump located inside the building approximately 25 feet North of J Street, just east of the alley, as shown on sketch on file in the office of the City Clerk, and

WHEREAS, it will be necessary for the Continental Baking Company, lessee of the building, to park its vehicles in the alley for servicing at the gasoline pump,

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 locate a gasoline storage tank in the park strip adjacent to his building located on the north side of J Street, at Eighth Street and to service the vehicles of the lessee in the alley at the pump located inside the building, 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, upon the revocation or other termination of this permit, agrees to remove the equipment upon the request of the City and return the street to its original condition, at his expense.

(b) Permittee agrees that this permit may be revoked by the City upon giving permittee 30 days prior notice.

(c) Permittee 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 to or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee 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.

(e) Permittee agrees that this permit may be revoked by the City either on the basis of the necessity for removal of the underground storage tank for necessary public improvements, or the necessity to prohibit parking on the north side of the alley by the vehicles to be serviced, or both.

(f) 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 a sub-contractor, or by anyone directly or indirectly employed by either of them, and the amount of such insurance shall be as follows:

Public Liability insurance in an amount not less than One Hundred Thousand and no/100 (\$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

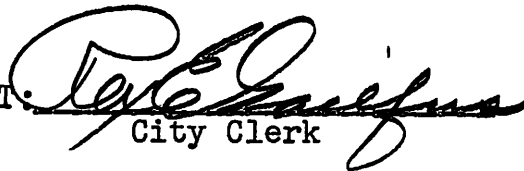
Property damage insurance, in an amount not less than Ten Thousand and no/100ths (\$10,000) Dollars.

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.

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 certificates 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 7th day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-5

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,500 FROM GENERAL RESERVE TO CIVIL DEFENSE-CAPITAL OUTLAY FOR ENGINEERING SERVICES' RADIO SYSTEM

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

FROM: General Reserve \$1,500

TO: Civil Defense \$1,500
Capital Outlay

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: None

ABSENT: Robinson

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-6

A RESOLUTION AUTHORIZING THE RENTAL OF THE CITY-OWNED HI-RANGER TREE TRIMMING EQUIPMENT TO THE YOSEMITE AREA COUNCIL OF THE BOY SCOUTS OF AMERICA.

WHEREAS, the Yosemite Area Council of the Boy Scouts of America has requested the City to rent the City-owned Hi-Ranger to it for the purpose of trimming trees on Boy Scout property, and

WHEREAS, the Council finds that it is in the public interest to rent the City-owned Hi-Ranger to the Yosemite Area Council of Boy Scouts of America during a time when said equipment is not needed for City purposes, for a reasonable rental charge,

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

SECTION 1. The rental of the City-owned Hi-Ranger to the Yosemite Area Council of the Boy Scouts of America is hereby authorized at a rental fee of Twenty five and no/100ths (\$25.00) Dollars per day during each day or portion of a day of use, including travel time. The City Manager is authorized to determine the time during which City equipment shall be made available to the Yosemite Area Council of the Boy Scouts of America for its use.

SECTION 2. During any rental period, the City shall furnish the necessary personnel for the operation and maintenance of the equipment.

SECTION 3. Prior to renting the equipment, the Yosemite Area Council of the Boy Scouts of America shall furnish to the City a certificate of insurance from a corporation authorized to engage in the insurance business in the State of California against any loss or damage that may occur as the result of the rental of the equipment, including personal liability, property damage, collision and upset. Council shall also furnish a certificate of insurance issued by a corporation authorized to engage in the insurance business in the State of California assuring the City of comprehensive, fire and theft

insurance in an amount not less than Ten thousand and no/100ths (\$10,000.00) Dollars. The public liability and collision insurance coverage shall be in the amount of One hundred thousand and no/100ths (\$100,000.00) Dollars covering any person and Three hundred thousand and no/100ths (\$300,000.00) Dollars in any occurrence, except that collision insurance may provide for a Two hundred fifty and no/100ths (\$250.00) Dollar deductible provision.

SECTION 4. The Yosemite Area Council of the Boy Scouts of America agrees to indemnify and hold the City harmless with respect to any loss, damage, claim or liability that may arise out of the rental or use of said equipment during the rental period.

SECTION 5. The City Clerk shall furnish Yosemite Area Council of the Boy Scouts of America with a copy of this resolution. Council shall have ten (10) days from and after the adoption of this resolution within which to file the certificates of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificates have been filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilmen Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-7

A RESOLUTION REFERRING THE APPLICATION OF LENORA SWOPE TO RECLASSIFY A PORTION OF LOT 18, BLOCK 901 FROM MULTIPLE-FAMILY ZONE R-3 AND NEIGHBORHOOD-COMMERCIAL ZONE, C-1 TO LIGHT INDUSTRIAL ZONE, M-1 BACK TO THE MODESTO CITY PLANNING COMMISSION

WHEREAS, the Council of the City of Modesto held a public hearing at 8:30 P.M., December 10, 1958, on the application of Lenora M. Swope to reclassify from Multiple-Family R-3 and Neighborhood Commercial Zone, C-1 to Light Industrial Zone M-1, the west 60 feet of Lot 18, Block 901, and

WHEREAS, the Council after hearing both documentary and oral evidence withheld its decision until a further report could be submitted by the Modesto City Planning Commission on the possible rezoning to C-M, all of Lot 18, 19, 20, and 21, of Block 901, and

WHEREAS, the Modesto City Planning Commission has now initiated proceedings to rezone aforesaid area to Commercial Industrial C-M,

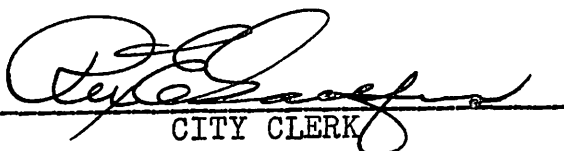
NOW, THEREFORE, BE IT RESOLVED, that the application of Lenora M. Swope to reclassify the west 60 feet of Lot 18, Block 901 to Light Industrial Zone, M-1 be referred back to the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-8

A RESOLUTION APPROVING RIGHT OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG MCHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, three right of way contracts for widening of McHenry Avenue are now complete as follows:

<u>Document No.</u>	<u>Damage Cost</u>	<u>Grantor</u>
M-71	\$659.00	Helen Ayres, et al
M-110	\$8,750.00	Julius M. & Willie Mae Ward
M-112	\$270.00 (also possible re- location)	The Petroleum Products Co., a Corporation

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approves these right of way contracts as presented and the City Manager be authorized to sign each on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council on the 7th day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST: 
CITY CLERK

**MODESTO CITY COUNCIL
RESOLUTION NO. 59-9**

A RESOLUTION ESTABLISHING AND FIXING PARKING RATES AND CHARGES FOR USE OF MUNICIPAL OFF-STREET PARKING FACILITIES IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 58-127.

WHEREAS, Section 3-6.03 of the Modesto Municipal Code authorizes the Council to establish by resolution the rates and parking time limits for the parking of vehicles on public parking facilities as well as the days and hours during which they shall apply,

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

SECTION 1. Rates and parking time limits for the parking of vehicles on public parking facilities are hereby established as follows:

DAILY HOURLY RATES

7:30 A.M. to 5:00 P.M., Sundays excepted

<u>LOT NO.</u>	<u>LOCATION</u>	<u>RATE</u>	<u>MAXIMUM TIME LIMIT</u>	
10	8th Street between I & K Streets	Two and one-half hours or fraction,	5¢	None

9:00 A.M. to 4:30 P.M., Sundays excepted

1	11th & G Streets	First 2 hours or fraction,	10¢	None
		Next 2 hours or fraction,	10¢	
		Next 5 hours or fraction,	10¢	
		9 hours,	30¢	

9:00 A.M. to 6:00 P.M., Sundays excepted

3	12th & I Streets (Southeast corner)	One-half hour or fraction,	5¢	3 Hours
6	11th Street between K & L Streets	Twelve minutes or fraction, One hour or fraction,	1¢ 5¢	2 Hours
7	12th & I Streets (Northeast corner)	One-half hour or fraction,	5¢	3 Hours

9:00 A.M. to 10:00 P.M., Daily

2	9th Street between I & J Streets	One-half hour or fraction,	5¢	3 Hours
5	10th Street between K & L Streets (West Side)	One-half hour or fraction,	5¢	3 Hours
8	14th & J Streets (Southwest corner)	One-half hour or fraction,	5¢	3 Hours
9	13th Street between J & K Streets	One hour	5¢	None

SECTION 2. No vehicle shall be parked upon said off-street parking facilities at any time above specified without payment of the established fees as hereinabove set forth.

SECTION 3. The Traffic Engineer is hereby directed to cause the above locations to be marked and designated in accordance with the provisions of this resolution.

SECTION 4. Resolution No. 58-127 adopted by the Council on May 7, 1958, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
city clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-10

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE STATE OF CALIFORNIA AND THE CITY OF MODESTO PURSUANT TO CHAPTER 33, STATUTES OF 1956, FIRST EXTRAORDINARY SESSION

WHEREAS, the City of Modesto has previously requested the State Department of Finance to provide planning assistance to it under authority of Chapter 33, Statutes of 1956, First Extraordinary Session, in conjunction with Section 701 of the Housing Act of 1954; and

WHEREAS, the State has accordingly prepared a proposed agreement between the City and State entitled "Agreement Between the State of California and the City of Modesto relating to Urban Planning Assistance", further identified as LPO-P/15-CS-3.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Ross Miller, City Manager, is hereby authorized and directed to execute the aforesaid agreement with the State on behalf of the City, and the City agrees to be bound by the terms thereof.

2. That Charles R. Bird, Finance Director, is authorized and directed to issue a check in the amount of \$5,000. and to deposit said sum of money with the State of California to be administered in accordance with the terms of such agreement.

3. Passed by the City Council of the City of Modesto this 7th day of January, 1959.

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks


NOES: Councilmen: None

ABSENT: Councilmen: None


EFFECTIVE: January 7, 1959


Mayor Pro Tempore Don D. Hammond

ATTEST:


CITY CLERK

I hereby certify that the foregoing is a correct copy of a Resolution adopted by the City Council of the City of Modesto the 7th day of January, 1959.


CITY CLERK

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE **MODESTO INDUSTRIAL PARK** ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto was filed by Tidewater Southern Railway Company, by F. B. Stratton, Director of Industrial Development, and W. B. Bannon on January 6, 1959, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the MODESTO INDUSTRIAL PARK ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that real property situate in the State of California, County of Stanislaus, Sections 5, 8 and 9 Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, said point being at the intersection of the center line of the Tuolumne River and the Northerly extension of the Eastern line of Lot 1 of the Rio Grande Colony as shown on the map filed July 5, 1912, in Volume 6, Page 47, Stanislaus County Records; thence Southerly along the Eastern line of said Lot 1 and its Northerly extension, to the Northeastern corner of the property described in decree to Mabel Marie Nutter recorded September 17, 1956, as Instrument Number 25500, Stanislaus County Records; thence Westerly along the Northern line of said Nutter property and its Westerly extension, to the Northwestern corner of the property described in the deed to H. A. Thompson, et ux, and John Cole, recorded April 21, 1956, as Instrument Number 10352, Stanislaus County Records, thence Southerly along the Western line of said Thompson and Cole property to the Southwestern corner thereof, said corner being on the Northwestern line of a 40 foot Public Road known as Hatch Road; thence Southeasterly at right angles to the Northwestern line of said Hatch Road to a point on the Southeastern line of said Hatch Road, said point being also on the Northwestern Right of Way line of the Turlock Irrigation District Lateral Number 1; thence Northeasterly along the Southeastern line of said Hatch Road to its intersection with the Westerly extension of the Southern Right of Way line of said Lateral Number 1; thence Easterly along the Southern Right of Way line of said Lateral Number 1 and its Westerly extension, to a point which is the intersection of the Northern line of First Avenue and the Northerly extension of the Western line of the 20 foot alley in Block 9008 as shown on the map of the South Modesto Acres Tract Number 3, filed in Volume 14 of Maps, Page 7, Stanislaus County Records; thence Southerly along the Western line of the 20 foot Alley in said Block 9008 and its Northern extension to a point on the Northern line of Second Avenue as shown on said map of South Modesto Acres Tract Number 3; thence Easterly along the Northern line of said Second Avenue and its Easterly extension to a point on the Eastern line of a 60 foot Public Road known as Crows Landing Road, as said road is shown on the map of the South Modesto Acres Subdivision filed in Volume 11 of Maps, Page 27, Stanislaus County Records; thence Southerly along the Eastern line of

said Crows Landing Road to the Northwestern corner of Lot 6 of said South Modesto Acres Subdivision; thence Easterly along the Northern line of said Lot 6 to the Northeastern corner thereof; thence parallel to the Eastern line of Crows Landing Road, Southerly along the Eastern line of said Lot 6 and its Southerly extension to a point on the Northern line of the property described in the deed to Tidewater Southern Railroad Company recorded August 19, 1952, as Instrument Number 19402, Stanislaus County Records; thence Easterly along the Northern line of said Railroad property to a point on the Western line of the Tidewater Southern Railroad Right of Way said point being 25 feet at right angles Westerly from the North-South quarter section line of said Section 9; thence Northerly along the Western line of said Railroad Right of Way to its intersection with the Westerly extension of the Southern line of the Olympic Tract as shown on the map filed in Volume 14 of Maps, Page 55 Stanislaus County Records; thence Easterly along the Southern line of the Olympic Tract and its Westerly extension to the Southeast corner of said Olympic Tract, said point being on the Western line of a 40 foot Public Road known as Morgan Road as shown on the map of the Midway Tract, filed in Volume 5 of Maps, Page 46, Stanislaus County Records; thence Southerly along the Western line of said Morgan Road to the Southeastern corner of Lot 12 of said Midway Tract; thence Westerly along the Southern line of Lots 12 and 13 of said Midway Tract to the Southwestern corner of said Lot 13, said point being the Northeastern corner of the Southwest quarter of the Southeast quarter of said Section 9; thence Southerly along the Eastern line of the Southwest quarter of the Southeast quarter of said Section 9 to a point on the Northern line of a 40 foot Public Road known as Whitmore Road; thence Westerly along the Northern line of said Whitmore Road to the point of intersection with the Western line of said Tidewater Southern Railroad Right of Way said point being 25 feet at right angles Westerly from the North-South quarter section line of said Section 9; thence Northerly along the Western line of said Railroad Right of Way to a point on the Southern line of the Northwest quarter of said Section 9; thence Westerly along the Southern line of the Northwest quarter of said Section 9 to its intersection with the Eastern line of said Crows Landing Road; thence Northerly along the Eastern line of said Crows Landing Road to the Southwestern corner of Lot 6 of said South Modesto Acres Subdivision; thence Westerly along the Westerly extension of the Southern line of Lot 6 of said South Modesto Acres Subdivision to a point on the Western line of said Crows Landing Road; thence Northerly along the Western line of said Crows Landing Road to the Northeastern corner of Block 9001 of said South Modesto Acres Tract Number 3; thence Westerly along the Southern line of Second Avenue as shown on the map of said South Modesto Acres Tract Number 3, to the Northwestern corner of Block 9009 of said South Modesto Acres Tract Number 3; thence Northerly along the Northerly extension of the Western line of said Block 9009, to a point on the Northern line of Second Avenue; thence Westerly along the Northern line of Second Avenue and its Westerly extension, to a point on the Eastern line of the 20 foot Alley in Block 9019 of said South Modesto Acres Tract Number 3; thence Northerly along the Eastern line of said 20 foot Alley to its intersection with the Easterly extension of the Southern line of Lots 4 and 5 of said Rio Grande Colony, said line being also the Northern line of said Hatch Road; thence Westerly along the Southern line of Lots 4 and 5 and its Easterly extension to the Southwestern corner of said Lot 5; thence Northerly along the Western line of said Lot 5 and its Northerly extension to a point on the existing City Limits which is on the center line of the Tuolumne River; thence Northeasterly along the existing City Limits and the center line of said Tuolumne River, to the point of beginning, containing 270 Acres more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE **DURAND** ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by Kenneth H. Durand and Gladys S. Durand
on December 31, 1958,
to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the DURAND ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate 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 A and B of the Durand Tract, as
per map filed January 21, 1947, in Volume 16 of Maps, Page 19,
Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of Lot A of said
Durand Tract, said corner being a point on the existing cor-
porate City Limits established by the Sewage Disposal Plant
Addition as per boundary description filed March 7, 1950 as
Instrument 5120, Stanislaus County Records; thence along said
City Limits and the Northern line of said Lot A, East,
466.43 feet, to the Northeastern corner of said Lot A;
thence continuing along said City Limits and the Eastern line
of said Lots A and B, South 00° 48' East, 940.81 feet, to the
Northeastern corner of the Dryden-Durand Addition according
to the boundary description filed June 23, 1955 as Instrument
18187, Stanislaus County Records; thence along the boundary
of said Dryden-Durand Addition and existing City Limits,
South 77° 48' 25" West, 999.22 feet; thence North 63° 02' 00"
West, 72.77 feet; thence North 00° 15' 00" East, 231.12 feet,
to a point on the Northwestern line of said Lot A of the
Durand Tract; thence along the Northwestern line of said Lot A,
North 30° 46' 30" East, 849.64 feet; thence continuing along
the Northwestern line of said Lot A, North 38° 41' East,
201.96 feet to the point of beginning, containing 19.54
Acres more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-13

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE ORANGEBURG MUNICIPAL ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto was filed by the City of Modesto

on January 5, 1959,
to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the ORANGEBURG MUNICIPAL ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 8 of the Coolidge Colony, as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records, described as follows:

Commencing at the Northeastern corner of said Lot 8; thence along the Eastern line of said Lot 8, South $00^{\circ} 10'$ East, 150.00 feet, to the true point of beginning; thence continuing along said Eastern Line of Lot 8, South $00^{\circ} 10'$ East, 155.00 feet, to the Northern Line of a 50 foot public road known as Orangeburg Avenue, as shown on the map of said Coolidge Colony; thence along said Northern line of Orangeburg Avenue, North $89^{\circ} 00'$ West, 110.00 feet; thence North $00^{\circ} 10'$ West, 155.00 feet; thence South $89^{\circ} 00'$ East, 110.00 feet, to the true point of beginning, containing 0.391 Acre more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE PHOENIX STATION ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

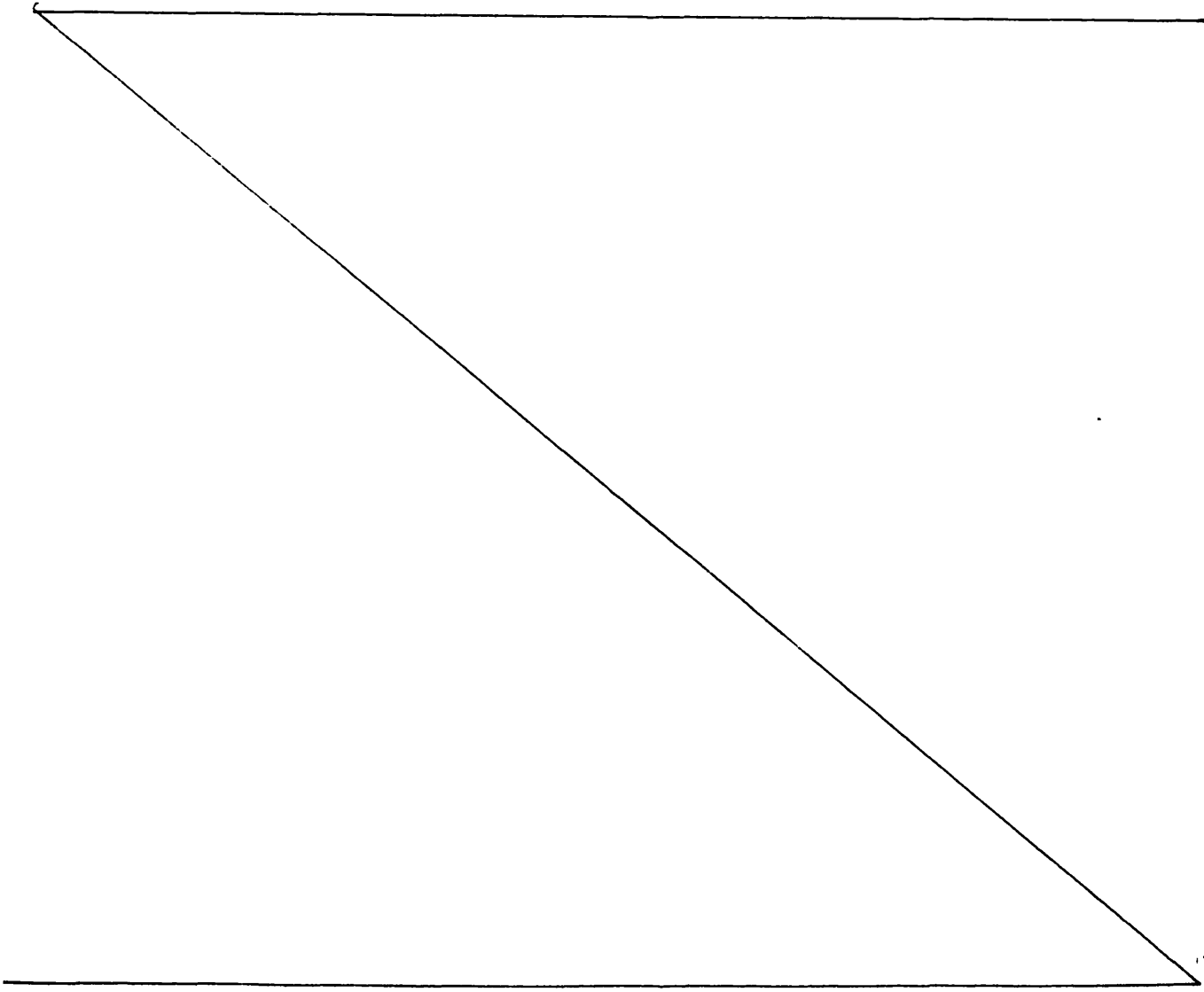
WHEREAS, a petition for annexation to the City of Modesto
was filed by the City of Modesto

_____ on January 5 1959,

to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the PHOENIX STATION ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate in the State of
California, County of Stanislaus, Section 27, Township 3
South, Range 9 East; Mount Diablo Base and Meridian,
described as follows:

All of Lot 13 in Block 2196 of the Alta Vista Tract, as
per map filed September 12, 1946 in Volume 14 of Maps,
Page 75, Stanislaus County Records, containing 0.176
Acre more or less.



and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE CARVERWOOD ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by Lance E. Ellis, Carol L. Ellis, Irene T. Cecil, Neil M.
Cecil, Clyde Perdue, and Anna L. Fagundes
on December 31, 19 58,
to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the CARVERWOOD ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate in the State of
California, County of Stanislaus, Sections 18 and 19, Township
3 South, Range 9 East, Mount Diablo Base and Meridian, and
more particularly described as follows:

Beginning at a point on the existing corporate limits of
the City of Modesto and the Northern line of the Garrison
School Addition, according to the boundary description filed
January 29, 1957 as Instrument No. 2646, Stanislaus County
Records, said point being the intersection of the Western
line of Carver Road and the Southern line of Evergreen
Road, as shown on the map of the Dunham Tract, filed
December 26, 1946, in Volume 16 of Maps at Page 15, Stanislaus
County Records; thence along the corporate city limits and
the boundary of said Garrison School Addition, South $0^{\circ} 32'$
East, 281.98 feet, and South $89^{\circ} 06' 30''$ East, 1565.80 feet,
to the intersection with the Western line of the West-Glen
Addition, filed July 1, 1955 as Instrument No. 19064,
Stanislaus County Records, said line being the North-South
quarter-quarter section line of Section 19; thence along the
existing corporate city limits and the boundary of said West-
Glen Addition, the following bearings and distances: North
 $0^{\circ} 31'$ West, 310.15 feet, to a point on the section line
common to said Sections 18 and 19; North $0^{\circ} 34'$ West, 716.84
feet, South $89^{\circ} 23' 50''$ East, 1145.01 feet, to the South-
western corner of the North Park Addition, filed September
8, 1958 as Instrument No. 22252, Stanislaus County Records;
thence along the existing corporate city limits and the
boundary of said North Park Addition, North $0^{\circ} 40' 20''$ West,
296.41 feet, to the Northern line of the Modesto Irrigation
District Lateral No. 3; thence along the Northern line of the
Modesto Irrigation District Lateral No. 3 and the boundary
of said North Park Addition, South $89^{\circ} 32' 30''$ West, 333.36
feet, and North $81^{\circ} 27' 30''$ West, 561.20 feet, to the
Western line of said North Park Addition; thence leaving the
corporate city limits and continuing along said Northern line
of said Modesto Irrigation District Lateral No. 3, North
 $81^{\circ} 27' 30''$ West, 260.21 feet, to the North-South quarter-
quarter section line of Section 18; thence continuing along
said Northern line of the Modesto Irrigation District
Lateral No. 3, North $81^{\circ} 25' 26''$ West, 1579.92 feet, to the

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

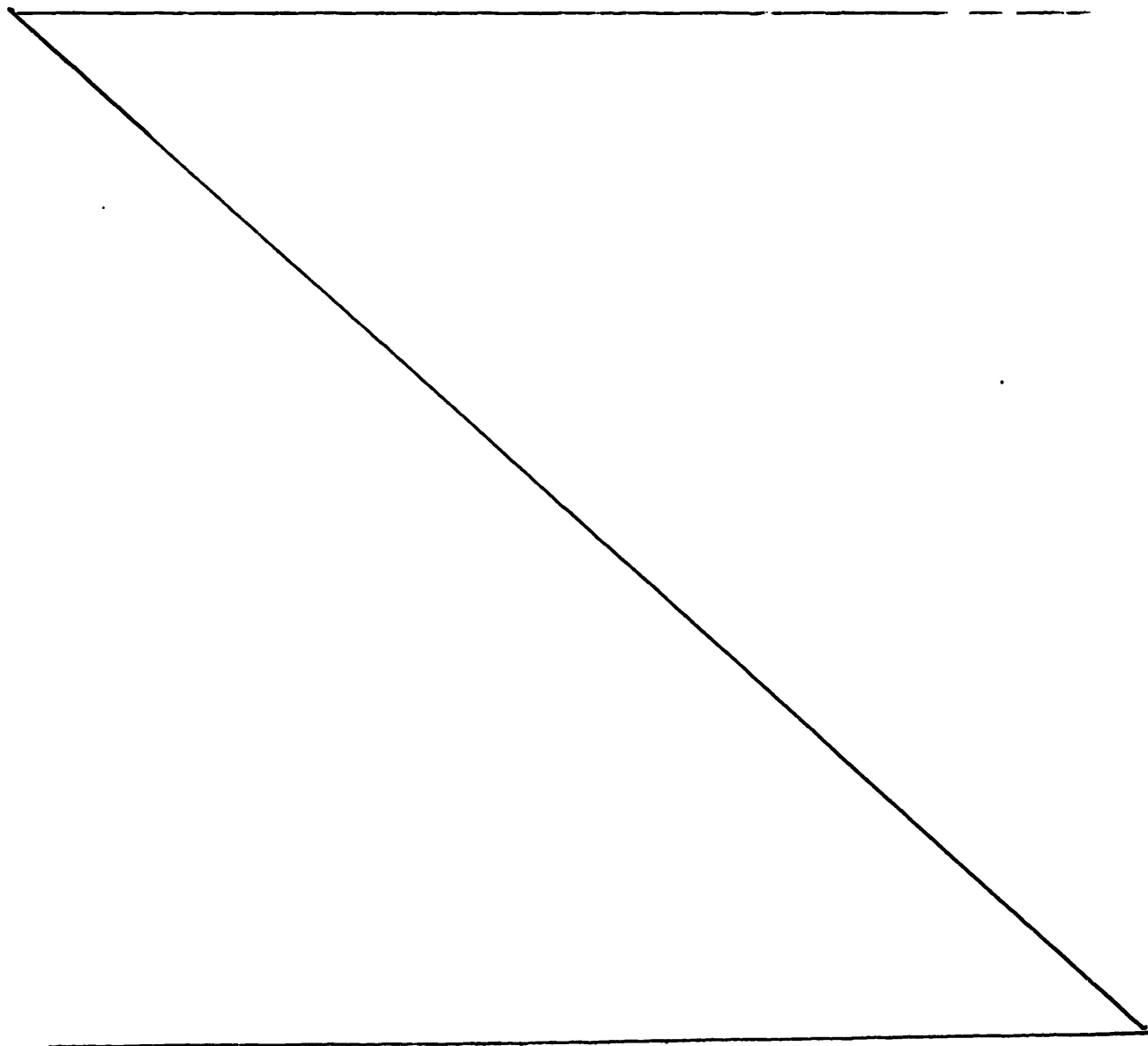
WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

Western line of said Carver Road; thence continuing along said Northern line of the Modesto Irrigation District Lateral No. 3, North $81^{\circ} 25' 26''$ West, 1336.50 feet, to a point on the Northerly extension of the Western line of the property conveyed to Neil M. Cecil, et ux, by deed recorded April 4, 1955 as Instrument No. 9922, Stanislaus County Records; thence along said Northerly extension of the Western line of said Cecil property, South $0^{\circ} 46' 20''$ East, 244.21 feet, to the Northwestern corner of said Cecil property; thence along said Western line of said Cecil property, South $0^{\circ} 46' 20''$ East, 1318.68 feet to the Southwestern corner of said Cecil property and the section line common to Sections 18 and 19; thence along said section line, North $88^{\circ} 58' 40''$ East, 788.56 feet, to the Northerly extension of the Eastern line of lot B of said Dunham Tract; thence along said Northerly extension of the Eastern line of Lot B of said Dunham Tract, South $0^{\circ} 32'$ East, 33.33 feet, to the Southern line of Evergreen Road as shown on the map of said Dunham Tract, said point being on the Northern line of said Garrison School Addition; thence along said Southern line of Evergreen Road and the corporate city limits, North $87^{\circ} 34' 50''$ East, 520.00 feet, to the Western line of Carver Road and the true point of beginning, containing 107.92 Acres, more or less.



SECTION 2. 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 Bee , 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.

SECTION 3. 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.

SECTION 4. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County if and when the said territory is annexed 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 7 day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 16

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE YORKSHIRE ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by Wolverine Building Service, Inc. by Gale O. Nutson, Pres.,
Arthur Wylie and Florence Wylie on December 31, 1958,
to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the YORKSHIRE ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

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

Beginning at a point on the existing City Limits line said point
being the Southwestern corner of the Zlab Addition to the City
of Modesto, according to the boundary description filed January
18, 1956 as Instrument No. 1481, Stanislaus County Records, said
point also being the Southeastern corner of the West half of
Lot 11 of Rice Colony, as per map filed in Volume 1 of Maps,
Page 54, Stanislaus County Records, and a Record of Survey Map
filed March 19, 1957 in Volume 7, Page 7, Record of Surveys,
Stanislaus County Records; thence along the existing City Limits
and the Eastern line of said West half of Lot 11 of the Rice
Colony, North $0^{\circ} 24' 10''$ West, 658.18 feet, to the Northern line
of said Lot 11 of Rice Colony and the Northwestern corner of the
Zlab Subdivision No. 2 Addition, according to the boundary
description filed October 20, 1958 as Instrument No. 26117,
Stanislaus County /Records; thence along the Northern line of
said Lot 11 of Rice Colony as shown in said Record of Survey Map,
North $89^{\circ} 32' 40''$ West, 641.36 feet, to the Eastern line of a 40
foot public road known as El Vecino Avenue; thence along said
Eastern line of El Vecino Avenue, South $0^{\circ} 32' 40''$ East, 659.91
feet, to the Southern line of said Lot 11 of Rice Colony, which
is also the Northern line of the Loconte Subdivision, as per map
filed in Volume 17 of Maps, Page 65, Stanislaus County Records;
thence along said Northern line of the Loconte Subdivision and
the Southern line of said Lot 11 of Rice Colony, South $89^{\circ} 41' 42''$
East, 639.71 feet, to the Northeastern corner of said Loconte
Subdivision and the point of beginning, containing 9.69 acres,
more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 18th day of February 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

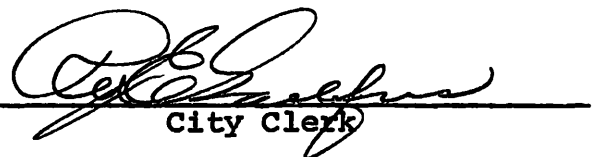
SECTION 2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week, in The Modesto Bee , a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto, and shall also cause a copy 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-17

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE FURNISHING OF RUBBER-TIRED TRACTOR WITH BUCKET LOADER AND AUTHORIZING THE CITY MANAGER TO PURCHASE THIS EQUIPMENT AT THE BEST OBTAINABLE PRICE

WHEREAS, Resolution No. 58-413, adopted by the Council of the City of Modesto on December 23, 1958, approved the plans and specifications for the furnishing of rubber-tired tractor with bucket loader and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of rubber-tired tractor with bucket loader were opened at 2:00 P.M. on January 12, 1959 and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that all bids be rejected and the City Manager be authorized to purchase equipment conforming to the City's requirements at the best obtainable price, and

WHEREAS, the City Charter does not require calling for bids for purchase of equipment,

NOW, THEREFORE, BE IT RESOLVED that all bids for a rubber-tired tractor with bucket loader be and they are hereby rejected and the City Manager is hereby authorized to purchase this equipment conforming to the specifications at the best obtainable price.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-18

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR THE FURNISHING OF NEW RADIO EQUIPMENT

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

Section 1. The plans and specifications for the furnishing
of radio equipment

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, 717 10th Street, in the City of Modesto,
on February 9, 1959 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 14 day of January,
1959, by Councilman Merrill, who moved its adoption, which motion
being duly seconded by Councilman Adams, was upon roll call
carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

Noes: None

Absent: Robinson, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-19

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING ALL MATERIAL, MACHINERY, TOOLS, LABOR AND SERVICES NECESSARY FOR THE CONSTRUCTION OF PEDESTRIAN-ACTUATED TRAFFIC SIGNALS AND STREET LIGHTING AT WASHINGTON AND H STREETS

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

Section 1. The plans and specifications for furnishing all material, machinery, tools, labor and services necessary for the construction of pedestrian-actuated traffic signals and street lighting at Washington and H 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, 717 10th Street, in the City of Modesto, on February 3, 1959 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 14 day of January, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

Noes: None

Absent: Robinson, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-20

A RESOLUTION GRANTING A VARIANCE TO MADELINE W. HIATT TO CONSTRUCT TWO THIRTY FOOT DRIVEWAYS ON HER PROPERTY LOCATED AT MCHENRY AND GROVE AVENUES ON THE CONDITION THAT IT BE VALID ONLY IN CONNECTION WITH THE CONSTRUCTION OF A GASOLINE SERVICE STATION

WHEREAS, Madeline W. Hiatt filed a request for a variance from the Modesto Municipal Code to permit the construction of two driveways of not less than thirty (30') feet, each, in width, for a service station to be erected on property located on the southwest corner of Grove and McHenry Avenues, as shown on sketch on file in the office of the City Clerk, and

WHEREAS, Section 7-1.104 (c) of the Municipal Code provides that not more than 40% of the frontage upon any street of the lots to be served thereby shall be devoted to driveways and

WHEREAS, the McHenry Avenue frontage of Mrs. Hiatt's property where the driveways are to be constructed is one hundred (100') feet, and

WHEREAS, the Department of Public Works has recommended that the variance be granted to Mrs. Hiatt upon the condition that it is valid only in connection with the construction of a gasoline service station on the property,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that the request of Madeline W. Hiatt, for a variance from the provisions of the Modesto Municipal Code to permit the construction of two driveways of not less than thirty (30') feet, each, in width, for a service station to be erected on property located on the southwest corner of Grove and McHenry Avenues be and it is hereby approved upon the following conditions:

- 1- That all construction be in accordance with the provisions of the Municipal Code.
- 2- That the variance permit be valid only in connection with the construction of a gasoline service station on this property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-21

A RESOLUTION GRANTING A VARIANCE TO JIM PRICE TO PERMIT AN EXISTING DRIVEWAY OF EXCESS WIDTH REMAIN AT 321 NORTHWOOD DRIVE

WHEREAS, Jim Price, has filed an appeal for a variance from the Modesto Municipal Code to permit an existing 36½ foot driveway which was constructed without a curb cut permit from the City remain at 321 Northwood Drive, as shown on the sketch on file in the office of the City Clerk, and

WHEREAS, the Municipal Code provides a maximum width of driveway shall not be more than 30 feet, and

WHEREAS, the Department of Public Works, after inspection of the driveway, has recommended that the variance be given favorable consideration by the Council as there will be no parking or other problems created in the area because of the extra width driveway.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Jim Price for a variance from the Modesto Municipal Code to permit the 36½ foot driveway remain at 321 Northwood Drive be approved on the following conditions:

- 1- That a curb cut permit be obtained from the Inspection office of the City of Modesto and a double fee be paid, as provided by the Municipal Code, because the construction was completed without first obtaining 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 January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-22

A RESOLUTION GRANTING A VARIANCE TO URICH OIL COMPANY TO CONSTRUCT FOUR THIRTY SIX (36') FOOT DRIVEWAYS FOR SERVICE STATION TO BE ERECTED ON SOUTHWEST CORNER OF GRANGER AND McHENRY AVENUE AND DENYING PERMISSION TO INSTALL BLACKTOP MATERIAL IN THE GRANGER AVENUE SIDE-WALK AREA

WHEREAS, Urich Oil Company has filed an appeal for a variance as provided in the Modesto Municipal Code, to permit the construction of two thirty six (36') foot driveways on McHenry Avenue, and two thirty six (36') foot driveways and the placing of blacktop material in the sidewalk area on Granger Avenue, for a service station to be erected on the southwest corner of Granger and McHenry Avenues, and

WHEREAS, such driveways would exceed the 40% limitation of the frontage on both of these streets, and

WHEREAS, the Department of Public Works has recommended that the Council give favorable consideration to the appeal as related to the driveways, as they will facilitate egress and ingress to the station as long as the property is used as a filling station, and

WHEREAS, the Department of Public Works has not recommended that the appeal for a variance to permit blacktopping of the remaining section of the sidewalk area on Granger Avenue be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Urich Oil Company to construct four thirty six (36') foot driveways, two on McHenry Avenue and two on Granger Avenue be approved.

BE IT FURTHER RESOLVED, that the appeal to permit the installation of blacktop in the Granger Avenue sidewalk area be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1959, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: None

ABSENT: Robinsen, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-23

A RESOLUTION DENYING THE APPEAL OF JOHN QUARESMA FROM THE DECISION OF THE BOARD OF ZONING ADJUSTMENT FOR A CONDITIONAL USE PERMIT TO EXTEND C-1 USE INTO RESIDENTIALLY ZONED PROPERTY, SOUTHEAST CORNER OF ROSEBURG AVENUE AND TULLY ROAD

WHEREAS, an appeal from the decision of the Modesto Board of Zoning Adjustment for a conditional use permit to extend a commercial use into residentially zoned property located on the southeast corner of Tully Road and Roseburg Avenue, was filed in the office of the City Clerk, on December 3, 1958, by John Quaresma, and

WHEREAS, after public hearing the Council found and determined that compatibility will not 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 if the conditional use permit were granted,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby deny the appeal of John Quaresma from the decision of the Board of Zoning Adjustment for a conditional use permit to extend C-1 use into residentially zoned property on the southeast corner of Roseburg Avenue and Tully Road.

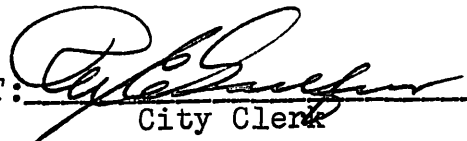
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Mayor Marks

NOES: Councilmen: Merrill

ABSENT: Councilmen: Robinson, Spaulding

ATTEST:



City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-24

A RESOLUTION OF THE CITY OF MODESTO ENDORSING THE STAND OF THE
LEAGUE OF CALIFORNIA CITIES ON THE CITY STREET PROBLEMS

WHEREAS, one of the most critical and vexing problems faced by City officials in the past and to be faced in the future is the financing of city street improvements, and

WHEREAS, it is anticipated that the California Freeway System can be constructed in the next 20 years under the present revenue and expenditure structure of the highway user taxes but cities must wait 150 years before these needs are met, and

WHEREAS, it is essential that city street deficiencies be corrected at a rate at least comparable to the needs of other highway systems, and

WHEREAS, this is not being done and is impossible to do under the present formulas for distribution of highway user taxes.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve and support the following Summary of Municipal Position and Policy adopted by the League of California Cities Streets and Highways Committee:

1. It is established that financial resources of cities are inadequate to correct city street deficiencies within the foreseeable future.
2. With present revenues it is estimated that by the year 1980 one hundred per cent of the deficiencies on the state highway system will have been corrected, twenty-seven per cent of the county road deficiencies will have been corrected, and only fourteen per cent of the city street deficiencies will have been corrected.
3. Highway user tax funds available for street and highway purposes should be expended as nearly as possible on the basis of greatest need.
4. Deficiencies on the street and highway systems of each governmental jurisdiction should be corrected at approximately the said rate.
5. Cities are willing to assume their full share of the responsibility for correcting city street deficiencies within their financial ability to do so.

6. To accomplish an orderly and expeditious correction of city street deficiencies, cities:
 - a. Must be willing to support a one-cent increase in the state gas tax for expenditure on major city streets.
 - b. Cities must be willing to match with local funds any increase in state highway user funds allocated to cities for construction and improvement of major city streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Robinson, Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-25

A RESOLUTION ACCEPTING THE BID OF WILLEY PRINTING COMPANY IN THE AMOUNT OF \$10.82 PER PAGE FOR THE PRINTING OF REVISED SUPPLEMENTAL PAGES OF THE MUNICIPAL CODE OF THE CITY OF MODESTO

WHEREAS, Resolution No. 59-2, adopted by the Council of the City of Modesto on January 5, 1959, approved the plans and specifications for the printing of revised or supplemental pages of the Municipal Code

and authorized the calling for bids, and

WHEREAS, the bids received for the printing of revised or supplemental pages of the Municipal Code

were opened at 2:00 P.M. January 20, 1959 and later tabulated by the ~~Public Works Department~~ ^{City Clerk} for the consideration of the Council, and

WHEREAS, the ~~Director of Public Works~~ ^{City Clerk} 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 21 day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: None

ABSENT: Robinson, Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-26

A RESOLUTION REJECTING THE BID FOR FURNISHING OF EQUIPMENT AND LABOR FOR FINE GRADING OF GREENS AND TEES AT DRYDEN PARK MUNICIPAL GOLF COURSE AND AUTHORIZING THE WORK TO BE DONE BY CITY FORCES

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-1, on January 7, 1959, approving the plans and specifications for the furnishing of equipment and labor for fine grading of greens and tees at Dryden Park Municipal Golf Course, 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 January, 1959, and

WHEREAS, the City Clerk, in accordance with said Resolution No. 59-1, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, the bid received pursuant to said notice was opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by Charles I. Cunningham Company of Oakdale, in the sum of \$4,377.60 excluding the furnishing of additional laborers, and

WHEREAS, the Director of Public Works estimated that the cost of such work to be performed by city forces for the sum of approximately \$2,016.00, thus effecting a savings to the taxpayers of approximately \$2,361.60, which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determined 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 21st day of January, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 58- 59-27

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES.

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 to be used for street widening purposes.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening 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.

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 purpose 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 certain real property situate in the State of California, County of Stanislaus, Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the intersection of the Southern line of a 40 foot public road known as West Roseburg Avenue and the Eastern line of a 40 foot public road known as Tully Road; thence along said Eastern line of Tully Road, South $0^{\circ} 01' 30''$ West, 115.07 feet; thence along a line parallel with and 115 feet at right angles Southerly from said Southern line of West Roseburg Avenue, South $87^{\circ} 56' 50''$ East, 25.02 feet; thence along a line parallel with and 25 feet at right angles Easterly from said Eastern line of Tully Road, North $0^{\circ} 01' 30''$ East, 105.06 feet, to a point which is 10 feet at right angles Southerly from said Southern line of West Roseburg Avenue; thence along a line parallel with said Southern line of West Roseburg Avenue, South $87^{\circ} 56' 50''$ East, 105.06 feet; thence along a line parallel with and 130 feet at right angles Easterly from said Eastern line of Tully Road, North $0^{\circ} 01' 15''$ East, 10.01 feet, to said Southern line of West Roseburg Avenue; thence along said Southern line of West Roseburg Avenue, North $87^{\circ} 56' 50''$ West, 130.08 feet, to the point of beginning, containing 0.090 acre, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of January 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Hammond, Spaulding, Mayor Marks

NOES: Councilmen: Arata, Merrill

ABSENT: Councilmen: Robinson

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-28

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
ELLA K. WORTHEN FOR LEASE OF PROPERTY AT 110 POPLAR AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Ella K. Worthen
for the lease of property at 110 Poplar 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 21 day of
January, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Spaulding,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 29

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE AIRPORT ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by the City of Modesto

on January 21, 1959,

to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the AIRPORT ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate in the State of California,
County of Stanislaus, Sections 34 and 35, Township 3 South,
Range 9 East, and Sections 2 and 3, Township 4 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 La Loma Yosemite Addition Recorded December 4, 1953 as
Instrument 30045, Stanislaus County Records, said point being
the intersection of the Northern line of the Modesto and Empire
Traction Company Railroad Right of Way and the Western line of
Empire Avenue as shown on the map of the Modesto Colony filed
July 30, 1888, in Volume 1 of Maps, Page 33, Stanislaus County
Records; thence Northeasterly along the Northern line of said
Railroad Right of Way to a point on the Eastern line of said
Empire Avenue; thence Southerly along said Eastern line of Empire
Avenue to the Northern line of Tenaya Drive as shown on the map of
the Sierra Subdivision No. 3, filed in Volume 11 of Maps, Page 44,
Stanislaus County Records; thence Easterly along the Northern line
of said Tenaya Drive to a point on the Northerly extension of
the Eastern line of said Sierra Subdivision No. 3; thence Easterly
189.43 feet, along that portion of Tenaya Drive reserved as a road
easement on the property conveyed to the City of Modesto by deed
recorded July 11, 1950 as Instrument 14992, to the beginning of
a tangent curve; thence Southerly 60.00 feet along the radial
line of said tangent curve to a point on the Southern line of
Tenaya Drive said point being the beginning of a tangent curve
concave to the Southwest; thence Easterly along said curve having
a radius of 200.00 feet, Central Angle 33° 57', an Arc Length of
118.51 feet; thence Southeasterly and Easterly along the South-
western and Southern line of said Tenaya Drive, to a point on the
Western line of Snowden Avenue, said point being 80.00 feet,
measured at right angles, Westerly from the section line common
to said Sections 34 and 35; thence along said Western line of
Snowden Avenue parallel to Eastern line of said City of Modesto
property, Southerly, to a point on the East-West quarter section
line, said point being 80.00 feet, measured at right angles,
Westerly from said section line common to Sections 34 and 35;
thence continuing along said Western line of Snowden Avenue,
Southerly, to a point on a line which is parallel to and 40.00
feet, measured at right angles, Southwesterly from the Southwestern
line of the property conveyed to the City of Modesto as Parcel No.2
in the Deed recorded March 29, 1946 as Instrument No. 7982,
Stanislaus County Records; thence along said parallel line,

Southerly, to a point on the Eastern line of the property conveyed to the City of Modesto as Parcel No. 1 in said Deed recorded March 29, 1946 as Instrument No. 7982; thence Southerly along the Eastern line of the property described in said Instrument 7982 to the Southeastern corner thereof; thence Westerly along the Southern line of the property described in said Instrument 7982 to its intersection with the Northeastern corner of the property abandoned by Order of the Board of Supervisors recorded March 16, 1948, as Instrument 5785; thence Southerly along the Eastern line of said abandoned property to a point on the Northern line of the property conveyed to the City of Modesto by deed recorded July 29, 1941 as Instrument 9961; thence Southerly and Westerly along the Eastern and Southern line of the property described in said Instrument 9961, to the Southwest corner thereof, said point being the section corner common to Section 2 and 3; thence Southerly along the section line common to Sections 2 and 3 to a point on the center line of the Tuolumne River; thence along said center line of the Tuolumne River meandering downstream following the thread of the river, to a point on the Southerly extension of the Eastern line of Conejo Avenue as shown on the Map of the Legion Park Tract recorded in Volume 14 of Maps, Page 10, Stanislaus County Records; thence along said Southerly extension and Western line of said Conejo Avenue, Northerly, to the Northern line of Tuolumne Avenue as shown on said Map of Legion Park; thence along said Northern line of Tuolumne Avenue, Westerly to a point on the North-South quarter section line of said Section 34; thence along said quarter section line, said line also being the Eastern line of Block 2141 of the Sierra Subdivision No. 2, as shown on the map recorded in Volume 11 of Maps, Page 31, Stanislaus County Records, Northerly, to the Southeastern corner of Lot 2 of said Block 2141, said point also being the Southeastern corner of the land conveyed to the City of Modesto by deed recorded August 29, 1939, as Instrument No. 10214, Stanislaus County Records; thence following along the boundary of said City of Modesto property, Westerly and Northerly, to a point on the Northern line of Lot 1 of said Block 2141, and Southern line of Sierra Avenue as shown on said map of Sierra Subdivision No. 2, said point also being the Southwestern corner of that portion of Sierra Avenue abandoned by Petition No. 621 recorded in Volume 739, Page 137, Stanislaus County Records; thence along the Western line of said abandoned Sierra Avenue, Northerly, to the Northwestern corner of said abandoned Sierra Avenue; thence Northerly, to a point on Southern line of Tioga Drive as said Tioga Drive is shown on the Map of the Sierra Subdivision No. 3 recorded in Volume 11 of Maps, Page 44, Stanislaus County Records, said point also being the Southwestern corner of that portion of said Tioga Drive abandoned by said Petition No. 621; thence along the Northwestern line of said abandoned Tioga Drive, Northeasterly to the Northwestern corner of said abandoned Tioga Drive; thence Northeasterly, to a point on the Western line of Conejo Avenue as said Conejo Avenue is shown on said map of Sierra Subdivision No. 3, said point also being the Northwestern corner of that portion of said Conejo Avenue, abandoned by said Petition No. 621; thence along the Northwestern line of said abandoned Conejo Avenue, Northeasterly, to the Northeastern corner of said abandoned Conejo Avenue; thence along the Eastern line of said Conejo Avenue, Northerly to a point which is 20.00 feet Southerly from the Northwestern corner of Lot 17, Block 2150, as shown on said Map of Sierra Subdivision No. 3; thence on a line parallel to and 20.00 feet, measured at right angles, Southerly from the Northern line of said Lot 17, Easterly, to a point on the North-South quarter section line of said Section 34, said point also being on the Eastern line of said Sierra Subdivision No. 3; thence along said Eastern line of Sierra Subdivision No. 3, Northerly, to a point on the Southern line of Tenaya Drive as shown on said Map of Sierra Subdivision No. 3; thence Westerly along the Southern line of said Tenaya Drive to its intersection with the Southerly extension of the Western line of said Empire Avenue; thence Northerly along said Southerly extension and the Western line of said Empire Avenue to the point of beginning, containing 286 acres more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 4th day of March 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of January, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST:


City Clerk

(SEAL)

RESOLUTION 59-30

THIS NUMBER WAS NOT USED

MODESTO CITY COUNCIL
RESOLUTION NO. 59-31

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING OF DEEP WELL PUMP WITH ELECTRICAL EQUIPMENT AND AUXILIARY GAS ENGINE

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

Section 1. The plans and specifications for furnishing of deep well pump with electrical equipment and auxiliary gas engine

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, 717 10th Street, in the City of Modesto, on February 16, 1959 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 28 day of January, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore Hammond

Noes: None

Absent: Robinson, Mayor Marks

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-32

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR DRILLING, CASING, TESTING AND DEVELOPMENT OF TWO DEEP WELLS

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 two deep wells

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, 717 10th Street, in the City of Modesto, on February 9, 1959 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 28 day of January, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore
Hammond

Noes: None

Absent: Robinson, Mayor Marks

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-33

A RESOLUTION ADOPTING A GENERAL PLAN FOR THE CITY OF MODESTO AS PROVIDED BY TITLE 7 OF THE GOVERNMENT CODE.

WHEREAS, under the provisions of Title 7 of the Government Code of the State of California, each Planning Commission is charged with the responsibility of adopting a comprehensive, long-term general plan for the physical development of the city and land outside its boundaries which, in the Commission's judgment, bears relation to its planning, and

WHEREAS, the City Planning Commission has joined with the other cities of the County, and the Planning Commission of Stanislaus County, to prepare a general plan, and

WHEREAS, the Preliminary General Plan has been prepared, which Plan includes:

- a. A land use element;
- b. A circulation element;
- c. A statement of standards of population density and building intensity and estimates of future population growth in the territory covered by the Plan, all correlated with the land use element of the Plan; and
- d. Supporting maps, diagrams, charts, descriptive material and reports, and

WHEREAS, the Plan has been studied and recommendations made by citizens groups, and adoption of the Plan as modified has been recommended by the Stanislaus Cities-County Advisory Planning Committee, and

WHEREAS, the Planning Commission has held two public hearings on the Plan as required by the California Planning Law, and

WHEREAS, the Commission has adopted the Plan as modified as a reasonable and possible Plan for the long-range physical development of the City,

WHEREAS, the City Council held a public hearing on January 28, 1959, at 8:00 o'clock p.m. in the Council Chamber, as required by

Title 7 of the Government Code, establishing the procedure for the adoption of a master or general plan,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby adopt the Plan as modified, entitled "The General Plan for the Modesto-Ceres-Empire Area", a copy of which is on file in the Office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 28 day of January, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Mayor Marks

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-34

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO IRRIGATION DISTRICT FOR A SEWER LINE CROSSING OF MODESTO IRRIGATION DISTRICT'S LATERAL 4 IN THE MAZE RANCH SUB-DIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the Modesto Irrigation District for a sewer line crossing of Modesto Irrigation District's Lateral 4 in the Maze Ranch 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, and

BE IT FURTHER RESOLVED that the recordation of said Agreement with the County Recorder 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, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro
Tempore Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Robinson, Mayor Marks

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-35

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DRILLING, CASING, TESTING & DEVELOPMENT OF ONE DEEP WELL FOR THE CITY OF MODESTO AT PUMP STATION #21, AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of drilling, casing, testing & development of one deep well for the City of Modesto at Pump Station No. 21.

has been completed by Osterberg and Carroll

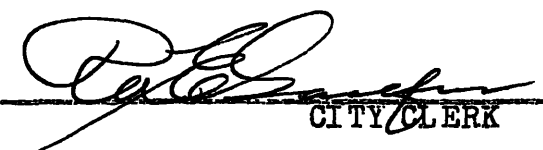
in accordance with the contract agreement dated

NOW, THEREFORE, BE IT RESOLVED that the construction of drilling, casing, testing and development of one deep well for the City of Modesto at Pump Station No. 21.
be accepted from said contractor Osterberg and Carroll

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 28 day of January, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore Hammond
Noes: Councilmen: None
Absent: Councilmen: Robinson, Mayor Marks

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-36

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$8,500 FROM SPECIAL CAPITAL OUTLAY TO CITY HALL AND PARKING GARAGE CONSTRUCTION FOR BALANCE OF FISCAL YEAR

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

FROM: Special Capital Outlay \$8,500.
Reserve - 600

TO: City Hall and Parking Garage \$8,500.
Construction - 502 (321)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore
Hammond

NOES: None

ABSENT: Robinson, Mayor Marks

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-37

A RESOLUTION GRANTING A PERMIT TO B.P.O.E. ELKS LODGE NO. 1282 TO HOLD ITS ANNUAL CHARITY CIRCUS AT DEL WEBB FIELD ON MAY 23, 1959

WHEREAS, B.P.O.E. Elks Lodge No. 1282 has filed a request with the Council for permission to hold its annual Charity Circus at Del Webb Field on May 23, 1959, and

WHEREAS, the Modesto Community Athletic Association, lessee of the field, has approved the use of the field.

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 Charity Circus at Del Webb Field on May 23, 1959, 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, 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 shall comply with all laws of the City.

(c) Permittee, 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 Two Hundred Thousand and no/100ths (\$200,000) 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 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.

(e) Permittee, at its own cost and expense, shall adequately clean and return the ball park to its original state immediately following this event and failure to do so shall be considered a legitimate reason for claim against the Permittee.

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 28th day of January, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Robinson, Mayor Marks

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-38

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 (Evergreen Acres Tract)

WHEREAS, the Modesto City Planning Commission adopted Resolution 478 on December 16, 1958 initiating proceedings to amend Section 19 of the Zoning Map to reclassify from Light Industrial Zone (M-1), Neighborhood-Commercial Zone (C-1), and Multiple Family Residential Zone (R-3) to Commercial Industrial Zone (C-M) the following described property:

All of lots 17, 18, 19, 20 and 21 of the Evergreen Acres Tract, being located on the north side of Coldwell Avenue west of Tully Road and east of Kearney Avenue; having a frontage of approximately 770 feet on Coldwell Avenue, and

WHEREAS, the Commission held a public hearing on January 20, 1959, and after hearing both oral and documentary evidence adopted Resolution 492 recommending to the Council an amendment to Section 19 of the Zoning Map (Coldwell Avenue) that the following described property be reclassified from Light Industrial Zone (M-1), Neighborhood-Commercial Zone (C-1) and Multiple Family Residential Zone (R-3) to Commercial Industrial Zone (C-M):

The property on the north side of Coldwell Avenue east of the Walmar properties, incorporated, such property to include lots 17, 18 and 19 of the Evergreen Acres Tract, having a frontage on Coldwell Avenue of 458.70 feet.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to set for 8:00 P.M., Wednesday, February 25, 1959, 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 on the 28th day of January, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore Hammond

NOES: None

ABSENT: Robinson, Mayor Marks

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-39

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 (LOSER-DARPINIAN)

WHEREAS, the Modesto City Planning Commission adopted Resolution 483 on December 23, 1958, initiating proceedings to amend Section 20 of the Zoning Map to reclassify from Single-Family Residential Zone (R-1) to General Commercial Zone (C-2) the following described property:

Beginning at a point on the center line of Coolidge Avenue 175 feet west of the center line of McHenry Avenue; thence westerly along the center line of Coolidge Avenue approximately 29.6 feet to the west line of the S. E. Losher property; thence southerly approximately 165 feet along the west line of the Losher property to the south line of the Losher property; thence easterly approximately 19.6 feet to the west line of the K. Darpinian property; thence southerly approximately 165 feet along the west line of the Darpinian property to the center line of Claradell Avenue; thence easterly along the center line of Claradell Avenue to a point 175 feet west of the center line of McHenry Avenue; thence northerly to the point of beginning, and

WHEREAS, the Commission held a public hearing on January 20, 1959, and after hearing both oral and documentary evidence adopted Resolution 494 recommending to the Council that Section 20 of the Zoning Map be amended to reclassify the property above described from Single-Family Residential Zone (R-1) to General Commercial Zone (C-2).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for February 25, 1959 at 8:15 P.M., 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 28th day of January, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Mayor Marks

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-40

A RESOLUTION CHANGING THE NAME OF HARRIET STREET
TO NORTH MORTON BOULEVARD IN THE CITY OF MODESTO.

WHEREAS, Harriet Street is an extension of North Morton
Boulevard; is two blocks in length and has only three houses erected
thereon, 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 city 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. 495, adopted January 20, 1959, that said street be
renamed accordingly,

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

1. That the street name of "Harriet Street" be changed to
"North Morton Boulevard".
2. That the Director of Public Works be directed to erect
street name signs accordingly.
3. 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 28 day of
January, 1959, by Councilman Merrill, who
moved its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Pro Tempore
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Mayor Marks

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-41

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING VARIOUS TYPES OF TRUCKS AND PASSENGER VEHICLES

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

Section 1. The plans and specifications for furnishing various types of trucks and passenger vehicles

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, 717 10th Street, in the City of Modesto, on February 24, 1959 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 4 day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

Noes: None

Absent: Adams, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-42

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN WALNUT GROVE 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 Walnut Grove 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, 717 10th Street, in the City of Modesto, on February 16, 1959 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 4 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

Noes: None

Absent: Adams, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-43

A RESOLUTION APPROVING RIGHT OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, two Right of Way Contracts for widening of McHenry Avenue are now complete as follows:

<u>Documents</u>	<u>Name</u>
M-108	Paul L. and Gussie M. Cleveland
M-129	Losher's, a corporation

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve these Right of Way Contracts as presented and the City Manager be authorized to sign each on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 4 day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-44

A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF MILL LICENSE TO
J. H. JACKSON, INDUSTRIAL PIPING CONTRACTOR

WHEREAS, J. H. Jackson, Industrial Piping Contractor, located outside the City of Modesto, has filed with the Finance Department of the City of Modesto a claim of \$125.43 for overpayment of mill license for the period beginning March 31, 1957 through December 31, 1958, and

WHEREAS, an audit of this claim made by the Finance Department indicates as follows:

- 1- The basis for a request to refund mill license fee is valid,
- 2- This period is within the requirements of the statute of limitations,
- 3- The audit of the records indicated that the company had been paying mill license fees based on gross receipts rather than just that portion of business done within the City of Modesto as required by the Municipal Code and that there was a discrepancy of one cent in the records of the company,

and

WHEREAS, the Director of Finance has recommended that based on the conclusions presented above and a review of the J. H. Jackson, Industrial Piping Contractor, accounting records, that a refund in the amount of \$125.44 be granted by the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a refund of \$125.44 to J. H. Jackson, be approved as recommended by the Director of Finance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: None

ABSENT: Adams, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-45

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,410 FOR THE INSTALLATION OF GRADE CROSSING SIGNALS ON THE TIDEWATER SOUTHERN RAILROAD AT THE ORANGEBURG CROSSINGS AND ACKNOWLEDGING RECEIPT OF LETTER FROM THE COMPANY DATED JANUARY 22, 1959, APPROVING THE INSTALLATION

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

Reserve #600 \$3,410.
Spec. Cap. Outlay #321

Miscellaneous Traffic Signals, \$3,410.
#503 - #321
(Orangeburg Crossing of Tidewater
Southern Railroad)

BE IT FURTHER RESOLVED that the City of Modesto acknowledges receipt of a letter from the Tidewater Southern Railroad, dated January 22, 1959, and hereby advises that City funds are available for its pro rata share of the cost for the construction of the traffic signals as listed in the company's estimate dated December 8, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST.


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-46

A RESOLUTION REAPPOINTING MEMBER OF THE PERSONNEL COMMISSION-RAY E. STARN
FOR THE TERM EXPIRING JANUARY 1, 1963

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 Ray E. Starn on the Personnel Commission expires on January 1, 1959,

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:

Ray E. Starn for a term of four years ending
January 1, 1963

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 4 day of February, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-47

A RESOLUTION REAPPOINTING MEMBER OF THE PLANNING COMMISSION - JOHN D. GARRETT FOR A TERM EXPIRING JANUARY 1, 1963

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 D. Garrett on the Planning Commission expires on January 1, 1959 ,

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 Planning Commission for the respective term as indicated:

John D. Garrett for a four year term ending
January 1, 1963

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed 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 4 day of February, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-48

A RESOLUTION REAPPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT -
TREVOR J. GRIFFITH FOR THE TERM EXPIRING ON JANUARY 1, 1963

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 Trevor J. Griffith on the Board of Zoning Adjustment expires on January 1, 1959 ,

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:
Trevor J. Griffith for a four year term ending
January 1, 1963

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 4 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-49

A RESOLUTION REAPPOINTING MEMBERS OF THE BOARD OF LIBRARY TRUSTEES-
HERBERT G. FLORCKEN AND MARY L. JOHNSON FOR TERMS EXPIRING
JANUARY 1, 1963

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

WHEREAS, the terms of Herbert G. Florcken and Mary L. Johnson
on the Board of Library Trustees expire on January 1, 1959,

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

SECTION 1. The following persons are hereby reappointed
to the Board of Library Trustees for the respective terms as indicated:

Herbert G. Florcken for a four year term ending January 1, 1963

Mary L. Johnson for a four year term ending January 1, 1963

SECTION 2. The City Clerk is hereby directed to transmit a
copy of this resolution to the newly reappointed members of the Board
of Library Trustees and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 4th day of February,
1959, by Councilman Arata, who moved its adoption, which motion being
duly seconded by Councilman Robinson, was upon roll call carried and
the resolution adopted by the following vote:

Ayes: Arata, Hammond, Merrill, Robinson, Mayor Marks

Noes: None Absent: Adams, Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-50

A RESOLUTION ESTABLISHING POLICY ON GRANTING OF PERMITS TO DISPLAY BANNERS AND DECORATIONS OVER AND ACROSS STREETS IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 58-84

WHEREAS, many requests are made to the Council of the City of Modesto for permission to display banners and decorations over and above the streets, and

WHEREAS, the Council believes that the hanging of such banners and decorations should be reduced to a minimum, keeping in mind that there are several occasions or events hereinafter enumerated which in the opinion of the Council are of a greater and more widespread community nature than others,

NOW, THEREFORE, the Council of the City of Modesto does resolve as follows:

1. Permits for the placing of banners and decorations over and above the streets of the City of Modesto may be granted for the following occasions and by the following groups:

United Crusade
California Relays
Fourth of July Celebration
Christmas Celebration
Fryer Festival
Annual Stanislaus County Horsemen's
Association Rodeo
Modesto Community Athletic Association
(Modesto Reds)
Future Farmers of America, Modesto and
Downey Chapters

2. Except as provided herein and in Resolution No. 10,013-N.S. no banners or decorations shall be permitted over and across the streets of the City of Modesto.

3. Before any such banner or decoration may be placed over and across any street in the City, a permit therefore shall first be obtained from the City Manager. All such banners and decoration shall be of a type approved by, 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.


4. Prior to the granting of a permit to display any banner or decoration over the city streets, the applicant shall furnish to the city 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 decorations.

5. Resolution No. 58-84 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-51

A RESOLUTION ACCEPTING THE BID OF OSTERBERG & CARROLL FOR DRILLING
AND DEVELOPMENT OF TWO DEEP WELLS

WHEREAS, Resolution No. 59-32, adopted by the Council of the City of Modesto on January 28, 1959, approved the plans and specifications for the drilling, casing, testing and development of two deep wells

and authorized the calling for bids, and

WHEREAS, the bids received for the drilling, casing, testing and development of two deep wells

were opened at 2:00 P.M., Monday, Feb. 9, 1959 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 Osterberg & Carroll

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Osterberg & Carroll

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 11 day of February, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

A RESOLUTION AUTHORIZING CONDEMNATION OF REAL
PROPERTY FOR STATE HIGHWAY PURPOSES.

WHEREAS, the City of Modesto, a municipal corporation,
and the Division of Highways, Department of Public Works, State
of California, have entered into a cooperative agreement for the
public improvement of a State Highway, being a portion of State
Highway Route 109, and also being a city street; and

WHEREAS, under said agreement, the City and the State
contemplate the reconstruction of McHenry Avenue, State Highway
Route 109, to a four lane facility between Needham Avenue and
Modesto Irrigation District Lateral No. 3, all within the County
of Stanislaus; and

WHEREAS, by said agreement, the City of Modesto is
authorized, directed and required to acquire all of the rights
of way required for the widening of State Highway Route 109 be-
tween Needham Avenue and Modesto Irrigation District Lateral
No. 3; and

WHEREAS, the State has agreed, under said agreement,
to construct said public improvement,

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

1. That the public interest and necessity require
the acquisition, construction and completion by the City of
Modesto, a municipal corporation, in cooperation with the State
of California, acting through the Department of Public Works, in
accordance with the aforesaid agreement, of a public improvement,
namely, improvement of a State Highway, being also a city street
within said City.

2. The public interest and necessity require the ac-
quisition, for and in connection with said public improvement, of
the real property, or interests in real property, hereinafter
described.

1 3. The use to which said property is to be applied
2 is a use authorized by law.

3 4. Said proposed public improvement is planned and
4 located in a manner which will be most compatible with the
5 greatest public good and the least private injury.

6 5. The City Attorney of the City of Modesto is
7 hereby authorized, empowered and instructed:

8 (a) To acquire in the name of the City of
9 Modesto, a fee simple estate, unless a lesser estate is herein-
10 after expressly described, in and to the said hereinafter real
11 property or interests in real property, by condemnation in
12 accordance with the provisions of the Streets and Highways
13 Code, Code of Civil Procedure and of the Constitution of Calif-
14 ornia relating to eminent domain;

15 (b) To prepare and prosecute in the name of
16 the City of Modesto, such proceeding or proceedings in the
17 proper court having jurisdiction thereof as are necessary for
18 such acquisition;

19 (c) To make application to said court for an
20 order fixing the amount of such security in the way of money
21 deposits as said court may direct and for an order permitting
22 said City to take immediate possession and use of said real
23 property or interests in real property as a right of way for
24 public use; and

25 (d) To make deposit of such security out of
26 proper funds of the City of Modesto in such amount so fixed
27 and determined and in such manner as said court in which said
28 condemnation proceedings are pending, may direct.

29 6. The real property or interests in real property
30 in which the City of Modesto is by this resolution authorized
31 to acquire, is situated in the City of Modesto, Modesto Irriga-
tion District, County of Stanislaus, State of California,

and is described as follows:

PARCEL NO. 1.

M-4

The West 5 feet of the North 50 feet of the South 62 1/2 feet of Lot 49 in Block 568 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records. Said to contain 0.006 of an acre more or less.

PARCEL NO. 2.

M-2

That portion of Lots 1 and 2 and 49 in Block 568 of CITY OF MODESTO, as per map filed December 21, 1942 in Vol. 15 of Maps, Stanislaus County Records described as follows:

Beginning at the Southwest corner of said Lot 49 and running thence North along the West line of said Lot, a distance of 12.5 feet; thence East a distance of five feet; thence South parallel to and five feet East of the West line of Lots 49 and 1, a distance of 123.72 feet to the beginning of a curve concave to the Northeast, having a radius of 39.96 feet through a central angle of 89°05'30"; thence along said curve a distance of 62.14 feet to a point on the South line of said Lot 2; thence along the South line of said Lots 2 and 1, being a curve concave to the Northeast having a radius of 45 feet through a central angle of 89°05'30" a distance of 69.97 feet; thence North along the West line of said Lot 1, a distance of 106.18 feet to the point of beginning. Said to contain 0.017 of an acre more or less.

PARCEL NO. 3.

M-1

All that portion of Lots 18, 19 and 20 in Block 550 of CITY OF MODESTO, as per map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the Northeast corner of said Lot 20 and running thence West along the North line of said Lot, a distance of five feet; thence South parallel to and five feet West of the East line of said Lots 18, 19 and 20, a distance of 71.03 feet to the beginning of a curve concave to the Northwest having a radius of 15 feet through a central angle of 91°52'30"; thence along said curve a distance of 24.05 feet to the South line of said Lot 18; thence East along said South line, a distance of 20.5 feet to the Southeast corner of said Lot 18; thence North along the East line of said Lots 18, 19 and 20, a distance of 86.50 feet to the point of beginning. Said to contain 0.011 of an acre more or less.

PARCEL NO. 4.

M-33

That portion of Lots 14, 15, 16, 17, 18, 19 and 20 in Block 552 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the Northeast corner of said Lot 20 and running thence South along the East line of said Block, a distance of 175 feet to the Southeast corner of said Lot 14; thence West along the South line of said Lot 14, a distance of 5 feet; thence North, parallel to and 5 feet West of the East line of said Block, a distance of 175 feet to the North line of said Lot 20; thence East along said line, a distance of 5 feet to the point of beginning. Said to contain 0.020 of an acre more or less.

PARCEL NO. 5.

M-41

That portion of Lot 24 in Block 554 of the CITY OF MODESTO, as per Map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, described as follows:

1 Beginning at the Southeast corner of said Lot 24 and running
2 thence North along the East line thereof, a distance of 72.5 feet
3 to the Northeast corner of said Lot 24; thence West along the
4 North line of said Lot, a distance of 10 feet; thence South paral-
5 lel to and 10 feet West of the East line of said Lot, a distance
6 of 72.5 feet to the South line of said Lot; thence East along
7 said South line a distance of 10 feet to the point of beginning.
8 Said to contain 0.017 of an acre, more or less.

PARCEL NO. 6.

M-45

That portion of Lots 4, 5 and 6 in Block 554 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

9 Beginning at the Northeast corner of said Lot 4 and running
10 thence South along the East line of said Lots 4, 5 and 6, a dis-
11 tance of 152.5 feet to the Southeast corner of said Lot 6; thence
12 West along the South line of said Lot 6, a distance of 25 feet;
13 thence North parallel to and 25 feet West of the East line of
14 said Lots, a distance of 147.5 feet; thence West a distance of
15 6.44 feet; thence North, a distance of 5 feet to the North line
16 of said Lot 4; thence East along the North line thereof, a
17 distance of 31.44 feet to the point of beginning. Said to contain
18 0.088 of an acre more or less.

PARCEL NO. 7.

M-49

That portion of Block 555 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

19 Beginning at the Northeast corner of Lot 1 in said Block 555 and
20 running thence West along the North line of said Lot, a distance
21 of 25 feet; thence North parallel to and 25 feet West of the
22 East line of said Block 555 to a point on the South line of the
23 property distributed to Allen Garlock Thompson, et al, by Decree
24 of Distribution, recorded November 15, 1956 as Instrument No. 31076.
25 Thence South 87° 41' East along the South line of said Thompson
26 property a distance of 25 feet to the point of beginning. Said to
27 contain .0004 of an acre more or less.

PARCEL NO. 8.

M-51

That portion of Block 555 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

28 Commencing at the Northeast corner of said Block 555 and running
29 thence South along the East line of said Block, a distance of 175
30 feet to the Southeast corner of the property conveyed to Ejgill
31 Toke Nyegaard, et ux, by Deed recorded November 9, 1944 as
Instrument No. 16323 and the true point of beginning; thence West

along the South line of said Nyegaard property, a distance of 25 feet; thence South, parallel to and 25 feet West of the East line of said Block 555, a distance of 50 feet to the North line of the property conveyed to Emma Parker Young, by Deed recorded May 29, 1919 as Instrument No. 4829; thence East along the North line of said Parker property, a distance of 25 feet to the Northeast corner thereof and a point on the East line of said Block 555; thence North along the East line of said Block, a distance of 50 feet to the point of beginning. Said to contain 0.029 of an acre, more or less.

PARCEL NO. 9.

M-59

The East 25 feet of the following described property:

The South 50 feet of Lot 1 in Block 556 of the CITY OF MODESTO, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps, more particularly described as follows:

Beginning at the Southeast corner of Lot 1; thence West along the South line of said Lot, 157 feet to the Southwest corner thereof; thence North along the West line of said Lot, 50 feet; thence East and parallel with the South line 157 feet to a point on the East line of said Lot and on the West line of McHenry Avenue; thence South along the East line of Lot 1 and said line of McHenry Avenue 50 feet to the point of beginning. Containing 0.029 of an acre, more or less.

PARCEL NO. 10.

M-61

All that portion of Lots 1 and 41 in Block 556 of the CITY OF MODESTO, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps, described as follows:

Beginning at a point on the West line of McHenry Avenue 50 feet North of the Southeast corner of said Lot 1; said point being the Northeast corner of the property conveyed to R. W. Bishoff, et ux, by Deed dated November 8, 1926 and recorded November 19, 1926 in Volume 197 of Official Records, at page 7, as Instrument No. 14222; thence West along the North line of said Bishoff property a distance of 25 feet; thence North and parallel with the West line of McHenry Avenue, 102.38 feet to a point on the North line of said Lot 41; thence Northeasterly along the North line of said Lot 41, a distance of 25.31 feet to the Northeast corner thereof; thence South along the West line of McHenry Avenue, a distance of 106.35 feet to the point of beginning. Containing 0.060 of an acre, more or less.

PARCEL NO. 11.

M-97

All that portion of Lots 4 and 5 of BONNIE BRAE TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on June 13, 1917 in Volume 9 of Maps, at page 1, described as follows:

Beginning at the point of intersection of the South line of the North 36 feet of Lot 5 of said Bonnie Brae Tract with the West line of McHenry Avenue, said West line of McHenry Avenue being 25 feet West of the East line of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence West along the South line of the North 36 feet of said Lot 5 and along the North

line of Fairmont Avenue a distance of 25 feet; thence Northeast-erly 9.69 feet to a point which bears North 7 feet from the North line of Fairmont Avenue and 18 feet West of the West line of said McHenry Avenue; thence North and parallel with the West line of said McHenry Avenue and distant 18 feet therefrom, a distance of 125 feet to the North line of the South 96 feet of Lot 4 of said Bonnie Brae Tract; thence East along said North line, a distance of 18 feet to the West line of said McHenry Avenue; thence South along said West line 132 feet to the point of beginning. Contain- ing 0.055 of an acre, more or less.

PARCEL NO. 12.

M-109

The East 23 feet (The West line of said East 23 feet being 43 feet West of the East line of Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian) of the following described property:

All that portion of the Northeast one-quarter of the Southeast one-quarter of Section 20 Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at a point South $0^{\circ} 56'$ West 20 feet and North $88^{\circ} 47'$ West 20 feet from the one-quarter section corner to sections 20 and 21, above Township and Range; run thence South $0^{\circ} 56'$ West 100 feet to the point of beginning of the land herein described; running thence same course a distance of 62.84 feet; thence North $88^{\circ} 47'$ West a distance of 188 feet; thence North $0^{\circ} 56'$ East a distance of 62.84 feet; thence South $88^{\circ} 47'$ East a distance of 188 feet to the point of beginning. Containing .026 of an acre, more or less.

PARCEL-NO. 13.

M-113A

That portion of Lot 12 of MENSINGER COLONY, as per Map filed May 18, 1909, in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the Southeast corner of said Lot 12, said point being the intersection of the center line of McHenry Avenue and Roseburg Avenue; thence North along the East line of said Lot, a distance of 20 feet; thence West a distance of 25 feet to the West line of said McHenry Avenue and the North line of said Rose- burg Avenue and the true point of beginning; thence North along the West line of said McHenry Avenue, a distance of 280 feet; thence West a distance of 18 feet; thence South parallel to and 18 feet West of the West line of said McHenry Avenue, a distance of 263 feet; thence Southwesterly a distance of 9.71 feet to a point 25 feet West of the West line of McHenry Avenue and 10 feet North of the North line of Roseburg Avenue; thence West parallel with the North line of said Roseburg Avenue, a distance of 7 feet; thence South a distance of 10 feet to a point on the North line of said Roseburg Avenue; thence East along said North line, a distance of 32 feet to the true point of beginning. Said to contain 0.119 of an acre, more or less.

PARCEL NO. 14.

M-113B

The East 18 feet of Lots 34 to 44 inclusive in Block 6000-A of MENSINGER tract No. 4, as per map filed August 1, 1946 in Vol. 14 of Maps, page 68, Stanislaus County Records. Said to contain 0.114 of an acre, more or less.

PARCEL NO. 15.

M-115

The East 18 feet of the following:

All that portion of Lots 9 and 12 of MENSINGER COLONY, as per Map filed May 18, 1909, in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the center of the intersection of McHenry Avenue, with Orangeburg Avenue; thence Southerly along McHenry Avenue, a distance of 470 feet to the Southeast corner of the land conveyed to William Morris Hill and wife, by Deed recorded October 8, 1945, Instrument No. 17687; thence continuing South along the center line of McHenry Avenue, a distance of 100 feet to the true point of beginning of this description; thence continuing South along the center line of McHenry Avenue, a distance of 175 feet to a point; thence West and parallel to the South line of land conveyed to said William Morris Hill and wife, a distance of 140 feet; thence North and parallel to the center line of McHenry Avenue, a distance of 175 feet; thence East and parallel to the South line of said William Morris Hill property, a distance of 140 feet to the true point of beginning.

EXCEPTING THEREFROM that portion thereof lying in McHenry Avenue.

Said to contain 0.072 of an acre more or less.

PARCEL NO. 16.

M-117

That portion of Lot 9 of MENSINGER COLONY, as per Map filed May 18, 1909 in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the Northeast corner of said Lot 9, said point being the intersection of the centerline of Orangeburg Avenue and McHenry Avenue, and running thence South along the East line of said Lot, a distance of 420 feet; thence West a distance of 25 feet to the Northeast corner of the property conveyed to Robert C. Watson, by Deed recorded April 11, 1957 as Instrument No. 9694 and the true point of beginning; thence South along the East line of said Watson property and the extension thereof, a distance of 150 feet to the Southeast corner of the property conveyed to Robert C. Watson, by Deed recorded April 11, 1957 as Instrument No. 9695; thence West along the South line of said Watson property, a distance of 18 feet; thence North parallel to and 18 feet West of the East line of said Watson property, a distance of 150 feet to the North line of said Watson property, hereinabove referred to; thence East along said North line, a distance of 18 feet to the true point of beginning. Said to contain 0.062 acre more or less.

PARCEL NO. 17.

M-119

All that portion of Lot 9 of MENSINGER COLONY, as per map filed May 18, 1909 in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the Northeast corner of said Lot 9, said point being the intersection of the center line of McHenry Avenue and Orangeburg Avenue, and running thence South along the East line of said Lot, a distance of 220 feet; thence West, a distance of 25 feet to the Northeast corner of the property conveyed to Jack R. Watson, by Deed recorded June 6, 1955, Instrument No. 16459 and

the true point of beginning; thence West along the North line of said Watson property, a distance of 18 feet; thence South and parallel with the West line of said McHenry Avenue, a distance of 200 feet to a point on the North line of the property conveyed to Robert C. Watson, by Deed recorded April 11, 1957, Instrument No. 9694; thence East along the North line of said Watson property, a distance of 18 feet to a point on the West line of said McHenry Avenue; thence North along last mentioned line, a distance of 200 feet to the true point of beginning. Said to contain 0.083 acre more or less.

PARCEL NO. 18.

M-123

All that portion of Lot 9 of MENSINGER COLONY, as per Map filed May 18, 1909 in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the Northeast corner of said Lot 9, said point being the center line of McHenry Avenue and Orangeburg Avenue; running thence West 25 feet and South 20 feet and being the intersection of the West line of McHenry Avenue with the South line of Orangeburg Avenue and the true point of beginning of this description; thence South along the West line of said McHenry Avenue, a distance of 125 feet to the South line of property conveyed to Angelo Ciardo, et ux, by Deed recorded January 2, 1957, Instrument No. 77; thence West along the South line of said Ciardo property, a distance of 18 feet; thence North parallel to and distant 18 feet West of the West line of McHenry Avenue, a distance of 105 feet; thence West parallel with the South line of Orangeburg Avenue, a distance of 6.46 feet; thence North parallel with the West line of McHenry Avenue, a distance of 20 feet to a point on the South line of said Orangeburg Avenue; thence East along last mentioned line a distance of 24.46 feet to the true point of beginning. Said to contain 0.055 acre more or less.

PARCEL NO. 19.

M-131

All that certain real property situate in the State of California, County of Stanislaus, City of Modesto, Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 12, Block 6060, Mira Loma Tract, as recorded in Volume 11 of Maps, page 48, Stanislaus County Records, more particularly described as follows:

Beginning at the Southeastern corner of said Lot 12; thence along the Eastern line of said Lot 12, North $00^{\circ} 50'$ West, 108.04 feet; thence along the Northern line of said Lot 12, North $88^{\circ} 46'$ West, 18.01 feet; thence South $00^{\circ} 50'$ East, 101.04 feet; thence South $45^{\circ} 02'$ West, 9.72 feet, to a point on the Southern line of said Lot 12; thence along the Southern line of said Lot 12, South $88^{\circ} 46'$ East, 25.02 feet, to the point of beginning, containing 0.045 acre more or less.

PARCEL NO. 20.

M-141

That portion of Lot 1 of MENSINGER COLONY, as per map filed May 18, 1909 in Volume 4 of Maps, page 25, Stanislaus County Records, described as follows:

Commencing at the Northeast corner of said Lot 1, said point being the center line of Granger Avenue and McHenry Avenue; thence South along the center line of said McHenry Avenue, a distance of 20 feet; thence West a distance of 25 feet to the Northeast corner

of the property conveyed to George G. Simvoulakis, et ux, by Deed recorded October 26, 1942 in Official Records, as Instrument No. 14741; thence South along the East line of said Simvoulakis property, a distance of 95.8 feet to the Northeast corner of the property conveyed to Richard Steward Hiatt, et ux, by Deed recorded July 13, 1956, Instrument No. 19213 and the true point of beginning; thence South along the East line of said Hiatt property 41 feet to the Southeast corner thereof; thence West along the South line of said property, a distance of 18 feet; thence North parallel to and 18 feet West of the East line of said Hiatt property, a distance of 41 feet to the North line of said Hiatt property; thence East along said North line, 18 feet to the true point of beginning. Said to contain 0.017 acre more or less.

PARCEL NO. 21.

M-147

That portion of Lot 2 of FRESNO TRACT, as per Map filed March 14, 1903, in Volume 1 of Maps, page 76, Stanislaus County Records, described as follows:

Commencing at the Southeast corner of said Lot 2, said point being the center line of McHenry Avenue; thence West along the South line of said Lot, a distance of 25 feet to the West line of McHenry Avenue; thence North along the West line of McHenry Avenue, a distance of 30 feet to the Southeast corner of the property conveyed to The National Life and Accident Insurance Company, by Deed recorded September 24, 1954, as Instrument No. 25172 and the true point of beginning; thence North along the East line of The National Life and Accident Insurance Company, a distance of 123 feet to the Northeast corner thereof; thence Westerly along the North line thereof, a distance of 18 feet; thence South parallel to and distance 18 feet West of the West line of McHenry Avenue, a distance of 116 feet; thence Southwesterly a distance of 9.73 feet to a point on the North line of Judith Avenue, said point being 25 feet West of the point of beginning; thence East and along said North line, a distance of 25 feet to the true point of beginning. Said to contain 0.051 of an acre, more or less.

PARCEL NO. 22.

M-130

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

Beginning at the Northwestern corner of the property leased to the Shell Oil Company, a corporation, by "Memorandum of Agreement Extending Lease" recorded March 12, 1957 as Instrument Number 6671, Stanislaus County Records; thence along the Northern line of said leased property, Easterly 8.11 feet; thence Southwesterly along a tangent curve concave to the Southeast, having a radius of 15.00 feet, Central Angle of 32° 36' 51", Arc Length of 8.54 feet, to a point on the Western line of said leased property; thence along the Western line of said leased property, Northerly, 2.37 feet to the point of beginning, containing 0.001 acre, more or less.

PARCEL NO. 23.

M-126

That portion of the Southwest half of the Southwest quarter of Section 16, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

Commencing at the Southwest corner of said Section 16 and running

thence North along the West line thereof, a distance of 20 feet; thence East a distance of 25 feet to the Southwest corner of the property conveyed to Carmela Panteleo, by Deed recorded June 19, 1951, as Instrument No. 14379, and the true point of beginning; thence North along the West line of said Panteleo property, a distance of 57 feet to the Northwest corner thereof; thence East along the North line of said Panteleo property, a distance of 18 feet; thence South, parallel to and 18 feet East of the West line of said Panteleo property, a distance of 40 feet; thence South-easterly a distance of 10 feet to a point that is 25 feet East of the West line and 10 feet North of the South line of said Panteleo property; thence East a distance of 7 feet; thence South a distance of 10 feet to a point in the South line of said Panteleo property; thence West along said South line, a distance of 32 feet to the true point of beginning. Said to contain 0.027 of an acre, more or less.

PARCEL NO. 24.

M-118

The East 18 feet of the West 43 feet of the North 67 feet/of Lot 6 of COOLIDGE COLONY, as per map filed November 15, 1910 in Volume 5 of Maps, page 17, Stanislaus County Records. Said to contain 0.028 of an acre, more or less.

PARCEL NO. 25.

M-100

That portion of Lots 38 to 42 inclusive in Block 1130 of MENSINGER TRACT No. 4, as per Map filed August 1, 1946, in Volume 14 of Maps, page 68, Stanislaus County Records, described as follows:

Beginning at the Northwest corner of said Lot 38 and running thence South along the West lines of Lots 38, 39, 40, 41 and 42, a distance of 125.16 feet to the Southwest corner of said Lot 42; thence East along the South line of said Lot 42, a distance of 18 feet; thence North parallel to and 18 feet East of the West line of said Lots 42, 41, 40, 39 and 38, a distance of 118.16 feet; thence Northeasterly a distance of 9.80 feet to a point on the North line of said Lot 38, said point being 25 feet East of the point of beginning; thence West along said North line, a distance of 25 feet to the point of beginning. Said to contain 0.052 of an acre, more or less.

PARCEL NO. 26.

M-72

The West 18 feet of Lot 2 of Bussinger Tract as per map filed December 13, 1920 in Volume 9 of Maps, page 48, Stanislaus County Records.

EXCEPTING THEREFROM the South 10 feet.

Said to contain 0.041 of an acre more or less.

PARCEL NO. 27.

M-42

That portion of Lots 3 and 4 in Block 559 of the CITY OF MODESTO as per Map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the Northwest corner of said Lot 3 and running thence East along the North line of said Lot, a distance of 5 feet; thence South parallel to and 5 feet East of the West line of said Lots 3 and 4, a distance of 150 feet to the South line of

said Lot 4; thence West along said South line, a distance of 5 feet to the Southwest corner thereof; thence North along the West line of said Lots 4 and 3, a distance of 150 feet to the point of beginning. Said to contain 0.017 of an acre, more or less.

PARCEL NO. 28.

M-12

That portion of Lot 40 in Block 566 of the CITY OF MODESTO, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

Beginning at the Southwest corner of said Lot 40 and running thence North along the West line of said Lot, a distance of 52.5 feet; thence East a distance of 5 feet; thence South parallel to and 5 feet East of the West line of said Lot 40, a distance of 52.5 feet to the South line of said Lot 40; thence West along said line, a distance of 5 feet to the point of beginning. Said to contain 0.006 of an acre, more or less.

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The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11 day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-53

A RESOLUTION APPROVING RIGHT OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, three Right of Way Contracts for widening of McHenry Avenue are now complete as follows:

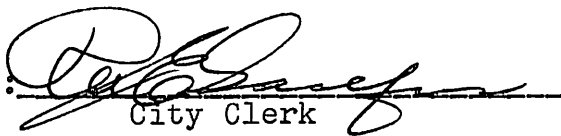
<u>Documents</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-1	Michael D. & Rose E. Ursini	\$550.00
M-126	Carmela Pantaleo	
M-141 M-143	Urich Oil Company, a corporation	

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve these Right of Way Contracts as presented and the City Manager be authorized to sign each on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 11th day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-54

A RESOLUTION REAFFIRMING THE POLICY OF THE CITY OF MODESTO FOR
SERVING SEWER AND WATER SERVICES

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

SECTION 1. The Council of the City of Modesto does hereby reaffirm its policy relating to the furnishing of sewer and water services to the presently undeveloped areas within the general area that its sewer system is designed to serve. The City has proceeded and will proceed on the basis that when economically feasible city sewer services are provided to newly developing areas on condition that the areas be annexed and the City furnish all city services, including water. The only exceptions to this policy have been and would be where private water companies have already installed the basic facilities to serve an area and to provide city water service would mean extensive and costly duplication.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1959, by Mayor Marks, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-55

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
KENNETH H. AND GLADYS S. DURAND FOR THE RENTAL OF WALNUT GROVE
LOCATED ON A PORTION OF THE DRYDEN PARK MUNICIPAL GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Kenneth H. and
Gladys S. Durand

for the rental of walnut grove located on a portion of the Dryden
Park Municipal Golf Course

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 11 day of
February, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Hammond,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-56

A RESOLUTION APPROVING THE RELEASE OF THE PERFORMANCE BOND FILED BY LANCE E. ELLIS AND CAROL L. ELLIS TO GUARANTEE THE DEVELOPMENT OF GREGORY GARDENS SUBDIVISION NO. 2

WHEREAS, the Department of Public Works has reported that all of the improvements have been made by Lance E. Ellis and Carol L. Ellis in Gregory Gardens No. 2 Subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Faithful Performance Bond, placed on file by Lance E. Ellis and Carol L. Ellis, to guarantee the improvements in Gregory Gardens No. 2 Subdivision, be released.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-57

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PHILIP MORAN FOR LEASE OF 20 ACRES OF PROPERTY AT CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Philip Moran

for the lease of 20 acres of property situated at the 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 11 day of February, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-58

A RESOLUTION GRANTING EXCEPTION TO THE PROVISIONS OF THE SUBDIVISION REGULATIONS AS THEY RELATE TO THE STREET WIDTH IN THE YORKSHIRE MANOR SUBDIVISION

WHEREAS, the Modesto City Planning Commission adopted Resolution No. 499, February 3, 1959, recommending to the Council the approval of an exception to required street width in the Yorkshire Manor Subdivision,

BE IT HEREBY RESOLVED, that the Council does hereby grant an exception to the provisions of the subdivision regulations as they relate to street width in the Yorkshire Manor Subdivision, as shown on the revised tentative map, dated January 19, 1959, a copy of which is on file in the office of the City Planning Director as follows:

Multnomah Drive shall be fifty (50') feet in width and be constructed with curbs forty (40') feet apart and the houses on such street be set back a distance of twenty (20') feet from the front street line.

BE IT FURTHER RESOLVED that the Subdivider be required to give the City of Modesto a five (5') feet planting easement on each side of Multnomah Drive.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of February, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-59

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR CONSTRUCTION OF PUMP HOUSE - STATION NO. 21

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

Section 1. The plans and specifications for the construction
of pump house - Station No. 21

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, 717 10th Street, in the City
of Modesto, on March 2, 1959 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 tabulat-
ed 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 18 day of
February, 1959, by Councilman Adams, who moved its
adoption, which motion being duly seconded by Councilman Spaulding,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-60

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR RADIO EQUIPMENT
AND AUTHORIZE CALL FOR NEW BIDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that all bids received for the purchase of radio equipment be and they are hereby rejected, and

BE IT FURTHER RESOLVED that a new call for bids 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 February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call failed of adoption by the following vote:

AYES: Councilmen: Arata, Merrill, Spaulding

NOES: Councilmen: Adams, Hammond, Mayor Marks

ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-61

A RESOLUTION ACCEPTING THE BID OF MOTOROLA, INC. FOR FURNISHING OF
RADIO EQUIPMENT

WHEREAS, Resolution No. 59-18, adopted by the Council of the
City of Modesto on January 14, 1959, approved the plans and specifi-
cations for the furnishing of radio equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of radio equipment
were opened at 2:00 P.M. February 9, 1959 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 Motorola, Inc.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Motorola, Inc.
be accepted and the execution of a contract for the completion of the
project by the City's designated officials be authorized, and the minor
irregularity in the bid bond be waived.

The foregoing resolution was introduced at a regular meeting of
the Council of the City of Modesto held on the 18 day of February,
1959, by Councilman Mayor Marks, who moved its adoption, which
motion being duly seconded by Councilman Adams, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Hammond, Spaulding, Mayor Marks

NOES: Arata, Merrill

ABSENT: Robinson

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-62

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN WALNUT GROVE SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-42, on February 4, 1959, approving the plans and specifications for the installation of water lines in Walnut Grove Subdivision, and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 16 day of February, 1959, 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 lowest responsible bid was submitted by George Reed Company, in the sum of \$5,368.00, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$2,361.00, thus effecting a savings to the taxpayers of approximately \$3,007.00, 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 18 day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-63

A RESOLUTION ACCEPTING THE BID OF JACUZZI BROTHERS COMPANY FOR FURNISHING OF DEEP WELL PUMP WITH ELECTRICAL EQUIPMENT AND AUXILIARY GAS ENGINE

WHEREAS, Resolution No. 59-31, adopted by the Council of the City of Modesto on January 28, 1959, approved the plans and specifications for the furnishing of deep well pump with electrical equipment and auxiliary gas engine and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of deep well pump with electrical equipment and auxiliary gas engine were opened at 2:00 P.M. February 16, 1959, 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 Brothers Company be accepted as the lowest responsible bid, and

WHEREAS, the Council finds and declares that the equipment offered by the bidder is satisfactory for the purpose for which it is desired; that the exceptions to the specifications constitute minor irregularities, and that the award of the bid to Jacuzzi Brothers Company is in the public interest,

NOW, THEREFORE, BE IT RESOLVED that all irregularities in the bid of Jacuzzi Brothers Company be waived and that the bid 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 18th day of February, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-64

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY FOR FURNISHING ALL MATERIAL, MACHINERY, TOOLS, LABOR AND SERVICES NECESSARY FOR THE CONSTRUCTION OF PEDESTRIAN-ACTUATED TRAFFIC SIGNALS AND STREET LIGHTING AT WASHINGTON AND H STREETS

WHEREAS, Resolution No. 59-19, adopted by the Council of the City of Modesto on January 14, 1959, approved the plans and specifications for the furnishing of all material, machinery, tools, labor and services necessary for the construction of pedestrian-actuated traffic signals and street lighting at Washington and H Streets and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of all material, machinery, tools, labor and services necessary for the construction of pedestrian-actuated traffic signals and street lighting at Washington and H Streets were opened at 2:00 P.M. February 3, 1959 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 sum of \$5,994.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Industrial Electrical Company in the sum of \$5,994.

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 18 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: None

ABSENT: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-65

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS GREGORY GARDENS NO. 4 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 follows:

All that certain real property situate in the State of California, County of Stanislaus, 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, said point being the Northwestern corner of the Gregory Gardens Number 3 Addition, filed March 4, 1958, as Instrument Number 5409, Stanislaus County Records; thence along the existing City Limits and Northern Line of said Gregory Gardens Number 3 Addition, Easterly, to a point on the Western Line of the property conveyed to Samuel F. Zeigler and Ruby Jeanne Zeigler by deed recorded December 7, 1955, in Volume 1331, Page 377, Stanislaus County Records; thence along the Western Line of said Zeigler property, and the existing City Limits, Southerly, to the Northwestern corner of the property conveyed to Roger S. Hemminger by deed recorded December 7, 1955, in Volume 1331, Page 398, Stanislaus County Records; thence continuing Southerly

along the existing City Limits and the Western Line of said Hemminger property to the Southwestern corner of said Hemminger property; thence Easterly along the Southern Line of said Hemminger property and its Easterly extension, being also the existing City Limits, to the Western Line of Bel-Air Subdivision Number 2 as recorded January 18, 1957 in Volume 18 of Maps at page 64, Stanislaus County Records; thence Northerly along the Western Line of said Bel-Air Subdivision Number 2, being also the existing City Limits, to the center line of the Cavil Drain; thence along the center line of said Cavil Drain, Northwesterly, to the Western Line of Tully Road, said Western Line being parallel and Westerly, 20.00 feet, measured at right angles, from the section line common to Sections 17 and 18; thence along said Western Line of Tully Road, Northerly to the Section Line common to Sections 7 and 18; thence along the Section Line common to said Sections 7 and 18, Westerly, to the Line common to the East and West half of the Northeast quarter of Section 18; thence along the line common to said East and West Half of the Northeast Quarter of Section 18, Southerly to the point of beginning, containing 30.791 Acres more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: None

ABSENT: Robinson

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-66

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 14, 1959, AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING MEMBERS OF PRECINCT BOARDS FOR SAID GENERAL MUNICIPAL 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 14, 1959, in the City of Modesto and in the Modesto City School District for the election of the following officers:

(a) One (1) Mayor for the full term of four (4) years;

(b) Three (3) Councilmen for the full term of four (4) years each; and

(c) Three (3) members of the Board of Education of the Modesto City School 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 5734 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 21st day of April, 1959 (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 39 Special Consolidated Election Precincts and 5 Special 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 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 Election Precinct No. 36
Special Consolidated Election Precinct No. 37
Special Consolidated Election Precinct No. 38
Special Consolidated Election Precinct No. 39
Special Consolidated Election Precinct No. 40
Special Election Precinct No. 41
Special Consolidated Election Precinct No. 42
Special Election Precinct No. 43
Special Election Precinct No. 44

Said consolidated election precincts and special 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. 1 and 2, 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. 3 and 5, 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. 4 and 8, 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. 6 and 7, 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. 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 and 54, 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. 12 and 13, 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. 14 and 67, 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. 15 and 61, 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. 16 and 18, 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. 17 and 20, 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. 19 and 21, 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. 22 and 71, 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. 23 and 38, 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. 24 and 28, 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. 25 and 26, 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. 27 and 41, 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. 29, 31 and 47, have been consolidated and established into Special Consolidated Election Precinct No. 18.

Said general election precinct 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. 19.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 32 and 33, have been consolidated and established into Special Consolidated Election Precinct No. 20.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 34 and 48, have been consolidated and established as Special Consolidated Election Precinct No. 21.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 35 and 36, 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. 37 and 56, have been consolidated and established into Special Consolidated Election Precinct No. 23.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 39, has been established as Special Election Precinct No. 24.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 42 and 45, 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. 43 and 44, 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. 46 and 78, 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. 49 and 50, 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. 51 and 55, 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. 52 and 53, 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. 57 and 58, 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. 59 and 60, 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. 62 and 63, 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. 64 and 65, 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. 66 and 77, have been consolidated and established into Special Consolidated Election Precinct No. 35.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 68, has been established into Special Election Precinct No. 36.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 69 and 75, 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. 70 and 76, have been consolidated and established into Special Consolidated Election Precinct No. 38.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 72 and 73, 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 Modesto No. 74 and 82, have been consolidated and established into Special Consolidated Election Precinct No. 40.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 79, has been established into Special Election Precinct No. 41.

Said general election precincts so designated by the said Board of Supervisors as Modesto No. 80 and 81, have been consolidated and established into Special Consolidated Election Precinct No. 42.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 83, has been established into Special Election Precinct No. 43.

Said general election precinct so designated by the said Board of Supervisors as Modesto No. 84, has been established as Special Election Precinct No. 44.

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 29 Special Consolidated Election Precincts and 1 Special Election Precinct to be known and designated as follows:

- 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
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Special Consolidated Election Precinct No. 63
Special Consolidated Election Precinct No. 64
Special Consolidated Election Precinct No. 65
Special Consolidated Election Precinct No. 66
Special Consolidated Election Precinct No. 67
Special Consolidated Election Precinct No. 68
Special Consolidated Election Precinct No. 69
Special Consolidated Election Precinct No. 70
Special Consolidated Election Precinct No. 71
Special Consolidated Election Precinct No. 72
Special Election Precinct No. 73
Special Consolidated Election Precinct No. 74

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 said Board of Supervisors as McHenry and Moss, and those portions of the general election precinct designated by said Board of Supervisors as Abby which lies within the boundaries of the Modesto City School District, have been consolidated and established into Special Consolidated Election Precinct No. 45.

Said general election precincts so designated by the said Board of Supervisors as Alma, Burbank and Huff, 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 Ladd, have been consolidated and established into Special Consolidated Election Precinct No. 47.

Said general election precincts designated by the said Board of Supervisors as Beck and Kent, have been consolidated and established into Special Consolidated Election Precinct No. 48.

Said general election precincts designated by the said Board of Supervisors as Benson, Oden and Inez, have been consolidated and established into Special Consolidated Election Precinct No. 49.

Said general election precincts designated by the said Board of Supervisors as Bill, Kay and Paul, have been consolidated and established into Special Consolidated Election Precinct No. 50.

Said general election precincts designated by the said Board of Supervisors as Bird, Carmichael and Wood, have been consolidated and established into Special Consolidated Election Precinct No. 51.

Said general election precincts designated by the said Board of Supervisors as Blum and Jolliff have been consolidated and established into Special Consolidated Election Precinct No. 52.

Said general election precincts designated by the said Board of Supervisors as Bob, Pike and Dix, have been consolidated and established into Special Consolidated Election Precinct No. 53.

Said general election precincts designated by the said Board of Supervisors as Caswell and Shaw, have been consolidated and established into Special Consolidated Election Precinct No. 54.

Said general election precinct designated by the said Board of Supervisors as Rose, and that portion of the general election precinct designated by said Board of Supervisors as Claus which lies within the boundaries of the Modesto City School District, have been consolidated and established into Special Consolidated Election Precinct No. 55.

Said general election precincts designated by the said Board of Supervisors as Down, High, Palm and Yale, have been consolidated and established into Special Consolidated Election Precinct No. 56.

Said general election precincts designated by the said Board of Supervisors as Dora, Laurel Lodge and Spenser, have been consolidated and established into Special Consolidated Election Precinct No. 57.

Said general election precincts designated by the said Board of Supervisors as Dunn and Fair, and that portion of the general election precinct designated by said Board of Supervisors as Fox which lies within the boundaries of the Modesto City School District, have been consolidated and established into Special Consolidated Election Precinct No. 58.

Said general election precincts designated by the Board of Supervisors as Earl, Paradise and Fern, have been consolidated and established into Special Consolidated Election Precinct No. 59.

Said general election precincts designated by the said Board of Supervisors as Empire and West Empire, have been consolidated and established into Special Consolidated Election Precinct No. 60.

Said general election precincts designated by the Board of Supervisors as Erie, Kerr and Wade, have been consolidated and established into Special Consolidated Election Precinct No. 61.

Said general election precincts designated by the Board of Supervisors as Foit, Judd and Page have been consolidated and established into Special Consolidated Election Precinct No. 62.

Said general election precincts designated by the Board of Supervisors as Ford and Jane, have been consolidated and established into Special Consolidated Precinct No. 63.

Said general election precincts designated by the Board of Supervisors as Franklin and Robertson, have been consolidated and established into Special Consolidated Election Precinct No. 64.

Said general election precincts designated by the Board of Supervisors as Goodwin and Root, and that portion of the general election precinct designated by said Board of Supervisors as West Waterford which lies within the boundaries of the Modesto City School District, have been consolidated and established into Special Consolidated Election Precinct No. 65.

Said general election precincts designated by the Board of Supervisors as Hart and West Salida, have been consolidated and established into Special Consolidated Election Precinct No. 66.

Said general election precincts designated by said Board of Supervisors as Ivy, Lacy, Ring and Webb, have been consolidated and established into Special Consolidated Election Precinct No. 67.

Said general election precincts designated by said Board of Supervisors as John and Wynn, have been consolidated and established into Special Consolidated Election Precinct No. 68.

Said general election precincts designated by said Board of Supervisors as Lynn, Maze and Pine, have been consolidated and established into Special Consolidated Election Precinct No. 69.

Said general election precincts designated by said Board of Supervisors as Nash and Wall, have been consolidated and established into Special Consolidated Election Precinct No. 70.

Said general election precincts designated by said Board of Supervisors as Prescott, East Salida and Ruby, have been consolidated and established into Special Consolidated Election Precinct No. 71.

Said general election precincts designated by said Board of Supervisors as Salida No. 1, Salida No. 2 and Salida No. 3, have been consolidated and established into Special Consolidated Election Precinct No. 72.

Said general election precinct designated by said Board of Supervisors as Shiloh, has been established as Special Election Precinct No. 73.

Said general election precincts designated by said Board of Supervisors as Sylvan, Vet and Coffee, have been consolidated and established into Special Consolidated Election Precinct No. 74.

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 (M1-M2)

Polling Place: Mrs. Leta Duggins Residence, 310 Hackberry Ave.

PRECINCT BOARD

Inspector	Mrs. Leta Duggins	310 Hackberry Ave.
Judge	Mrs. Verla M Aiken	223 Hackberry Ave.
Clerk	Mrs. Ada Dallas Carroll	130 College Ave.
Clerk	Mrs. Marguerite Coughlin	121 Orange Ave.

Special Consolidated Election Precinct No. 2 (M3-M5)

Polling Place: Boy Scout Club House, Enslin Park

PRECINCT BOARD

Inspector	Mrs. Sarah A. Jessen	417 Hackberry Ave.
Judge	Mrs. Florence I. Long	415 Magnolia Ave.
Clerk	Lawrence W. Barker	417 Elmwood Ave.
Clerk	Mrs. Henriette M. Olinger	435 W. Morris Ave.

Special Consolidated Election Precinct No. 3 (M4-M8)

Polling Place: Centenary Methodist Church Basement, Needham & Elmwood

PRECINCT BOARD

Inspector	Mrs. Dorothea V. Goldschmidt	115 Magnolia Ave.
Judge	Mrs. Eva M. Hagedorn	201 Jones St.
Clerk	Mrs. Muriel E. Welt	229 Elmwood Ave.
Clerk	Mrs. Minta D. Linstrom	130 Semple St.

Special Consolidated Election Precinct No. 4 (M6-M7)

Polling Place: Mrs. Ella Switzer Garage, 114 Modesto Ave.

PRECINCT BOARD

Inspector	Mrs. Katherine T. Frantz	410 Semple St.
Judge	Mrs. Grace Scoon	145 E Frances Ave.
Clerk	Mrs. Ella Switzer	114 Modesto Ave.
Clerk	Mrs. Luella M. Neafus	221 E Patricia Lane

Special Consolidated Election Precinct No. 5 (M9-M10)

Polling Place: Rev. Dennis Benton Residence, 326 Kimble St.

PRECINCT BOARD

Inspector	Mrs. May L. Benton	326 Kimble St.
Judge	Mrs. Martha Lehman	250 Kimble St.
Clerk	Mrs. Lorraine L. Plummer	715 Cedar St.
Clerk	Mrs Bertha E. Gansel	246 Kimble St.

Special Consolidated Election Precinct No. 6 (M11-M54)

Polling Place: Andrew J. Toti Garage, 1434 Locke Road

PRECINCT BOARD

Inspector	Mrs. Enid S. Zeek	1220 Grantland Ct.
Judge	Mrs. Laura H. Floyd	514 Auburn St.
Clerk	Mrs. Dorothy E. Rix	1143 Grantland Ct.
Clerk	Mrs. Marjorie H. Brown	130 John Muir Ct.

Special Consolidated Election Precinct No. 7 (M12-M13)

Polling Place: Modesto Irrigation District Building, 1231 11th St.

PRECINCT BOARD

Inspector	Mrs. Clara K. Andre	1405 11th St.
Judge	Mrs. Metta B. A. Mashek	1027 15th St.
Clerk	Milton N Stalnaker	630 Needham Ave.
Clerk	Mrs. Elsie G. Rhien	1121 15th St.

Special Consolidated Election Precinct No. 8 (M14-M67)

Polling Place: Don Walter Garage, 1615 Bronson Ave.

PRECINCT BOARD

Inspector	Mrs. Maxine W. Walter	1615 Bronson Ave.
Judge	Mrs. Ina M. Nielsen	1701 Albany Ave.
Clerk	Mrs. Betty F. Carlson	1635 Bronson Ave.
Clerk	Mrs. Jessie L. Davis	1709 Concord Ave.

Special Consolidated Election Precinct No. 9 (M15-M61)

Polling Place: LaLoma Jr. High School, 1800 Encina Ave.

PRECINCT BOARD

Inspector	Mrs. Lelah A. Graves	306 Rosina Ave.
Judge	Mrs. Thelma R. Breckenridge	312 Rowland Ave.
Clerk	Mrs. Carol F. Brennecke	323 Rowland Ave.
Clerk	Mrs. D. Florence Feden	301 Camellia Way

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Special Consolidated Election Precinct No. 10 (M16-M18)

Polling Place: Fire House, 416 Downey Ave.

PRECINCT BOARD

Inspector	Mrs. Joanna Hughes	207 Lane St.
Judge	Mrs. Maxine J. Horan	209 Walden St.
Clerk	Mrs. Eileen Orvis	140 Loma Vista St.
Clerk	Miss Adele P. Singleton	223 State St.

Special Consolidated Election Precinct No. 11 (M17-M20)

Polling Place: Bethel Church, Recreation Hall, 15th & G Streets

PRECINCT BOARD

Inspector	Mrs. Lottie Savercool	714 13th St.
Judge	Mrs. Joyce P. Kerfoot	607 16th St.
Clerk	Mrs. Lois V. Kostoff	522½ 14th St.
Clerk	Mrs. Margaret E. Baker	718 15th St.

Special Consolidated Election Precinct No. 12 (M19-M21)

Polling Place: Stanislaus Implement & Hardware Store, 526 10th St.

PRECINCT BOARD

Inspector	Mrs. Grace E. Darling	606 12th St.
Judge	Glen E. Adams	923½ 11th St. Apt.5
Clerk	Mrs. Dorothy J. Sharar	525 13th St.
Clerk	Miss Bonnie J. Maddux.	PO Box 702

Special Consolidated Election Precinct No. 13 (M22-M71)

Polling Place: Delores M. Voss Residence, 326 Maze Blvd

PRECINCT BOARD

Inspector	Mrs. Anna L. Starr	304 Maze Blvd.
Judge	Mrs. Delores M. Voss	326 Maze Blvd.
Clerk	Mrs. Alice F. Handley	214 Laurel St.
Clerk	Mrs. Louise C. Netherton	218 Locust St.

Special Consolidated Election Precinct No. 14 (M23-M38)

Polling Place: B. Shulman Residence, 117 Maze Blvd.

PRECINCT BOARD

Inspector	Joseph W. Millican	225 Oak St.
Judge	Clyde C. Stine	1006 6th St.
Clerk	Mrs. Alice O. Millican	225 Oak St.
Clerk	Mrs. Edith M. Gruber cc	1002 6th St.

Special Consolidated Election Precinct No. 15 (M24-M28)

Polling Place: Mrs. Beatrice Hoover Residence, 210 Vine St.

PRECINCT BOARD

Inspector	Mrs. Beatrice A. Hoover	210 Vine St.
Judge	Mrs. Henrietta Masciorini	201 Alturas St.
Clerk	Mrs. Mary Madruga	1011 S Madison St.
Clerk	Mrs. Bessie B. Clark	120 Vine St.

Special Consolidated Election Precinct No. 16 (M25-M26)

Polling Place: Fire House, 629 Second St.

PRECINCT BOARD

Inspector	Mrs. Johnnie C. Day	412 S. Washington St.
Judge	Mrs. Letha G. McFarland	815 7th St.
Clerk	Mrs. Minnie Criswell	722 6th St.
Clerk	Mrs. Fern I. Unruh	517 S Washington St.

Special Consolidated Election Precinct No. 17 (M27-M41)

Polling Place: Louise Olmstead Residence, 702 4th St.

PRECINCT BOARD

Inspector	Mrs. Louise W. Olmstead	702 4th St.
Judge	Mrs. Esther E. Craig	131 Madera Ave.
Clerk	Mrs. Ann E. Falkin	113 Calaveras Ave.
Clerk	Mrs. Maola Wooley	706 3rd St.

Special Consolidated Election Precinct No. 18 (M29-M31-M47)

Polling Place: Mancini Hall, Tuolumne Blvd

PRECINCT BOARD

Inspector	Mrs. Ruby M. Taylor	613 Tuolumne Blvd.
Judge	Mrs. Ina L. Houston	506 Sierra Drive
Clerk	Mrs. Lola A. Isola	605 Tuolumne Blvd.
Clerk	Mrs. Alice M. Phoenix	117 Sunset Blvd.

Special Consolidated Election Precinct No. 19 (M30-M40)

Polling Place: J. L. Sweeney Residence, 405 Colorado Ave.

PRECINCT BOARD

Inspector	Mrs. Daisy A. Sweeney	405 Colorado Ave.
Judge	Mrs. Myrtle S. Smidl	313 Yosemite Ave.

Clerk Mrs. Josephine A. White 321 Yosemite Ave. .

Clerk Mrs. K. May Sleeman 422 Leon Ave.

Special Consolidated Election Precinct No. 20 (M32-M33)

Polling Place: A. G. Rasmussen Residence, 502 Myrtle Ave.

PRECINCT BOARD

Inspector Mrs. Irene J. Knudsen 540 Myrtle Ave.

Judge Mrs. Georgia M. Reuhl 1228 Princeton Ave.

Clerk Mrs. Beatrice P. Pavkov 1234 Princeton Ave.

Clerk Mrs. Charlotte R. Rasmussen 502 Myrtle Ave.

Special Consolidated Election Precinct No. 21 (M34-M48)

Polling Place: Frank P. Harris Garage, 607 Coldwell Ave.

PRECINCT BOARD

Inspector Mrs. Geraldine V. Harris 607 Coldwell Ave.

Judge Mrs. Gladys A. Cole 809 Geer Ave.

Clerk Mrs. Helen I. Edwards 664 Geer Court

Clerk Mrs. Alice E. Pickering 620 N. Hackberry Ave.

Special Consolidated Election Precinct No. 22 (M35-M36)

Polling Place: Willard Thomas Residence, 636 Duncan Avenue

PRECINCT BOARD

Inspector Mrs. Georgia L. Thomas 636 Duncan Ave.

Judge Mrs. F. Estella Steger 525 Kimble St.

Clerk Mrs. Helen K. Banta 609 High St.

Clerk Mrs. Millie M. Frago 631 Duncan Ave.

Special Consolidated Election Precinct No. 23 (M37-M56)

Polling Place: Wilson School Nurses' Room, Wilson Avenue

PRECINCT BOARD

Inspector Mrs. Matilda M. Condit 305 Bonita Ave.

Judge Mrs. Edith Corson 175 N. Santa Ana Ave.

Clerk Mrs. Jennie M. Quella 136 N. Santa Ana Ave.

Clerk Mrs. Mildred R. Storer 302 Bonita Ave.

Special Election Precinct No. 24 (M39)

Polling Place: W. F. McNulty Residence, 1605 Victor Way

PRECINCT BOARD

Inspector Mrs. Laura A. McNulty 1605 Victor Way

Judge	Mrs. Janet R. McMillen	823 Mary Lane
Clerk	Mrs. Dorothy S. Patterson	1525 Nian Way
Clerk	Mrs. Genevie N. Reed	638 Annilane

Special Consolidated Election Precinct No. 25 (M42-M45)

Polling Place: W. Schenewark Garage, 902 Mills Ave.

PRECINCT BOARD

Inspector	Mrs. Anna B. Lacy	1125 Mills Ave.
Judge	Mrs. Betty L. Griffith	932 Harvard Ave.
Clerk	Mrs. Mary E. Schenewark	902 Mills Ave.
Clerk	Mrs. Hilda M. Hughes	1129 Mills Ave.

Special Consolidated Election Precinct No. 26 (M43-M44)

Polling Place: C. J. Brown Residence, 1416 Del Mar Ave.

PRECINCT BOARD

Inspector	Mrs. Helen E. Vager	1306 Fordham Ave.
Judge	Mrs. Ethyl L. Buttane	1316 Del Monte Ave.
Clerk	Mrs. Edith K. Eaton	1429 Princeton Ave.
Clerk	Mrs. Amy H. Brown	1416 Del Mar Ave.

Special Consolidated Election Precinct No. 27 (M46-M78)

Polling Place: Roy W. Crouch Residence, 1220 Purdue Ave.

PRECINCT BOARD

Inspector	Miss Sadie A. Bomberger	1114 Amherst Ave.
Judge	Mrs. Bonney R. Mac Donald	1221 Mills Ave.
Clerk	Mrs. Irene M. Harry	1205 Como Park Way
Clerk	Mrs. Agnes S. Crouch	1220 Purdue Ave.

Special Consolidated Election Precinct No. 28 (M49-M50)

Polling Place: Esta A. Coffin Garage, 719 W Fairmont Ave.

PRECINCT BOARD

Inspector	Mrs. Mabel L. Kehrer	418 W. Roseburg Ave.
Judge	Mrs. Martha A. Zimmerman	433 Baldwin St.
Clerk	Mrs. Margery L. DeLugg	439 Baldwin St.
Clerk	Mrs. Esta A. Coffin	719 W Fairmont Ave.

Special Consolidated Election Precinct No. 29 (M51-M55)

Polling Place: C. D. Boothe Garage, 1005 Magnolia Ave.

PRECINCT BOARD

Inspector	Mrs. Mildred R. Boothe	1005 Magnolia Ave.
Judge	Mrs. Evelyn Layman	1528 Florida Ave.
Clerk	Mrs. Josephine Tomlins	1539 Florida Ave.
Clerk	Mrs. Mary J. Riga	1010 Sycamore Ave.

Special Consolidated Election Precinct No. 30 (M52-M53)

Polling Place: Fleshman Rumpus Room, 701 Castle St.

PRECINCT BOARD

Inspector	Mrs. Anita J. Fleshman	701 Castle St.
Judge	Mrs. Pauline E. Anderson	927 Oxford Way
Clerk	Mrs. Irene K. Hicks	915 Oxford Way
Clerk	Mrs. Mildred T. Nelson	610 Castle St.

Special Consolidated Election Precinct No. 31 (M57-M58)

Polling Place: S. L. Cannon Residence, 416 N. Wilson Ave.

PRECINCT BOARD

Inspector	Mrs. Emily E. Codoni	1304 Highland Drive
Judge	Mrs. Ruby M. Sanders	406 Las Palmas Ave.
Clerk	Mrs. Marceline C. Nickerson	1412 Highland Drive
Clerk	Sherman L. Cannon	416 N. Wilson Ave.

Special Consolidated Election Precinct No. 32 (M59-M60)

Polling Place: LaLoma Grace Brethren Church, 1315 LaLoma Ave.

PRECINCT BOARD

Inspector	Mrs. Sadie I. King	221 Camellia Way
Judge	Mrs. Goldie Faye Ellis	312 Santa Barbara Ave.
Clerk	Mrs. Hazel D. McKnight	215 Camellia Way
Clerk	Mrs. Lola O. Savage	405 N. Santa Ana Ave.

Special Consolidated Election Precinct No. 33 (M62-M63)

Polling Place: C. L. Phoenix Garage, 239 San Juan Drive

PRECINCT BOARD

Inspector	Mrs. Laverna A. Phoenix	239 San Juan Drive
Judge	Mrs. Ardeth M. Smith	146 San Juan Drive
Clerk	Mrs. Charlene F. Baker	142 San Juan Drive
Clerk	Mrs. Dona B. Harper	243 San Juan Drive

Special Consolidated Election Precinct No. 34 (M64-M65)

Polling Place: Mrs. R. M. Ross Garage, 2010 Haddon Ave.

PRECINCT BOARD

Inspector	Mrs. Doris L. Givens	2012 Dora St.
Judge	Mrs. Evelyn M. Williamson	2039 Bellamy St.
Clerk	Mrs. Rosaline M. Ross	2010 Haddon Ave.
Clerk	Mrs. Eva M. King	415 Parry Ave.

Special Consolidated Election Precinct No. 35 (M66-M77)

Polling Place: J. Lundberg Garage, 1501 Albany Ave.

PRECINCT BOARD

Inspector	Mrs. Claire C. Lundberg	1501 Albany Ave.
Judge	Mrs. Thelma M. Bandy	1403 Bronson Ave.
Clerk	Mrs. Margaret C. Cherrier	1539 Bronson Ave.
Clerk	Mrs. Irene F. Wilson	1412 Albany Ave.

Special Consolidated Election Precinct No. 36 (M68 GRPS. 1&2)

Polling Place: H. Mahoney Residence, 1305 Glenwood Drive

PRECINCT BOARD

Inspector	Mrs. Hazel C. Mahoney	1305 Glenwood Drive
Judge	Mrs. LaDean F. Messer	1345 Teresa St.
Clerk	Mrs. Dene W. Glover	1333 Teresa St.
Clerk	Mrs. Bertha C. Wilson	1502 Maywood Drive

Special Consolidated Election Precinct No. 37 (M69-M75)

Polling Place: Roggenback Garage, 2114 Tully Road

PRECINCT BOARD

Inspector	Mrs. Mary E. Roggenback	2114 Tully Road
Judge	Mrs. Joyce H. McEwen	P.O. Box 593
Clerk	Mrs. Jeanette M. Enoch	1310 Suzanne Drive
Clerk	Mrs. Patricia R. Haugen	1906 Winning Ave.

Special Consolidated Election Precinct No. 38 (M70-M76)

Polling Place: R. L. Baird Garage, 2318 Monte Carlo Ave.

PRECINCT BOARD

Inspector	Mrs. Beverly A. Baird	2318 Monte Carlo
Judge	Mrs. Kathryn E. Fehrle	P.O. Box 271
Clerk	Mrs. Donnabelle Z. Losher	1135 Mt. Vernon Drive
Clerk	Mrs. Phyllis J. Threlfall	1140 Mt. Vernon Drive

Special Consolidated Election Precinct No.39 (M72-M73)

Polling Place: Garrison School Nurses' Room Teresa St. Corner of
Martin

PRECINCT BOARD

Inspector	Mrs. Ruby F. Duarte	1736 W. Orangeburg Ave.
Judge	Mrs. Willma A. Grant	1540 Teresa St.
Clerk	Mrs. Janell Smith	1827 Orangeburg Ave.
Clerk	Mrs. Mary E. Snow	1529 Teresa St.

Special Consolidated Election Precinct No. 40 (M74-M82)

Polling Place: E. C. Evans Garage, 2014 Enslin Ave.

PRECINCT BOARD

Inspector	Mrs. Geneva Harrington	1921 Wildwood Drive
Judge	Mrs. Betty Jean Rash	2018 Enslin Ave.
Clerk	Mrs. Carolyn J. Laone	2001 Wildwood Drive
Clerk	Mrs. Ila Mae Evans	2014 Enslin Ave.

Special Election Precinct No. 41 (M79)

Polling Place: L. H. Sturdivan Residence, 1317 Greenwood Drive
(entrance on Tully Road)

PRECINCT BOARD

Inspector	Mrs. Wilma E. Lenahan	1214 Crescent Drive
Judge	Mrs. Erlene L. Johnson	1222 Crescent Drive
Clerk	Mrs. Marie Kendall	1402 Cherrywood Drive
Clerk	Mrs. Thelma J. Sturdivan	1317 Greenwood Drive

Special Consolidated Election Precinct No. 42 (M80-M81)

Polling Place: D. H. Barnes Garage, 1504 Del Monte Ave.

PRECINCT BOARD

Inspector	Mrs. Marian T. Barnes	1504 Del Monte Ave.
Judge	Mrs. Esther Mae Kohler	1505 W. Roseburg,
Clerk	Mrs. Mildred L. Copes	1518 Maplewood Drive
Clerk	Mrs. Mildred Wolter	1512 Del Monte Ave.

Special Election Precinct No. 43 (M83)

Polling Place: R. P. Barrett Residence, 433 Coronado Way

PRECINCT BOARD

Inspector	Mrs. Lois P. Barrett	433 Coronado Way
Judge	Mrs. Jo Ann O'Neal	445 Coronado Way
Clerk	Mrs. Goldie B. Benson	438 Coronado Way
Clerk	Mrs. Lela B. Wilson	444 Balboa Way

Special Election Precinct No. 44 (M84)

Polling Place: V. B. Williams Garage, 1904 La Cienega Ave.

PRECINCT BOARD

Inspector	Mrs. Priscilla Betty	300 Ribier Ave.
Judge	Mrs. Lela Jane Williams	1904 LaCienega Ave.
Clerk	Mrs. Joan A. Hughes	400 Ribier Ave.
Clerk	Mrs. Patrecia N. Link	317 Ribier Ave.

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. 45^{*} (Abby-McHenry-Moss)

Polling Place: Martz Co. office building, Rt.2 Box 808, Coffee, near Claribel

PRECINCT BOARD

Inspector	Mrs. Kathlene Z. Sciutto	Rt.2 Box 745
Judge	Mrs. Margaret H. Lawrence	Rt.2 Box 845
Clerk	Mrs. Alice A. Kline	Rt. 2, Box 790
Clerk	Mrs. Vera M. Heitman	Rt. 2 Box 160

Special Consolidated Election Precinct No. 46 (Alma-Burbank-Huff)

Polling Place: Burbank-Paradise Fire House, 1307 Beverly Drive

PRECINCT BOARD

Inspector	Mrs. Aileen R. Knipper	1528 Picardy Drive
Judge	Mrs. Leona B. High	1625 Vernon Ave.
Clerk	Mrs. Madge A. Hoffner	1308 Lombardy Drive
Clerk	Mrs. Georgina D. Waterman	1301 Normandy Drive

Special Consolidated Election Precinct No. 47 (Beard-Fields-Ladd)

Polling Place: Mrs. N. I. Hughes Residence, 520 Benson Ave.

PRECINCT BOARD

Inspector	Mrs. Mary C. Crawford	623 Santa Cruz Ave.
Judge	Mrs. Erma Hansbrough	260 S. Santa Rosa Ave.
Clerk	Mrs. Alvina B. Hake	326 S. Santa Cruz Ave.

Clerk Mrs. Nobie I. Hughes 520' Benson Ave.

Special Consolidated Election Precinct No. 48 (Beck-Kent)

Polling Place: Vanice Kehrer Garage, 1514 Locke Road

PRECINCT BOARD

Inspector	Mrs. Audrey K. Caviness	1308 Scenic Drive
Judge	Mrs. Vanice A. Kehrer	1514 Locke Road
Clerk	Mrs. Katherine S. Berg	1523 Queens Ave.
Clerk	Mrs. Beatrice E. Frank	1429 Irons Court

Special Consolidated Election Precinct No. 49 (Benson-Oden-Inez)

Polling Place: R. D. Smith Garage, 736 S. Conejo Ave.

PRECINCT BOARD

Inspector	Mrs. Wilma A. Turley	738 S. Conejo Ave.
Judge	Mrs. Dorothy D. Love	1714 Bonnie Brae Ave.
Clerk	Mrs. Iva P. Forrest	417 S. Conejo Ave.
Clerk	Mrs. Viola Smith	736 Conejo Ave.

Special Consolidated Election Precinct No. 50 (Bill-Kay-Paul)

Polling Place: R. W. Turpen Garage , 2330 Lambert St.

PRECINCT BOARD

Inspector	Mrs. Twyla J. Turpen	2330 Lambert St.
Judge	Mrs. Betty Lee Ogburn	2301 Meta Court
Clerk	Mrs. Helen M. Tillion	2309 Bellamy St.
Clerk	Mrs. Patsy F. Gunkel	2318 Carol St.

Special Consolidated Election Precinct No. 51 (Bird-Carm-Wood)

Polling Place: Woodland Grange Hall, Woodland east of Dakota

PRECINCT BOARD

Inspector	Mrs Ruth I. Spenker	Rt.5 Box 993
Judge	Mrs. Hellen M. Cesmat	Rt. 5 Box 724-A
Clerk	Mrs. Evelen C. Freeman	Rt. 3 Box 1390
Clerk	Mrs. Barbara F. Hart	Rt. 5 Box 887-B

Special Consolidated Election Precinct No. 52 (Blum-Jolliff)

Polling Place: Paradise Reformed Church, 1421 Harris Ave.

PRECINCT BOARD

Inspector	Mrs. Katherine J. Nicolai	718 Chicago Ave.
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Judge Mrs. Clasina H. Leer 1229 Houser Lane
Clerk Mrs. Alice Davison 612 California St.
Clerk Mrs. Isabelle E. Fitch 1225 Mayette Ave.

Special Consolidated Election Precinct No. 53 (Bob-Pike-Dix)

Polling Place: Henry Lee Garage, 1343 Ford Ave.

PRECINCT BOARD

Inspector Gerald L. Hodgkin 1324 Sunrise Ave.
Judge Mrs. Robert L. Bowden 1625 Gardenia Rd.
Clerk Mrs. Marian T. Dandy Rt. 6, Box 1412
Clerk Mrs. Edith Lee 1343 Ford Ave.

Special Consolidated Election Precinct No. 54 (Caswell-Shaw)

Polling Place: Fairview School Corridor, Whitmore Ave. Ceres

PRECINCT BOARD

Inspector Mrs. Daisy P. Pearson Rt. 4 Box 2430
Judge Mrs. Ruth Colvin 906 Imperial Ave.
Clerk Mrs. Wilda A. Lee Rt. 4 Box 2486
Clerk Mrs. I. Louise Emens 1100 Lassen Ave.

Special Consolidated Election Precinct No. 55 (Claus-Rose)

Polling Place: Dry Creek Clubhouse, Scenic Drive

PRECINCT BOARD

Inspector Mrs. Irene A. Stowers 1807 Scenic Drive
Judge Mrs. Genevieve A. Cavaggion 617 Brookvale Drive
Clerk Mrs. Clyda A. Nichols Rt. 6 Box 390
Clerk Mrs. Hazel Armstrong Rt. 6 Box 456-AA

Special Consolidated Election Precinct No. 56 (Dawn-High-Palm-Yale)

Polling Place: Ernest Peet Residence, 1236 Melrose Ave.

PRECINCT BOARD

Inspector Mrs. Pattie V. Boyer 1315 Sunrise Ave.
Judge Mrs. Alzada R. Merritt 125 E Fairmont Ave.
Clerk Mrs. Ruth E. Boring 206 E Roseburg Ave.
Clerk Mrs. Dorretta M. Peet 1236 Melrose Ave.

Special Consolidated Election Precinct No. 57 (Dora-Laurel-Lodge-Spenker)

Polling Place: Hal C. Stotts Residence, Rt. 7 Box 458-Yosemite between
Trask-Riverside

PRECINCT BOARD

Inspector	Mrs. Kathryn V. Stotts	Rt. 7, Box 458
Judge	Mrs. Rosamond A. Flygare	Rt. 7 Box 497
Clerk	Mrs. Mildred B. Caudle	2434 Miller Ave.
Clerk	Mrs. Angela E. Hanson	178 S. Santa Ana Ave.

Special Consolidated Election Precinct No. 58 (Dunn-Fair-Fox)*

Polling Place: O. H. Anderson Residence, 815 River Road

PRECINCT BOARD

Inspector	Mrs. Bertha Anderson	815 River Road
Judge	Mrs. Patricia L. Nelson	1029 Bewley Ave.
Clerk	Mrs. Hazel V. Sweet	1236 Vito Ave.
Clerk	Mrs. Millicent M. Burke	833 River Road

Special Consolidated Election Precinct No. 59 (Earl-Fern-Paradise)

Polling Place: C. W. Johnstone Garage, 2228 Paradise Road

PRECINCT BOARD

Inspector	Mrs. Mattie D. Crow	1704 Moser Ave.
Judge	Mrs. Joey F. Sharp	Rt. 8 Box 851
Clerk	Mrs. Beatrice O. Keller	1621 Waverly Drive
Clerk	Mrs. Helen M. Johnstone	2228 Paradise Road

Special Consolidated Election Precinct No. 60 (Empire-W. Empire)

Polling Place: Empire Fire House, Yosemite Blvd, Empire

PRECINCT BOARD

Inspector	Mrs. Hazel E. Wingerd	P.O.Box 615, Empire
Judge	Mrs. Loretta E. Hackett	Rt.7 Box 719
Clerk	Mrs. Ruth E. Frantz	P.O. Box 616, Empire
Clerk	Mrs. Ellen P. Rash	Rt. 7 Box 788-A

Special Consolidated Election Precinct No. 61 (Erie-Kerr-Wade)

Polling Place: Housing Authority Building, 1701 Robertson Road

PRECINCT BOARD

Inspector	Mrs. Ramona W. Tanner	2235 Robertson Road
Judge	Mrs. Betty S. Watson	1924 Kenneth St.
Clerk	Mrs. Bernice H. Garrison	1925 Vernon Ave.
Clerk	Mrs. Nelle H. Watkins	1101 Avalon Ave.

Special Consolidated Election Precinct No. 62 (Foit-Judd-Page)

Polling Place: J. W. Harper Residence, 1334 Alamo Ave.

PRECINCT BOARD

Inspector	Mrs. Evelyn M. King	1238 Boulder Ave.
Judge	Mrs. Wilma Cecil Seaman	209 Rio Grande Ave.
Clerk	Mrs. Austrid N. Miller	Rt. 4 Box 2073
Clerk	Mrs. Ethel B. Harper	1334 Alamo Ave.

Special Consolidated Election Precinct No. 63 (Ford-Jan)

Polling Place: Mrs. F. M. Vergin Residence, 942 El Vecino Ave.

PRECINCT BOARD

Inspector	Mrs. Martha Seablom	937 El Vecino Ave.
Judge	Mrs. Dorothy May Herr	1219 Gloria Way
Clerk	Mrs. Elfrieda Holland	1109 Half Moon Drive
Clerk	Mrs. Faye M. Vergin	942 El Vecino Ave.

Special Consolidated Election Precinct No. 64 (Franklin-Robertson)

Polling Place: B. F. Pedego Garage, 603 Colorado Ave.

PRECINCT BOARD

Inspector	Mrs. Ona B. Simi	1314 South Ave.
Judge	Henry F. Toomey	822 Colorado Ave.
Clerk	Mrs. Signa M. Pedego	603 Colorado Ave.
Clerk	Mrs. Hilda R. Sylvia	1110 Pelton Ave.

Special Consolidated Election Precinct No. 65 (Goodwin-Root-W.Waterford*)

Polling Place: Chicken Kitchen, Miller Ranch, Yosemite Blvd.

PRECINCT BOARD

Inspector	Mrs. Ulilla A. Johansen	Rt. 1 Box 955
Judge	Mrs. Jessie L. Emerson	Rt. 7 Box 664-B
Clerk	Mrs. Ruth E. Kelley	Rt. 7 Box 665-B
Clerk	Mrs. Hedy M. Harding	Rt. 1 Box 1858-D

Special Consolidated Election Precinct No. 66 (Hart-W. Salida)

Polling Place: J. E. Thurman Garage, Cor. Shoemake & Dunn, Rt 3 Box 749

PRECINCT BOARD

Inspector	Mrs. Mary G. Forni	Rt. 3 Box 749
Judge	Mrs. Lucille Wyeth	Rt. 3 Box 693
Clerk	Mrs. Julia C. Thurman	Rt. 3 Box 749
Clerk	Mrs. Mary O. Souza	Rt. 3 Box 716

Special Consolidated Election Precinct No.67 (Ivy-Lacy-Ring-Webb)

Polling Place: Industrial Fire House, 1829 Crows Landing Road

PRECINCT BOARD

Inspector	Mrs. Eva Farish	1704 Eureka St.
Judge	Mrs. Nora E. McClendon	1613 Spokane St.
Clerk	Mrs. Ruth V. Evans	517 Imperial Ave.
Clerk	Mrs. Ruby F. Reynolds	1713 Olympia St.

Special Consolidated Election Precinct No. 68 (John-Wynn)

Polling Place: J. M. Elzner Residence, 2241 Miller Ave.

PRECINCT BOARD

Inspector	Mrs. Mildred O. Elzner	2241 Miller Ave.
Judge	Mrs. Faye E. Scott	130 Colfax Ave.
Clerk	Mrs. Jean A. Turner	204 Colfax Ave.
Clerk	Mrs. Alice I. Yonan	2234 Miller Ave.

Special Consolidated Election Precinct No. 69 (Lynn-Maze-Pine)

Polling Place: Mrs. N.B.Fellows Residence, 516 Laurel St.

Inspector	Mrs. Emma A. Krohn	505 Laurel St.
Judge	Mrs. Hattie F. Fischer	608 Spencer Ave.
Clerk	Mrs. Nellie B. Fellows	516 Laurel St.
Clerk	Mrs. Olga C. Bernadotti	730 Elm St.

Special Consolidated Election Precinct No. 70(Nash-Wall)

Polling Place: H. B. Vent Garage, Carver Road, Rt. 3, Box 402

PRECINCT BOARD

Inspector	Mrs. Marjorie C. Vent	Rt 3 Box 402
Judge	Mrs. Bertha Lou Taber	2509 Garvey Ave.
Clerk	Mrs. Iola Nighsonger	2512 Garvey Ave.
Clerk	Mrs. Irene Nichols	Rt. 3 Box 385

Special Consolidated Election Precinct No. 71 (Prescott-Ruby-E.Salida)

Polling Place: H. Abendschan Residence, 99 Hiway & Salida-Oakdale Highway

PRECINCT BOARD

Inspector	John Weertman	Rt.2 Box 1088
Judge	Mrs. Eletha D. Wissner	Rt.2 Box 999
Clerk	Mrs. Lois V. Radcliffe	Rt. 2 Box 932
Clerk	Mrs. Gertrude Abendschan	P.O. Box 66, Salida

Special Consolidated Election Precinct No. 72(Salida 1-2-3)

Polling Place: Womens' Club House, Parks Ave., Salida

PRECINCT BOARD

Inspector	Mrs. Alta C. Marasovich	P.O. Box 767, Salida
Judge	Mrs. Madeline B. Knight	P.O. Box 856, Salida
Clerk	Mrs. Violet A. Bishop	P.O. Box 965, Salida
Clerk	Mrs. Kathleen W. Mitchell	P.O. Box 793, Salida

Special Election Precinct No. 73 (Shiloh)

Polling Place: Shiloh School House, Paradise Road

PRECINCT BOARD

Inspector	Mrs. Ida M. Sciarini	Rt 8 Box 980
Judge	Mrs. Mary M. Goncalves	Rt. 8 Box 932-H
Clerk	Mrs. Nora E. Silva	Rt. 8 Box 981
Clerk	Mrs. Jennie C. McKnight	Rt. 8 Box 980-B

Special Consolidated Election Precinct No. 74(Sylvan-Vet-Coffee)

Polling Place: Sylvan Clubhouse, Sylvan & McHenry Ave.


PRECINCT BOARD

Inspector	Mrs. Alma G. Drake	Rt. 6 Box 1450
Judge	Mrs. Opal L. Ohland	Rt. 6 Box 1460
Clerk	Mrs. Freda M. Sorrentino	Rt. 2 Box 580
Clerk	Mrs. Georgia M. Hansen	308 Rumble Road

*Only portion of precinct is located in the Modesto City School District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of February, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-67

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHTING SYSTEM IN WESTLAND MANOR NO. 2 SUBDIVISION BY INDUSTRIAL ELECTRIC COMPANY; AUTHORIZE PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of street lighting system in Westland Manor No. 2 Subdivision

has been completed by Industrial Electric Company

in accordance with the contract agreement dated December 18, 1958

NOW, THEREFORE, BE IT RESOLVED that the construction of street lighting system in Westland Manor No. 2 Subdivision

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 18 day of February, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 68

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE PARADISE CENTER NO. 2 ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto was filed by Safeway Stores, Incorporated on February 16, 1959, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the PARADISE CENTER NO. 2 ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 5 of the Resurvey of Brichman's Addition to the City of Modesto, filed October 15, 1904 in Volume 2 of Maps, Page 1, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits line at the intersection of the center line of Sutter Avenue and the Northern line of the Marshall Park Addition, as per description filed December 3, 1957, Instrument No. 30118, Stanislaus County Records; thence Westerly along said Northern line of the Marshall Park Addition to the Northwestern corner thereof; thence Northerly along the Northern extension of the Western line of said Marshall Park Addition to the Southeastern line of Paradise Road as shown on the map of said Brichman's Addition; thence Northeasterly along said Southeastern line of Paradise Road to the Southwestern corner of the property conveyed to Harold A. Knowles, et ux, by deed recorded November 21, 1956, Instrument No. 31490, Stanislaus County Records; thence Southeasterly along the Southern line of said Knowles property to a point on the Western line of Sutter Avenue, which is 170 feet Southerly from the intersection of the Southeastern line of Paradise Road and the Western line of Sutter Avenue as these streets are shown on the map of said Brichman's Addition; thence Easterly at right angles to said Western line of Sutter Avenue 30 feet to the center line of Sutter Avenue and the existing City Limits line; thence Southerly along said center line of Sutter Avenue and the existing City Limits line to the point of beginning, containing 3.75 acres, more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 1st day of April 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-69

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE CONSTRUCTION AND MAINTENANCE OF A SEWER LINE IN SCENIC AVENUE TO SERVE THE STANISLAUS COUNTY HOSPITAL

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 the construction and maintenance of a sewer line in Scenic Avenue to serve the Stanislaus County Hospital.

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 18 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-70

A RESOLUTION ACCEPTING THE BIDS FOR AUTOMOTIVE EQUIPMENT FOR THE CITY OF MODESTO

WHEREAS, Resolution No. 59-41, adopted by the Council of the City of Modesto February 4, 1959, approved the specifications for automotive equipment, and authorized the calling for bids, and

WHEREAS, the bids received for the automotive equipment were opened at 10:00 A.M. on February 24, 1959, and later tabulated by the Department of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the following bids be accepted as the lowest responsible bid:

<u>ITEM</u>	<u>TYPE</u>	<u>PRICE</u>	<u>BIDDER</u>
1	4-Door Sedan	\$1,583.00	Griswold & Wight
2	4-Door Sedan	1,583.00	" "
3	4-Door Sedan	1,583.00	" "
4	4-Door Sedan	1,583.00	" "
5	4-Door Sedan	1,583.00	" "
6	4-Door Sedan	1,583.00	" "
7	4-Door Sedan	1,888.00	" "
8	4-Door Sedan	2,288.00	" "
9	4-Door Sta. Wgn.	2,219.36	Helm Chevrolet
10	4-Door Sta. Wgn.	2,269.36	" "
11	3/4 T. Pkp.	2,160.15	United Motor City
12	3/4 T. Pkp.	2,285.15	" "
13	1/2 T. Pkp.	1,705.60	Griswold & Wight
14	Dump Truck	4,148.81	United Motor City
15	Dump Truck	4,148.81	" "
16	Dump Truck	4,509.85	Griswold & Wight

NOW, THEREFORE, BE IT RESOLVED that the above described bids of Helm Chevrolet, Griswold & Wight and United Motor City for automotive equipment be accepted, and payment for same be authorized.

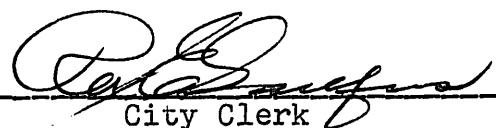
WHEREAS, the Director of Public Works has recommended that the cash offer for the following equipment be accepted:

<u>ITEM</u>	<u>TYPE</u>	<u>PRICE</u>	<u>BIDDER</u>
9	Plymouth	\$ 81.00	Bill Jackson
12	3/4 T. Pkp.	211.00	Acme Auto & Truck Parts Co.

NOW, THEREFORE, BE IT RESOLVED that the above described bids for purchase of automotive equipment belonging to the city of Modesto be accepted.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 25 day of February, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-71

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,416. FOR PURCHASE OF
AUTOMOTIVE EQUIPMENT

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

FROM:	Service Reserve Appropriation	600	\$1,022.00
TO:	Item #9 - Station Wagon replacement (1)	504-48	399.00
	Items #11 & 12 - 3/4 T Dump Truck Repl. (2)	504-48	325.00
	Items #14 & 15 - 2-T Dump Truck Repl. (2)	504-48	298.00
FROM:	General Reserve	600	\$1,394.00
TO:	Item #8 - Patrol Car	504-49	308.00
	Item #10 - Station Wagon (1)	504-49	420.00
	Item #13 - 1/2 T Pick-up (1)	504-49	356.00
	Item #16 - 2-T Truck	504-49	310.00

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 25 day of
February, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Robinson,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: None

ABSENT: None

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-72

A RESOLUTION APPROVING RIGHT OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, two Right of Way Contracts for widening of McHenry Avenue are now complete as follows:

<u>DOCUMENT</u>	<u>NAME</u>	<u>ESTIMATED DAMAGE COST</u>
M-59 & 61	Mary P. Brame	\$9,000.
M-130	McHenry Village, Inc.	

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve these Right of Way Contracts as presented and the City Manager be authorized to sign each on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 25 day of February, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-73

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$7,000. FOR INCREASED CHARGES FOR PRISONER MAINTENANCE FOR BALANCE OF FISCAL YEAR 1958-59

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

FROM: General Reserve \$7,000.

TO: Police \$7,000.
Contractual Services Account #240

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of February, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: None

ABSENT: None

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-74

A RESOLUTION DESIGNATING H STREET FROM WASHINGTON STREET TO FIRST STREET AS A ONE-WAY STREET IN THE CITY OF MODESTO.

WHEREAS, Section 459(e) of the Vehicle Code of the State of California authorizes local authorities, by resolution, to designate particular streets as one-way streets and require that all vehicles thereon be moved in a specified direction,

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

SECTION 1. The following described portion of H STREET is hereby designated as a one-way street, and all vehicles thereon shall be moved only in the direction indicated:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAFFIC MOVEMENT</u>
H Street from Washington Street to First Street	Northeasterly

SECTION 2. The Director of Parking and Traffic is hereby directed to cause signs to be placed and maintained giving notice of said one-way street. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where the movement of traffic in the opposite direction is prohibited.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of February, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-75

A RESOLUTION APPROVING THE FINAL MAP OF THE
HILLVIEW ACRES SUBDIVISION
OF THE CITY OF MODESTO.

WHEREAS, LOUIS E. GREMP and LUCILLE GREMP, husband and wife,
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 22.209 acres, known as the
HILLVIEW ACRES SUBDIVISION,

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 15th day of April, 1958,
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 HILLVIEW ACRES 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
HILLVIEW ACRES 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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of ONE THOUSAND EIGHT HUNDRED FIFTY and
20/100ths (\$1,850.20) 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 _____
SEVENTY EIGHT THOUSAND (\$78,000.00) 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 25 day of February, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-76

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
LEWIS E. AND LUCILLE GREMP FOR INSTALLATION OF SANITARY SEWER
TO SERVE THE HILLVIEW ACRES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Lewis E. and Lucille
Grempp

for installation of sanitary sewer to serve the Hillview Acres
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 25 day of
February, 1959, by Councilman Merrill, who moved its
adoption, which motion being duly seconded by Councilman Robinson,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-77

A RESOLUTION ACCEPTING THE BID OF EDWARD A. TOMLINSON IN THE SUM OF \$2,380. FOR THE CONSTRUCTION OF PUMP HOUSE - STATION NO. 21

WHEREAS, Resolution No. 59-59, adopted by the Council of the City of Modesto on February 18, 1959, approved the plans and specifications for the construction of pump house - Station No. 21

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of pump house - Station No. 21

were opened at 2:00 P.M. March 2, 1959 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 Edward A. Tomlinson in the sum of \$2,380.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Edward A. Tomlinson in the sum of \$2,380.

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 4 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: None

ABSENT: Adams, Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-78

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
MODESTO IRRIGATION DISTRICT AUTHORIZING COMMON USE OF RIGHT OF WAY
ON McHENRY AVENUE AT LATERAL NO. 4

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Modesto Irrigation
District

for common use of right of way on the east and west side of McHenry
Avenue at Lateral No. 4

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 4 day of
March, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Merrill,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-79

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, one Right of Way Contract for widening of McHenry Avenue is now complete as follows:

<u>Document</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-123	Angelo & Felicia Ciardo	\$980.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve this Right of Way Contract as presented and the City Manager be authorized to sign it on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 4 day of March, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-80

A RESOLUTION OF THE CITY OF MODESTO APPROVING REDUCTION OF THE PERFORMANCE BOND FILED BY FRANK J. FRANCEK FOR MONTGOMERY VILLAGE NO. 2 SUBDIVISION

WHEREAS, Frank J. Francek, Subdivider of Montgomery Village No. 2, posted a Performance Bond with Stanislaus County to guarantee the improvements for this subdivision, and

WHEREAS, Montgomery Village No. 2 Subdivision has been annexed to the City of Modesto, and

WHEREAS, the Department of Public Works has reported that certain improvements have been completed in this subdivision,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Performance Bond filed by Frank J. Francek to guarantee the improvements in the Montgomery Village No. 2 Subdivision be reduced to the sum of \$22,000 and subdivider be required to file a Performance Bond with the City of Modesto in this amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:


CITY CLERK

A RESOLUTION APPROVING THE FINAL MAP OF THE
NORTH PARK SUBDIVISION
OF THE CITY OF MODESTO.

ARTHUR J. WYLIE, FLORENCE E. WYLIE, MODESTO HOLDING
COMPANY, a corporation, and SECURITY TITLE INSURANCE
WHEREAS, COMPANY, a corporation

are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 14.65 acres, known as the
North Park Subdivision

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 15th day of July, 1958,
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 North Park 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
North Park 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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of One thousand, seven hundred sixty three and 53/100

(\$1,763.53) 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 Seventeen
thousand and no/100ths (\$17,000.00) 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 4 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-82

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN NORTH PARK
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 North Park 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, 717 10th Street, in the City
of Modesto, on March 16, 1959 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 tabulat-
ed 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 4 day of
March, 1959, by Councilman Hammond, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

NUMBER OF 59-83 WAS NOT USED
FOR A RESOLUTION

MODESTO CITY COUNCIL
RESOLUTION NO. 59-84

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF DENNETT DAM IN TUOLUMNE RIVER AND AUTHORIZING THE CALL FOR BIDS FOR THE PROJECT BY THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY, ACTING AS AGENT FOR THE CITY OF MODESTO

WHEREAS, the City of Modesto and County of Stanislaus entered into an agreement on the 25th day of June, 1958, for the joint reconstruction of Dennett Dam in Tuolumne River, and

WHEREAS, said agreement provides that the County is responsible for the preparation of engineering and design plans and specifications and shall issue the call for bids for the project, acting as agent for the City's interest in this capacity,

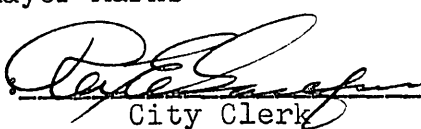
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications prepared by the Surveyor of Stanislaus County for the reconstruction of Dennett Dam on Tuolumne River, copies of which are on file in the Public Works Department of the City of Modesto, are hereby accepted and approved.

SECTION 2. The Board of Supervisors of Stanislaus County, acting as agent for the City, is hereby authorized to call for public competitive sealed bids for the above named project and to give notice inviting such sealed bids in the time, form and manner provided by law.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 9th day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Merrill, Spaulding, Mayor Pro Tempore
Hammond
Noes: Councilmen: None
Absent: Councilmen: Arata, Robinson, Mayor Marks

ATTEST: 

City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-85

A RESOLUTION AUTHORIZING THE EXECUTION OF A
RIGHT OF WAY CERTIFICATE RELATING TO THE
RECONSTRUCTION OF MCHENRY AVENUE, PROJECT
X-STA-109-MOD, A.

WHEREAS, the City of Modesto, a municipal corporation, and the Division of Highways, Department of Public Works, State of California, have entered into a cooperative agreement for the public improvement of a State Highway, being a portion of State Highway Route 109, and also being a city street, and

WHEREAS, by said agreement, the City of Modesto is required to acquire all of the rights of way required for the widening of State Highway Route 109 between Needham Avenue and Modesto Irrigation District Lateral No. 3, and

WHEREAS, all rights of way have either been acquired or condemnation suit has been filed on all parcels not acquired by negotiation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager be, and he is hereby authorized to execute on behalf of the City of Modesto the required Right of Way Certificate to the State Department of Public Works, Division of Highways, relating to Project X-Sta-109-Mod, A. Said Certificate shall be in the form attached hereto marked Exhibit A.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of March, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Hammond, ^{Merrill}/Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

ATTEST: 

City Clerk

(SEAL)

RIGHT OF WAY CERTIFICATE

The City of Modesto hereby certifies in connection with the right of way for the reconstruction of McHenry Avenue between Needham Avenue and Modesto Irrigation District Lateral No. 3, Project X-~~Sta-109-Mod~~, A, and in accordance with the provisions of an Agreement between the City of Modesto and the State of California, that:

1. All rights of way have either been acquired or condemnation suit has been filed on all parcels not acquired by negotiation. It is further understood that the City of Modesto shall secure an Order of Immediate Possession or Right of Entry on all remaining unacquired parcels at least ten days prior to award of contract.

2. All utilities, both public and private, within the right of way have been notified and the readjustment of these facilities is not expected to interfere with construction, which has been provided for in Special Provisions of State contract.

3. All improvements within the right of way have been removed with the exception of the following list which are itemized with the estimated dates of removal:


1.	M-1	Relocate 2 light standards	31 + 62 Lt	4-1-59
2.	M-8	Plug off existing sprinkler	33 + 36 Rt	4-30-59
3.	M-9	Relocate 1 building sign	34 + 09 Lt	4-30-59
4.	M-15	Relocate 1 pole sign	36 + 55 Lt	4-30-59
5.	M-17	Relocate 1 pole sign	37 + 17 Lt	4-30-59
6.	M-20	Remove & box 1 Sego Palm	39 + 68 Rt	4-30-59

7.	M-22	Relocate 1 pole sign & 1 building sign	40 + 94 Rt	4-30-59
8.	M-26	Relocate 1 building sign & repair planter	43 + 51 Rt	4-30-59
9.	M-29	Relocate 2 sprinkler heads	39 + 87 Lt	4-30-59
10.	M-34	Plug existing sprinkler system	47 + 56 Rt	4-30-59
11.	M-35	Plug or relocate existing sprinkler system	44 + 22 Lt	4-30-59
12.	M-39	Relocate station facilities. 2 light standards in r/w require moving immediately	45 + 86 Lt	4-30-59
13.	M-46	Relocate 1 building sign	52 + 54 Rt	4-30-59
14.	M-47	Plug or relocate existing sprinkler system	50 + 78 Lt	4-30-59
15.	M-71	Relocate signs & lighting fixtures	59 + 67 Lt	3-29-59
16.	M-73	Relocate wood sign & reset property corners	60 + 65 Lt	3-29-59
17.	M-75	Relocate 1 building sign, remove brick planter & repair damaged areas	62 + 22 Lt	4-30-59
18.	M-83	Remove and relocate 17 sprinkler heads	67 + 63 Lt	4-30-59
19.	M-92	Relocate chain link fence	81 + 03 Rt	4-30-59
20.	M-95	Relocate sprinkler system, shrubs, steel flagpole, & circular brick planter	72 + 10 Lt	4-30-59
21.	M-99	Relocate 1 pole sign & restoration of parking area	75 + 70 Lt	3-29-59
22.	M-101	Relocate sprinkler system	77 + 56 Lt	3-29-59
23.	M-104	Relocate 1 building sign, 1 pole sign & 1 electric pole	91 + 43 Rt	4-30-59
24.	M-110	Remove improvements from R/W	100 + 09 Rt	3-29-59

25.	M-112	Relocate 3 light poles	101+64 Rt	4-30-59
26.	M-120	Relocate sprinkler system	106+27 Rt	4-30-59
27.	M-124	Relocate 1 light pole	108+78 Rt	4-30-59
28.	M-125	Relocate 1 pole sign & 3 light standards	98+06 Lt	4-30-59
29.	M-133	Remove & repair roof overhang	104+63 Lt	3-29-59
30.	M-137	Relocate plants & shrubs in r/w	107+14 Lt	4-30-59
31.	M-147	Relocate canopy & pump island 2 light standards	116+10 Lt	6-30-59
32.	M-149	Relocate 1 pole sign	117+28 Lt	4-30-59

In making this certification, the City agrees to hold the State harmless from any liability which may be established by and in the event the right of way is not clear as herein certified.

CITY OF MODESTO

By 
City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 59-86

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COATES, HERFURTH AND ENGLAND, CONSULTING ACTUARIES, TO DETERMINE A REVISED AGENCY CONTRIBUTION RATE FOR COORDINATION WITH THE FEDERAL SOCIAL SECURITY PROGRAM

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 determining a revised agency contribution rate for coordination with the Federal Social Security program.

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 11 day of March, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO THE CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION OF THE
STATE EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF MODESTO

- WHEREAS, the State Employees' Retirement Law permits the participation of public agencies and their employees in the State Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect themselves and their employees to amendments to said law; and
- WHEREAS, Section 21702 of the Government Code provides that a contract between a public agency and the Board of Administration may be amended to modify benefits and adjust contributions if the California State Social Security Agreement of March 9, 1951, is modified to include employees of the public agency in positions covered by the System; and
- WHEREAS, Federal and State law permit the present members (other than policemen and firemen) of a retirement system to choose individually whether they wish to be covered by Federal Old-Age, Survivors, and Disability Insurance; and
- WHEREAS, it is the intention of this governing body to allow employees of this agency to exercise such choice and, further, to provide an appropriately modified program of retirement system benefits and contributions for such employees as elect to be covered by Federal Old Age, Survivors, and Disability Insurance; and
- WHEREAS, it is required that an election be held among members of the system before members may be given such choice; and
- WHEREAS, one step required in procedures for contract amendment is the adoption by the governing body of a public agency of a Resolution of Intention to amend its contract with the Board of Administration, which Resolution shall contain a summary of the major changes to be made in the retirement plan; and
- NOW, THEREFORE, BE IT RESOLVED, That the CITY COUNCIL of the CITY OF MODESTO gives, and it does hereby give notice of intention to amend its contract between said CITY COUNCIL and the Board of Administration of the State Employees' Retirement System to provide for a modification of benefits and adjustment of rates, a copy of said amendment being attached hereto, marked "Exhibits A and B" respectively and by this reference made a part hereof; and be it further
- RESOLVED, That written explanatory statements be furnished to each employee who is or may become a retirement system member affected by these changes; which statements shall contain a summary of the proposed changes and a notice that an election on the proposed changes and on the question whether members shall be permitted to choose individually whether to be covered under O.A.S.D.I., will be held among eligible employees; and be it further

RESOLVED, That such election is hereby authorized to be conducted not less than fifteen nor more than thirty days after issuance of such explanatory statements, and that Rex E. Gailfus, City Clerk, is hereby designated and appointed to conduct such election in accordance with law, regulations, and this resolution, including the issuance of property explanatory statements and notices to eligible employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11 day of March, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

SUMMARY OF MAJOR PROVISIONS OF THE
PROPOSED RETIREMENT SYSTEM

- A. Miscellaneous members of the retirement system shall be divided into two groups as follows:

Group A shall consist of those members who, on division date, do not elect to be covered by Federal Old-Age, Survivors, and Disability Insurance (OASDI);

Group B shall consist of:

1. All members who choose to be covered by Federal Old-Age, Survivors, and Disability Insurance;
2. All employees who are not miscellaneous members on the date the retirement system is divided, but who become miscellaneous members thereafter;
3. All Group A members who terminate and re-enter employment as miscellaneous members; and
4. All future employees who become miscellaneous members.

The effective date of membership in Group B shall be January 1, 1956, or the date of employment as a miscellaneous member, whichever is later.

- B. Benefits for local miscellaneous Group A members shall not be changed by this amendment nor shall there be any change in the benefits of miscellaneous Group B members on account of service prior to the effectivity of membership in the Group B classification.
- C. Benefits earned and rates of contribution on account of service as a Group B member after the effective date of membership in Group B shall be changed as follows:

1. $1/60$ shall be the fraction of final compensation to be provided for each year of credited service as a miscellaneous Group B member upon retirement at normal retirement age except that such fraction of final compensation shall be reduced as to service in any period after January 1, 1956, which was also covered under OASDI to $1/90$ for application to that part of final compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act during such period, it being recognized that such maximum may be changed from time to time by amendments to said Social Security Act and intended that such change shall not affect the amount of the retirement allowance based on service during any period prior to the date of such change.
2. Any Group B member retiring for service before age 65 who is fully insured under Federal Old-Age, Survivors, and Disability Insurance may elect to have the actuarial equivalent of his unmodified service retirement allowance paid in two parts as follows:
 - a. A temporary annuity which shall not exceed the primary Social Security benefit which it is anticipated the member will be entitled to receive at age 65, plus

- b. A life income such as may be provided by the remaining actuarial value of his service retirement allowance.
3. Contributions to be made by miscellaneous Group B members with respect to service rendered after the effective date of this amendment shall be at two-thirds the rate provided in said Retirement Law for the "1/60" formula as that rate applies to the monthly equivalent of that part of the annual compensation which is subject to contributions under Section 218 of the Social Security Act at the time such compensation is paid and at 100 per cent of such rate as it applies to the remainder of compensation. (Retroactive employee OASDI contributions of Group B members shall be paid during the retroactive period. If such surplus Retirement System contributions should not be sufficient to fully cover the retroactive OASDI contributions, the employee shall be billed the difference.)
4. Benefits payable for death and disability shall not be affected or modified by modifications in the retirement allowance payable upon retirement for service.

AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM
AND THE

CITY COUNCIL

OF THE

CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF MODESTO, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective December 1, 1950, and July 1, 1956, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. The following phrase is added to the sentence which constitutes Paragraph Number 1 of said agreement:

"except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except such as by express provision thereof apply only on the election of contracting agencies."

- B. Paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 are hereby stricken from said contract as executed effective August 1, 1946, and as amended effective December 1, 1950, and July 1, 1956, and are hereby replaced by the following paragraphs numbered 3 through 9 inclusive:

3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement.

- a. Local Firemen(herein referred to as local safety members);
- b. Local Policemen(herein referred to as local safety members);
- c. Employees other than local safety members whose positions are not subject to Federal Social Security coverage (herein referred to as miscellaneous Group A members);
- d. Employees other than local safety members whose positions are subject to Federal Social Security coverage (herein referred to as Group B members).

In addition to the employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

Police Court Department Employees are Excluded.

4. All words and terms used herein which are defined in the State Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for miscellaneous members in Group A, age 60 for miscellaneous members in Group B, and age 55 for local safety members.
5. The following provisions shall apply to local safety and miscellaneous Group A members only:
 - a. $1/60$ shall be the fraction of final compensation to be provided for each year of credited current service as a miscellaneous Group A member upon retirement at normal retirement age.
 - b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the Law and this contract for each year of current service upon retirement for service.
 - c. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
 - (1) Section 21251.1 (providing for a guaranteed percentage of final compensation for each year of current service as a miscellaneous Group A member).
 - (2) Section 21252.4 (providing for a guaranteed percentage of final compensation for each year current service as a local safety member).
 - (3) Section 20024.01 (defining "final compensation" on the basis of a period of three consecutive years).
 - (4) Section 21258 (b) (providing a minimum retirement allowance of \$720.00 per year subject to certain conditions).
 - (5) Section 21367.51 (providing a \$400 death benefit upon death after retirement).
 - (6) Section 20025 (providing for inclusion of compensation without limit in computation of benefits).
 - (7) Section 20952.5 (providing for age 50 as the minimum voluntary retirement age for local firemen, local policemen, or county peace officers).
6. The following provisions shall apply to miscellaneous Group B members only:
 - a. $1/60$ shall be the fraction of final compensation to be provided upon retirement at normal retirement age for each credited year of current service as a miscellaneous Group B member subject to the modification set forth in subparagraph c. below.
 - b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the Law and this contract for current service benefits earned by service at the date of membership.

- c. The fraction of final compensation specified in subparagraph a. above shall be reduced as to service in any period after January 1, 1956, which was also covered under OASDI to 1/90 for application to that part of final compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act during such period, it being recognized that such maximum may be changed from time to time by amendments to said Social Security Act and intended that any such change shall not affect the amount of the retirement allowance based on service during any period prior to the date of such change.
- d. Any member who, upon retirement for service before age 65, is fully insured under Federal Old-Age, Survivors, and Disability Insurance may elect to receive the actuarial equivalent of his unmodified service retirement allowance in the form of an increased monthly income until he reaches age 65, and a reduced income thereafter in accordance with Government Code, Section 21703.
- e. The retirement benefits payable upon retirement for ordinary disability shall not be affected by paragraph 6.c. of this contract as amended and for the purposes of the limit on any such allowance imposed under Section 21297, Government Code, allowances for retirement for service shall be computed according to the formula set out in paragraph 6.a. of the contract as amended both as to service before and after the effectivity of membership in the Group B classification. All other provisions of this amendment shall be fully applicable to the computation of allowances upon retirement for disability.
- f. Contributions to be made by miscellaneous Group B members with respect to service rendered after the effective date of this amendment shall be at two-thirds the rate provided in said Retirement Law for the "1/60" formula as that rate applies to the monthly equivalent of that part of the annual compensation which is subject to contributions under Section 218 of the Social Security Act at the time such compensation is paid and at 100 per cent of such rate as it applies to the remainder of compensation. (Contributions of miscellaneous Group B members accumulated as of the effective date of this amendment shall be applied to retroactive payment of contributions for OASDI coverage as provided in Section 21706, Government Code).
- g. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
- (1) Section 21251.1 (providing for a guaranteed percentage of final compensation for each year of current service as a miscellaneous member).
 - (2) Section 20024.01 (defining "Final Compensation" on the basis of a period of three consecutive years).

- (3) Section 21258 (b) (providing a minimum retirement allowance of \$720.00 per year).
 - (4) Section 21367.51 (providing a \$400 death benefit upon death after retirement).
 - (5) Section 20025 (providing for inclusion of compensation without limit in computations of benefits).
7. Public Agency shall contribute to said Retirement System as follows:
- a. _____ per cent of total salaries each month, beginning with the effective date of this amendment for 30 years, less the years elapsed between the effective date of the contract and the effective date of this amendment on account of the liability for prior service.
 - b. _____ per cent of total salaries paid by Public Agency each month to its employees who are and hereafter become members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries.
 - c. A reasonable amount per annum, as fixed by Board to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1 of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
 - d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.
8. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation and valuation required by said Retirement Law.
9. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer. If more or less than the correct amount of contribution is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

c. This amendment shall be attached to said contract and shall become effective on the first day of the accounting period during which the Federal Control Date, or in the absent of a Federal Control Date, the Federal Approval Date, falls.

Witness our hands this _____ day of _____.

BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL of the
CITY OF MODESTO

BY _____
WILLIAM E. PAYNE, EXECUTIVE OFFICER


BY _____
Presiding Officer

Attest:


Clerk

CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct
copy of a Resolution adopted by the City Council
of the City of Modesto (Governing Body)
(Name of Public Agency) on March 11, 1959,
19____, appearing at Page _____, Volume _____ of the (Minutes)
(Official Records) of the City Council
(Governing Body).



CITY CLERK or
Secretary of the Board

MODESTO CITY COUNCIL
RESOLUTION NO. 59-88

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL OF DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT GRANTING A CONDITIONAL USE PERMIT TO JOHN QUARESMA FOR EXTENDING A COMMERCIAL USE INTO RESIDENTIALLY ZONED PROPERTY, SOUTHEAST CORNER OF ROSEBURG AVENUE AND TULLY ROAD

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on February 26, 1959, at 10:15 A.M. for the purpose of considering an application for a conditional use permit to John Quaresma, 1229 Tully Road, filed on February 17, 1959, to extend the commercial use into residentially zoned property on the southeast corner of Roseburg Avenue and Tully Road, and

WHEREAS, said Board of Zoning Adjustment, after hearing evidence, both oral and documentary, adopted Resolution No. 85, granting the request for a conditional use permit, and

WHEREAS, on March 4, 1959, Roland Loeffler and Kathryn Loeffler filed an appeal with the City Clerk which was filed with the City Council at its meeting of March 11, 1959, on the decision of the Board of Zoning Adjustment granting the request for the permit, 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 receipt of a written appeal from an order of the Board granting an application for a permit.

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 5:00 P.M., Wednesday, April 15, 1959, 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 11th day of March, 1959, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and

the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-89

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 ROBERTSON - FIRST 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 REQUESTED 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 ROBERTSON - FIRST 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:

All that certain real property situate in the State of California, County of Stanislaus, Section Six (6) and Section Seven (7), Township Four (4) South, Range Nine (9) East, Mount Diablo Base and Meridian, also being a portion of Lots one (1), Two (2), Three (3) and Four (4), Block 9155 of River View Tract, as filed February 28, 1946, in Volume 14 of Maps, Page 44, of Stanislaus County Records, described as follows:

The South 95 feet of the North 200 feet of Lots 1, 2, and 3 and the South 95 feet of the North 200 feet of Lot 4 lying East of Robertson Park Playground as said Lots and said Playground are shown on the Map of said River View Tract, containing 3.448 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 11 day of March, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-90

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 ROBERTSON - SECOND 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 REQUESTED 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 _____ ROBERTSON - SECOND _____ 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:

All that certain real property situate in the State of California, County of Stanislaus, Section Six (6), Township Four (4) South, Range Nine (9) East, Mount Diablo Base and Meridian, also being a portion of Lots Five (5) and Six (6), Block 9155 of River View Tract, as filed February 28, 1946, in Volume 14 of Maps, Page 44, of Stanislaus County Records, described as follows:

Beginning at the intersection of the West Line of Robertson Park Playground and the Southerly Line of John Street as shown on said Map of River View Tract and running South $0^{\circ} 12'$ West 105.00 feet to the true point of beginning; thence continuing South $0^{\circ} 12'$ West 95.00 feet; thence South $89^{\circ} 40'$ West 611.10 feet to the Westerly Line of said Lot 6; thence along said Westerly Line of Lot 6, North $0^{\circ} 17' 30''$ East 95.00 feet; thence North $89^{\circ} 40'$ East 610.95 feet to the true point of beginning, containing 1.333 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 11 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-91

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

ROBERTSON - THIRD 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 REQUESTED 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 _____
ROBERTSON - THIRD 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:

All that certain real property situate in the State of California, County of Stanislaus, Section Six (6), Township Four (4) South, Range Nine (9) East, Mount Diablo Base and Meridian, also being a portion of Lots 7 and 8, Block 9155 of River View Tract, as filed February 28, 1946, in Volume 14 of Maps, Page 44, of Stanislaus County Records, described as follows:

The South 95 feet of the North 209.58 feet of Lots 7 and 8 as said Lots are shown on the Map of said River View Tract, containing 1.468 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 11 day of March, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-92

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 ROBERTSON - FOURTH 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 REQUESTED 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 _____
ROBERTSON - FOURTH 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:

All that certain real property situate in the State of California, County of Stanislaus, Section Six (6), Township Four (4) South, Range Nine (9) East, Mount Diablo Base and Meridian, also being a portion of Lots 9 and 10, Block 9155 of River View Tract, as filed February 28, 1946, in Volume 14 of Maps, Page 44, of Stanislaus County Records, described as follows:

The South 95 feet of the North 200 feet of Lots 9 and 10 as said Lots are shown on the Map of said River View Tract, containing 1.439 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 11 day of March, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by ~~Councilman~~ Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-93

A RESOLUTION GRANTING VARIANCE TO THE URICH OIL COMPANY TO BLACKTOP THE SIDEWALK AREA ON MCHENRY AVENUE SIDE OF THE SERVICE STATION BEING CONSTRUCTED ON GRANGER AND MCHENRY AVENUES WITH THE PROVISIONS THIS WILL BE REMOVED AT COMPANY'S EXPENSE WHEN CURBS AND GUTTERS ARE CONSTRUCTED BY THE STATE OF CALIFORNIA

WHEREAS, Urich Oil Company has filed an appeal for a variance, as provided in Section 7-1.203 (c), to permit the use of blacktop material in the sidewalk area on the McHenry Avenue side of its service station being constructed on Granger and McHenry Avenues, and

WHEREAS, the State of California will be constructing curbs and gutters at this location when McHenry Avenue is widened, and

WHEREAS, said applicant has verbally agreed to install concrete sidewalks when the curbs and gutters are constructed and remove blacktop material without cost to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED that the appeal of Urich Oil Company for a variance to permit the installation of blacktop material in the sidewalk area on McHenry Avenue be and it is hereby granted upon the condition that the blacktop material be removed at the expense of the Company when curbs and gutters are installed at this location.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 11th day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-94

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN NORTH PARK SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-82, on March 4, 1959, approving the plans and specifications for the installation of water mains in North Park 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 March, 1959, 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 \$664.50, 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 18 day of March, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST: Archie McCallister
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-95

A RESOLUTION APPROVING REVISED AGREEMENTS ON CITY RENTAL PROPERTY
RELATING TO POSSESSORY INTEREST TAXES


BE IT HEREBY RESOLVED that the revised agreements between the City of Modesto and Veterans of Foreign Wars of the United States, Modesto Post 3199, D. M. Criss, Jim and Patricia Herron, Ernest M. and Elizabeth Gerisch, Samuel C. Riggs and Carl A. Nisson, John C. and Winnie L. Stites for rental of City property be and they are hereby approved, and

BE IT FURTHER RESOLVED that the execution of said revised 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 18 day of March, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-96

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,480 FROM GENERAL RESERVE TO ADVERTISING, LEGAL AND OTHER AND SERVICES, PROFESSIONAL AND OTHERS FOR PUBLICATION OF LEGAL DOCUMENTS

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

FROM: General Reserve-600 \$2,480.

TO: Advertising, Legal and Other 230-14 \$2,400.
Services, Professional and Other 235-14 80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of March, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond

ATTEST Rex E. Gailfus
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-97

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF 10" WATER MAIN ON CHICAGO AVENUE AND PARADISE ROAD BETWEEN SUTTER AVENUE AND ALLEY BLOCK 3092

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

Section 1. The plans and specifications for installation of 10" water main on Chicago Avenue and Paradise Road between Sutter Avenue and Alley Block 3092

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, 717 10th Street, in the City of Modesto, on April 6, 1959 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 25 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-98

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING OF ONE SAND TRAP AT PUMP STATION #21

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

Section 1. The plans and specifications for furnishing of one sand trap at Pump Station #21

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, 717 10th Street, in the City of Modesto, on April 13, 1959 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 25 day of March, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

**MODESTO CITY COUNCIL
RESOLUTION NO. 59- 100**

A RESOLUTION ESTABLISHING A MONTHLY PAYROLL FOR EMPLOYEES OF THE CITY OF MODESTO WITH PROVISIONS FOR A PARTIAL PAYMENT FOR THE PERIOD COMMENCING ON THE FIRST OF EACH MONTH TO AND INCLUDING THE FIFTEENTH DAY THEREOF, AND RESCINDING RESOLUTION NO. 57-549.

WHEREAS, heretofore the payroll for the City of Modesto has been prepared and distributed on a monthly basis on the twentieth of each month with a partial payment distributed on the fifth of each month, and

WHEREAS, the City employees are paid for services rendered for the first day of each month to and including the fifteenth day, and the sixteenth day of each month to and including the last day thereof, and

WHEREAS, the preparation of the payroll can be reduced considerably by providing a monthly payroll with a provision for a partial payment for services rendered during the first half of each pay period, and

WHEREAS, it appears that a calendar month would be more harmonious with other reports and records relating to payroll.

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

SECTION 1. Commencing on the first day of July, 1959, and on the first of each month thereafter, the payroll for the City of Modesto will be prepared on a calendar month basis.

SECTION 2. The monthly payroll will be distributed to employees on the fifth day of each month.

SECTION 3. Upon submission of a time sheet for the period beginning on the first day of each month to and including the fifteenth day thereof, properly approved by the department head and properly verified by submission of said time sheets, all city employees except those paid on an hourly, per diem or piece basis, will be paid a partial payment equal to services rendered.

SECTION 4. The partial payment for services rendered will be distributed on the twentieth day of each month.

SECTION 5. When the fifth or twentieth day of the month falls on a Saturday, Sunday or Holiday, the payroll will be distributed the day immediately prior to, or the day immediately following the regular payroll distribution date as determined by the Director of Finance.

SECTION 6. This resolution shall become effective on and after July 1, 1959.

SECTION 7. Resolution No. 57-549 is hereby rescinded effective July 1, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of March, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-101

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY-COUNTY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO AND CANCEL THE 1959-60 ASSESSMENT

WHEREAS, the following described parcels of real property have been annexed to the City of Modesto and are owned by the City of Modesto, and

WHEREAS, Sections 4986 (e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes on property acquired after the lien date by a public agency upon the written consent of the City Attorney and District Attorney, respectively, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be and it is hereby requested to cancel the unpaid second installment of City-County taxes on the following described property owned by the City of Modesto and annexed to the City after the lien date.

BE IT FURTHER RESOLVED that the County Assessor be instructed to cancel the 1959-60 assessment against the property as follows:

1958-59 Tax Bill No. 36116
80/7 55653 5/1/13
Section 34-3-9 assessors lot No. 55653
as per assessors map.
Land value \$70,000 Impr. \$7200
2nd Installment of Tax \$2756.04

1958-59 Tax Bill No. 35613
80/7 28503 Bk/2
Sierra Sub. 2 Blk. 2141 Lots 1 & 2
East of Co. Rd. Land value \$700
2nd Installment of Tax \$24.99

1958-59 Tax Bill No. 36117
80/7 55654 5/1/13
Sec. 34-3-9 Beg. 373.84' N & 108.69' E.
of PI of CL Conejo Ave. & Tuolumne Ave.
on N & S $\frac{1}{4}$ Sec. Ln; then E 100', N 100',
W 100', S 100' to Beg. Cont. 0.23 acres.
Land value \$400 Impr. \$3450.
2nd Installment of Tax \$137.44

1958-59 Tax Bill No. 35614
80/7 28504 Bk/2
Sierra Sub. No. 3 Block 2140 Lots 37, 38,
& 39 exc. the por. lying NW of Conejo Ave.
Block 2150 Lots 17 to 20 inc. exc. the N 20'
of Lot 17. Land value \$860
2nd Installment of Tax \$27.84

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to transmit a duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of March, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-102

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE DEPARTMENT OF FINANCE, STATE OF CALIFORNIA FOR THE PREPARATION OF A POPULATION ESTIMATE FOR THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and the Department of Finance, State of California

for the preparation of a population estimate for the City of Modesto

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 25 day of March, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-103

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY AND STATE DEPARTMENT OF FISH & GAME FOR OPERATION OF DENNETT DAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Stanislaus County and the State Department of Fish & Game

for the operation of Dennett Dam

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 25 day of March, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-104

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
KATHERINE I. RAWLINS AND CHESTER D. CHAMBERS RELATING TO THE
DEDICATION AND IMPROVEMENT OF AN ALLEY

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Katherine I.
Rawlins and Chester D. Chambers

for the dedication and improvement of a 20 foot alley, being a
portion of lot 2 of Fresno Tract

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 25 day
of March, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Hammond, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding
and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-105

A RESOLUTION SETTING FORTH THE POSITION OF THE CITY COUNCIL OF MODESTO IN SUPPORT OF PROPOSED LEGISLATION WHICH WOULD PROVIDE AN ADDITIONAL ONE CENT GASOLINE TAX TO BE ALLOCATED FOR CITY STREETS AND COUNTY ROADS

WHEREAS, repeated, careful studies have indicated drastic city street deficiencies; and

WHEREAS, the cities of the State are already providing from local funds, approximately \$3 for each dollar received in gasoline tax revenue; and

WHEREAS, a report made in 1956 at the request of the Joint Interim Committee of the California Legislature on Transportation Problems showed that Modesto had over \$9,000,000 of existing critical street deficiencies; and

WHEREAS, a later study made in compliance with the 1950 Federal Highway Act shows that improvements required on Modesto City streets on July 1, 1971, (with no allowance for annexation) amount to over \$15,000,000; and

WHEREAS, legislation proposed by the League of California Cities and the County Supervisors' Association would provide for an increase of one cent in the state gasoline tax, with the cities and the counties to receive, on a matching basis, 60% and 40%, respectively of the revenue therefrom; and

WHEREAS, such increase in allocation would assist in meeting city street needs and reduce the inequity in the present distribution of state gasoline tax,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto expresses its support of this proposed legislation; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Assemblyman Ralph Brown, Senator Hugh Donnelly, Senator Randolph Collier, Chairman of the Senate Committee on Transportation, Assemblyman Lee Backstrand, Chairman of the Assembly Committee on Transportation and Commerce, the League of California Cities, and the

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of March, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Spaulding, Mayor
Marks
NOES: Councilmen: Robinson
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-106

A RESOLUTION URGING THE CALIFORNIA STATE LEGISLATURE TO ASSIGN TO A JOINT INTERIM LEGISLATIVE COMMITTEE THE RESPONSIBILITY FOR DEVELOPING AND PROPOSING TO THE NEXT REGULAR SESSION OF THE LEGISLATURE A SPECIFIC PROGRAM FOR ELIMINATING MAJOR INEQUITIES IN THE DISTRIBUTION OF STATE GASOLINE TAX BETWEEN STATE HIGHWAY, COUNTY ROADS AND CITY STREETS

WHEREAS, repeated studies already made by the State Legislative Committee demonstrates gross inequities in the distribution of gasoline tax between state highways, county roads and city streets, and

WHEREAS, no comprehensive legislative program for the remedying of such inequities has yet been developed and presented to the Legislature.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto urges that the California State Legislature, in addition to any remedial action which may be taken in the present session of the Legislature, assign to an appropriate joint interim committee the specific responsibility for preparing and proposing to the next regular session of the legislature a program for a general revision of the allocation of state gas tax between state highways, county roads and city streets and that such allocation be based on demonstrated street and highway needs so that deficiencies on state highways, county roads and city streets could be corrected simultaneously in proportion to the relative deficiencies and the needs of traffic service.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Assemblyman Ralph Brown, Senator Hugh Donnelly, Senator Randolph Collier, Chairman of the Senate Committee on Transportation, Assemblyman Lee Backstrand, Chairman of the Assembly Committee on Transportation and Commerce, the League of California Cities, and the County Supervisors' Association of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1959, by Councilman Robinson, who moved its adoption, which

motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-107

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR SOIL CONDITIONING AND FINAL PREPARATION OF GREENS AT DRYDEN PARK MUNICIPAL 18-HOLE GOLF COURSE

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

Section 1. The plans and specifications for soil conditioning and final preparation of greens at Dryden Park Municipal 18-hole Golf Course

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, 717 10th Street, in the City of Modesto, on April 6, 1959 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 25 day of March, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-108

A RESOLUTION GRANTING A VARIANCE TO FLOYD A. JOHNSON TO CONSTRUCT TWO 36' DRIVEWAYS ON PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE LA LOMA-YOSEMITE INTERSECTION

WHEREAS, Floyd A. Johnson filed a request for a variance from the Modesto Municipal Code to permit the construction of two driveways 36' each in width for a service station located on the northwest corner of La Loma - Yosemite intersection, and


WHEREAS, Section 7-1.104 (c) of the Municipal Code provides that not more than 40% of the frontage upon any street of the lots to be served thereby shall be devoted to driveways, and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that the request of Floyd A. Johnson for a variance from the provisions of the Modesto Municipal Code to permit the construction of two driveways of not less than thirty (36') feet, each, in width, for a service station located on the northwest corner of La Loma - Yosemite intersection 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 25th day of March, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-109

A RESOLUTION APPROVING ~~PLANS~~ AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR FUMIGATION OF GOLF COURSE GREENS AT DRYDEN PARK
MUNICIPAL 18-HOLE GOLF COURSE

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

Section 1. The ~~plans~~ and specifications for fumigation of
golf course greens at Dryden Park Municipal 18-Hole Golf Course

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, 717 10th Street, in the City
of Modesto, on April 13, 1959 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 tabulat-
ed 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 1 day of
April, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Merrill,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-110

A RESOLUTION APPROVING ~~PLANS~~ AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR SEED BED PREPARATION, PLANTING, AND FERTILIZATION OF GREENS AT DRYDEN PARK MUNICIPAL 18-HOLE GOLF COURSE

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

Section 1. The ~~plans~~ and specifications for seed bed preparation, planting, and fertilization of greens at Dryden Park Municipal 18-Hole Golf Course

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, 717 10th Street, in the City of Modesto, on April 13, 1959 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 1 day of April , 19 59 , by Councilman Merrill , who moved its adoption, which motion being duly seconded by Councilman Spaulding , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-111

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR COMFORT STATIONS AT WEST SIDE PARK AND BEARD BROOK PARK

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

Section 1. The plans and specifications for comfort stations at West Side Park and Beard Brook 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, 717 10th Street, in the City of Modesto, on April 20, 1959 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 1 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Robinson

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 112

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE GREGORY GARDENS NO. 4 ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto was filed by Lance E. Ellis, Carol L. Ellis, Roger Hemminger, and Forrest Hemminger on January 26 19 59, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the GREGORY GARDENS NO. 4 ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain real property situate in the State of California, County of Stanislaus, 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, said point being the Northwestern corner of the Gregory Gardens Number 3 Addition, filed March 4, 1958, as Instrument Number 5409, Stanislaus County Records; thence along the existing City Limits and Northern Line of said Gregory Gardens Number 3 Addition, Easterly, to a point on the Western Line of the property conveyed to Samuel F. Zeigler and Ruby Jeanne Zeigler by deed recorded December 7, 1955, in Volume 1331, Page 377, Stanislaus County Records; thence along the Western Line of said Zeigler property, and the existing City Limits, Southerly, to the Northwestern corner of the property conveyed to Roger S. Hemminger by deed recorded December 7, 1955, in Volume 1331, Page 398, Stanislaus County Records; thence continuing Southerly along the existing City Limits and the Western Line of said Hemminger property to the Southwestern corner of said Hemminger property; thence Easterly along the Southern Line of said Hemminger property and its Easterly extension, being also the existing City Limits, to the Western Line of Bel-Air Subdivision Number 2 as recorded January 18, 1957 in Volume 18 of Maps at page 64, Stanislaus County Records; thence Northerly along the Western Line of said Bel-Air Subdivision Number 2, being also the existing City Limits, to the center line of the Cavil Drain; thence along the center line of said Cavil Drain, Northwesterly, to the Western Line of Tully Road, said Western Line being parallel and Westerly, 20.00 feet, measured at right angles, from the section line common to Sections 17 and 18; thence along said Western Line of Tully Road, Northerly to the Section Line common to Sections 7 and 18; thence along the Section Line common to said Sections 7 and 18, Westerly, to the Line common to the East and West half of the Northeast quarter of Section 18; thence along the line common to said East and West Half of the Northeast Quarter of Section 18, Southerly to the point of beginning, containing 30.791 Acres more or less.

and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 13 day of May 19 59, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

SECTION 4. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County if and when the said territory is annexed 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 1 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: Adams

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-113

A RESOLUTION APPROVING THE WTHDRAWAL OF THE APPEAL FILED BY DOROTHEA E. BEAUCHEMIN TO THE DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT GRANTING PERMIT TO MRS. EDNA WHITMAR TO OPERATE A REST HOME AT 207 VIRGINIA AVENUE

WHEREAS Dorothea E. Beauchemin, 221 Virginia Avenue, filed with the City Clerk, on March 27, an appeal to the decision of the Modesto City Board of Zoning Adjustment of March 26, granting a conditional use permit to Mrs. Edna Whitmar to operate a rest home at 207 Virginia Avenue, and

WHEREAS, the property located at 207 Virginia Avenue has now been sold to another buyer and will be used for apartment purposes, and

WHEREAS, Mrs. Beauchemin has filed a letter with the City Clerk on March 30, withdrawing her appeal,


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the withdrawal of the appeal filed by Dorothea A. Beauchemin to the decision of the Board of Zoning Adjustment granting permit to Mrs. Edna Whitmar to operate a rest home at 207 Virginia Avenue 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 1st day of April, 1959 by Councilman Hammond, who moved its adoption, which motion being duly seconded by Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Arata, Hammond, Merrill, Robinson, Spaulding, Mayor Marks

Noes: None Absent: Adams

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-114

A RESOLUTION APPROVING RIGHTS OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS FOR WIDENING OF MCHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, two right of way contracts are now complete as follows:

<u>Document No.</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-33	Pete & Eugenia Mellis	\$750.00
M-109	W. T. Westmoreland	

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve these Right of Way Contracts as presented and the City Manager be authorized to sign on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 1st day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding, Mayor
Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST. 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-115

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO PROVIDE FUNDS TO COMPLETE DRYDEN PARK MUNICIPAL GOLF COURSE AND PROCEED WITH McHENRY AVENUE WIDENING

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

FROM: Special Capital Outlay

<u>(for Golf Course)</u>	Park Site, Eastern LaLoma Area	501	\$ 35,000.00
	T.B. Scott Chain Link Fence	503	308.00
	Three Traffic Signs on 9th St.	503	8,000.00

<u>(for McHenry Avenue)</u>	Northern Blvd. Acquisition	501	6,824.83
	Tidewater Crossing, Briggsmore	503	455.92
	Co-op. Street Paving Program	503	10,000.00
	Garden Refuse Disposal	503	9,817.85
	Water Companies Survey	503	4,903.40
	Reserve	600	2,998.00

TO	Land Acquisition, 18-Hole Golf Course	501	10,119.00
	Improvements, 18-Hole Golf Course	503	33,189.00
	McHenry Avenue Widening	503	35,000.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-116

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND ALMA MENSINGER FOR WIDENING OF MCHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, the following right of way contract is now complete as follows:

<u>Document No.</u>	<u>Name</u>
M-100	Alma Mensinger, et al
M-113A & B	

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve this Right of Way Contract as presented and the City Manager be authorized to sign on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 1st day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-117

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS IMPLEMENT AND HARDWARE COMPANY FOR LEASE OF TWO PARKING SPACES FOR PARKING USE BY THE POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Stanislaus Implement and Hardware Company

for lease of two parking spaces for use by the Police Department

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 1 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-118

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
HARVEY K. EMIG FOR GRAZING RIGHTS AT 1435 CARVER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Harvey K. Emig

for grazing rights at 1435 Carver 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 1 day
of April, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST:


CITY CLERK

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY AND COUNTY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO

WHEREAS, the following parcels of real property owned by the City of Modesto were annexed to the City of Modesto on February 25, 1959, and

WHEREAS, Sections 4886 (e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes on property acquired after the lien date by a public agency upon the written consent of the City Attorney and the District Attorney, respectively, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be, and it is hereby requested to cancel the unpaid second installment of 1958-59 City and County taxes on the following described property owned by the City of Modesto and annexed to the City of Modesto on February 25, 1959:

1958-59 Tax Bill 30711
80/1 22603 BK/O
Alta Vista Tract Blk 2196 Lot 13
2nd Installment \$31.05

1958-59 Tax Bill 22135
54/1 62426 H/37
SEC 9/4/9 POR OF NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ BEG 53
FT E & 40' S OF INT $\frac{1}{4}$ COR: TH S 100
FT: E 100': N 100': W 100' TO BEG.
2nd Installment \$6.61

1958-59 Tax Bill 22136
54/1 62428 H/37
SEC 9/4/9 POR OF SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ BEG
53'E & 40'S OF NW COR OF SW $\frac{1}{4}$ OF
SE $\frac{1}{4}$: TH S 150': E 100': N 150':
W 100' TO BEG.
2nd Installment \$9.91

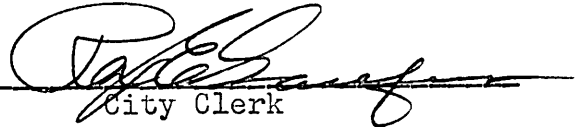
1958-59 Tax Bill 36553
80/8 29646
Coolidge Col Lot 8 Beg 150' S of NE cor;
th S 155'; W 110'; N 155'; E 110' to beg.
2nd Installment \$7.64

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Adams

ATTEST:


City Clerk

A RESOLUTION ~~RESOLVED~~ AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES ON CHICAGO AVENUE AND PARADISE ROAD BETWEEN SUTTER AVENUE AND ALLEY BLOCK 3092

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-97, on March 25, 1959, approving the plans and specifications for the installation of water main on Chicago Avenue and Paradise Road between Sutter Avenue and alley Block 3092, and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 6 day of April, 1959, 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 \$1,867.50, 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 8 day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-121

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR SOIL CONDITIONING AND FINAL PREPARATION OF GREENS AT DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 59-107, adopted by the Council of the City of Modesto on March 25, 1959, approved the plans and specifications for the soil conditioning and final preparation of greens at Dryden Park Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the soil conditioning and final preparation of greens at Dryden Park Municipal Golf Course

were opened at 2:30 P.M. April 6, 1959 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 in the sum of \$9,005.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed in the sum of \$9,005.

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 8 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-122

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING PAVING MATERIALS FOR THE CALENDAR YEAR ENDING DECEMBER 31, 1959

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

Section 1. The plans and specifications for furnishing paving materials for the calendar year ending December 31, 1959

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, 717 10th Street, in the City of Modesto, on April 20, 1959 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 8 day of April, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST. 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-123

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING ONE DEEP WELL PUMP AND ELECTRICAL EQUIPMENT

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

Section 1. The plans and specifications for furnishing one deep well pump and electrical equipment

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, 717 10th Street, in the City of Modesto, on April 27, 1959 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 8 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-124

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SUB-TRUNK SEWER IN MCHENRY AVENUE
Between Granger Avenue and Orangeburg Avenue (Unit A)
Between Orangeburg Avenue and Hintze Avenue (Unit B)
Inverted Sanitary Siphon at Roseburg Avenue (Unit C)
BE IT HEREBY RESOLVED by the Council of the City of Modesto

as follows:

Section 1. The plans and specifications for construction of
Sub-Trunk Sewer in McHenry Avenue

Between Granger Avenue and Orangeburg Avenue (Unit A)
Between Orangeburg Avenue and Hintze Avenue (Unit B)
Inverted Sanitary Siphon at Roseburg Avenue (Unit C)

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, 717 10th Street, in the City of Modesto, on April 20, 1959 at 3:00 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 8 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-125

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS ON MCHENRY AVENUE BETWEEN ORANGEBURG AVENUE AND JOHANNA AVE., BETWEEN MODESTO AVE. AND FRANCIS AVE., BETWEEN JONES ST. AND ALLEY OF BLOCK 566

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 on McHenry Ave. between Orangeburg Ave. and Johanna Ave., between Modesto Ave. and Francis Ave., between Jones St. and alley of Block 566

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, 717 10th Street, in the City of Modesto, on April 20, 1959 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 8 day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO APPROVING
A FREEWAY AGREEMENT RELATING TO THE DEVELOPMENT OF THE MODESTO
FREEWAY PROJECT ON HIGHWAY 99

WHEREAS, the State Department of Public Works has submitted a proposed freeway agreement to the City for approval relating to the Modesto freeway project on Highway 99, and

WHEREAS, the Council has withheld its approval of said freeway agreement pending the receipt of an indication of willingness by the State Department of Public Works to assume the obligation of constructing appropriate railroad grade separations in connection with said freeway, and

WHEREAS, the City Council has received a letter dated March 31, 1959, from the State Department of Public Works, signed by Robert B. Bradford, Director of Public Works and Chairman of the California State Highway Commission, advising the City that:

1. The State Department of Public Works recognizes that State Highway Routes 109 and 110 are deserving of improvement, including railroad grade separations, as soon as funds are available;

2. Such grade separations should be coordinated with the City's master plan of streets so that they may be located to best serve the local and through traffic; and

3. The State Department of Public Works recognizes the obligation of that department to provide these grade separations from State funds as soon as possible, subject to the usual budgetary process.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, in consideration of the assurances and obligations expressed in the above mentioned letter as set forth herein, as follows:

SECTION 1

That certain document entitled "freeway agreement", a copy of which is attached hereto, is hereby approved, and the City Manager is hereby authorized to sign said agreement on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-127

A RESOLUTION COMMENDING ASSEMBLYMAN RALPH M. BROWN FOR HIS COOPERATION AND ASSISTANCE IN RESOLVING THE FREEWAY AGREEMENT MATTER

WHEREAS, the signing of the agreement for the Highway 99 freeway through Modesto has been deferred for several years pending a solution of the related railroad grade separation problem, and

WHEREAS, Ralph M. Brown, Assemblyman from Stanislaus County, has assisted in bringing together representatives of the State Highway Commission, the Division of Highways, and the City of Modesto to review and resolve the matter,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does hereby express its sincere appreciation to Assemblyman Ralph Brown for his cooperation and assistance in this important matter.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-128

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
CARMEN GARCIA FOR LEASE OF PROPERTY LOCATED AT 430 BRIGGSMORE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Carmen Garcia

for lease of property located at 432 Briggsmore Avenue

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 8 day
of April, 1959, by Councilman Spaulding, who moved
its adoption, which motion being duly seconded by Councilman
Arata, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Robinson, Spaulding, Mayor
Marks
NOES: Councilmen: None
ABSENT: Councilmen: Hammond

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-129

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
BILLIE MADGE ALTSTATT FOR LEASE OF PROPERTY LOCATED AT 428 (REAR)
BRIGGSMORE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Billie Madge
Altstatt

for lease of property located at 428 (rear) Briggsmore Avenue

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 8 day
of April, 1959, by Councilman Merrill, who moved
its adoption, which motion being duly seconded by Councilman
Adams, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


CITY CLERK

A RESOLUTION APPROVING AN AGREEMENT WITH MODESTO CHILDREN'S PARK RELATING TO THE CONSTRUCTION AND INSTALLATION OF A CHILDREN'S PARK IN BEARD BROOK PARK.

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

SECTION 1. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Modesto Children's Park, a California non-profit corporation, relating to the construction and installation of a children's park in the park area of Beard Brook Park, a copy of which is on file in the office of the City Clerk of the City of Modesto is hereby approved.

SECTION 2. SIGNING AND ATTESTING. The City Manager and City Clerk are hereby authorized to execute and attest respectively said agreement on behalf of the City and do all things necessary to carry out the terms of said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-131

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA TO DEPOSIT MATERIALS ON CITY-COUNTY AIRPORT PROPERTY

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 depositing materials on Modesto City-County Airport 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 8 day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-132

A RESOLUTION ESTABLISHING A PARKING METER ZONE ON BOTH SIDES OF TENTH STREET BETWEEN F AND G STREETS AND ON BOTH SIDES OF TENTH STREET BETWEEN M STREET AND NEEDHAM AVENUE IN THE CITY OF MODESTO.

WHEREAS, Section 3-2.1501 of Chapter 2 of Title III of the Modesto Municipal Code authorizes the Council, by resolution, to establish and designate such streets or parts of streets in the City as parking meter zones as traffic conditions require, and

WHEREAS, a traffic study indicates that traffic conditions require the establishment of parking meter zones on both sides of Tenth Street between F and G Streets and on both sides of Tenth Street between M Street and Needham Avenue in the City of Modesto,

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

SECTION 1. Parking meter zones are hereby established at the following locations:

On both sides of Tenth Street between F Street and G Street.

On both sides of Tenth Street between M Street and Needham Avenue.

SECTION 2. The Director of Parking and Traffic is hereby authorized to install parking meters in the parking meter zones established by this resolution, to establish time limitations for legal parking in said parking meter zones in accordance with the provisions of Section 3-2.1501 of the Municipal Code, and to post appropriate signs in such zones in accordance therewith.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL

RESOLUTION NO. 59-133

A RESOLUTION GRANTING A PERMIT TO THE KIWANIS CLUB TO HOLD A PUBLIC TURKEY BARBECUE AT LEGION PARK ON JUNE 27, 1959

WHEREAS, the Kiwanis Club has filed a request with the Council for permission to hold a public turkey barbecue at Legion Park on June 27, 1959

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 a public turkey barbecue at Legion Park on June 27, 1959

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.

(c) Permittee, at its own cost and expense, shall adequately clean and return the ball park to its original state immediately following this event and failure to do so shall be considered a legitimate reason for claim against the Permittee.

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 8th day of April, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-134

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
PACIFIC FRUIT EXPRESS CO. FOR EASEMENT FOR ROAD PURPOSES ON TULLY
AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Pacific Fruit
Express Co.

for easement for road purposes on Tully Avenue

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 8 day
of April, 1959, by Councilman Adams, who moved
its adoption, which motion being duly seconded by Councilman
Arata, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Merrill, Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond, Robinson

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-135

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR FURNISHING IRRIGATION SPRINKLERS AND EQUIPMENT
FOR DRYDEN PARK MUNICIPAL GOLF COURSE

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

Section 1. The plans and specifications for furnishing
irrigation sprinklers and equipment for Dryden Park Municipal Golf
Course

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, 717 10th Street, in the City
of Modesto, on April 27, 1959 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 tabulat-
ed 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 15 day of
April, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Merrill,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-136

A RESOLUTION ACCEPTING THE BID OF WALTER R. COLE CO. FOR FURNISHING ONE SAND TRAP IN THE CITY OF MODESTO AT PUMP STATION #21

WHEREAS, Resolution No. 59-98, adopted by the Council of the City of Modesto on March 25, 1959, approved the plans and specifications for the furnishing of one sand trap in the City of Modesto at Pump Station No. 21

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one sand trap in the City of Modesto at Pump Station #21

were opened at 2:00 P.M. April 13, 1959 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 Walter R. Cole Co. in the sum of \$2,433.60

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Walter R. Cole Co. in the sum of \$2,433.60

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 15 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-137

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE SEED BED PREPARATION, PLANTING, AND FERTILIZATION OF GREENS AT DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-110, on April 1, 1959, approving the ~~plans~~ and specifications for seed bed preparation, planting, and fertilization of greens at Dryden Park Municipal Golf Course and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 13 day of April, 1959, 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 Harry O. Kline, in the sum of \$5,426.50, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$4,514.30, thus effecting a savings to the taxpayers of approximately \$912.20, 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 15 day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-138

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR
FUMIGATION OF GREENS AT DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, the Council of the City of Modesto adopted Resolu-
tion No. 59-109, on April 1, 1959 approving the ~~plans~~
and specifications for fumigation of greens at Dryden Park Municipal
Golf Course

and directed the City Clerk to advertise for sealed proposals for
doing said work, and providing that bids be submitted on the 13
day of April, 1959, 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
\$2,146.75, 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 15
day of April, 1959, by Councilman Arata, who moved

its adoption, which motion being duly seconded by Councilman
Adams, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-139
AMENDMENT OF

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND
THE STATE BOARD OF EQUALIZATION RELATING TO SALES AND USE TAX PAYMENTS
TO CITIES AND COUNTIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the ^{Amendment of} Agreement between the City of Modesto and the State Board of
Equalization

for accelerated transmittal of sales and use tax payments to cities
and counties


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 15 day
of April, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Merrill, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-140

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
ROBERT E. AND RUTH A. SHAW FOR LEASE OF PROPERTY AT 1737 MCHENRY
AVENUE (SNEDIGAR)

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Robert E. and Ruth
A. Shaw

for lease of property at 1737 McHenry Avenue (Snedigar)

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 15 day
of April, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 141

A RESOLUTION APPOINTING A SINGLE CANVASSING BOARD TO CANVASS AND COUNT ALL OF THE ABSENT VOTER BALLOTS CAST IN THE GENERAL MUNICIPAL ELECTION HELD APRIL 14, 1959.

WHEREAS, the number of absent voter ballots cast in the General Municipal Election held April 14, 1959, exceeds seventy-five (75), and

WHEREAS, Section 7803 of the California Elections Code authorizes the appointment of a single Canvassing Board to count and canvass all of the absent voter ballots cast in a City election when the number of absent voter ballots exceeds seventy-five (75), and

WHEREAS, the Council finds that it is desirable to appoint a single Canvassing Board consisting of three (3) members to canvass and count all absent voter ballots cast in the General Municipal Election held on April 14, 1959,

NOW, THEREFORE, be it resolved by the Council of the City of Modesto as follows:

SECTION 1. In accordance with the provisions of Section 7803 (b) of the California Elections Code, the following persons are hereby appointed to serve as members of a single Canvassing Board to count and canvass all of the absent voter ballots cast in the General Municipal Election held on April 14, 1959:

Mrs. Lottie Savercool	714 13th Street, Modesto
Irene Crothers	434 Roselawn Avenue, Modesto
Mrs. Emma Kroher	505 Laurel Street, Modesto

SECTION 2. The members serving on said Board shall receive Twelve and no/100ths (\$12.00) Dollars per diem as compensation for their services.

SECTION 3. Said Canvassing Board shall count and canvass said absent voter ballots in accordance with the procedure set forth in the California Elections Code. Said Board shall meet at 9 o'clock A. M. on April 21, 1959, in the Council Chamber at the McHenry Public Library located at Fourteenth and I Streets, Modesto, California, to complete said count and canvass.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

A RESOLUTION OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT AND DENYING A CONDITIONAL USE PERMIT TO JOHN QUARESMA FOR EXTENDING A COMMERCIAL USE INTO RESIDENTIALLY ZONED PROPERTY, SOUTHEAST CORNER OF ROSEBURG AND TULLY ROAD

WHEREAS, an application for a conditional use permit to extend a commercial use into residentially zoned property was filed by John Quaresma on February 17, 1959, and

WHEREAS, after a public hearing held on February 26, 1959, the Board of Zoning Adjustment adopted Resolution No. 85, granting a conditional use permit to John Quaresma for extending a commercial use into residentially zoned property at the southeast corner of Roseburg Avenue and Tully Road, 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 March 4, 1959, and

WHEREAS, Council set April 15, 1959, at 5:00 P.M. in the Council Chambers, as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence taken and introduced at said public hearing, the Council finds and determines that:

1. Compatibility will not be maintained with respect to the particular use on the particular site in consideration of other existing and potential uses within the general area in which such use is proposed to be located in the requested conditional use permit is granted.

2. That the granting of the conditional use permit applied for will be materially detrimental to the public and injurious to the property and improvements in such vicinity and zone in which the property is located.

3. That the denial of the conditional use permit is necessary in order to protect the public health, safety and general welfare and to carry out the general purposes of the zoning regulations.

4. Sufficient commercially zoned property exists in the vicinity and area within which the application is sought.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the aforesaid application of John Quaresma for a conditional use permit to extend a commercial use into residentially zoned property on the southeast corner of Roseburg Avenue and Tully Road be denied.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment as contained in its Resolution No. 85 adopted February 26, 1959, be overruled, and superseded by this resolution.

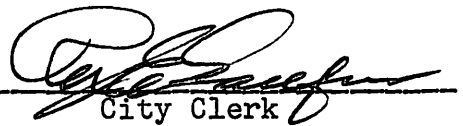
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of April, 1959, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ABSENT:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-143

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
NAKAGAWA FARMS FOR RENTAL OF A PORTION OF HANGAR NO. 5 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 Nakagawa Farms

for rental of a portion of Hangar No. 5 at the 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 15 day
of April, 1959, by Councilman Robinson, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-144

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
DARRELL OLSON FOR RENTAL OF A PORTION OF HANGAR NO. 5 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 Darrell Olson

for rental of a portion of Hangar No. 5 at the 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 15 day
of April, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Merrill, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

A RESOLUTION AUTHORIZING CONDEMNATION OF REAL
PROPERTY FOR STATE HIGHWAY PURPOSES.

1 WHEREAS, th- City of Modesto, a municipal corporation,
2 and the Division of Highways, Department of Public Works, State
3 of California, have entered into a cooperative agreement for the
4 public improvement of a State Highway, being a portion of State
5 Highway Route 109, and also being a city street; and

6 WHEREAS, under said agreement, the City and the State
7 contemplate the reconstruction of McHenry Avenue, State Highway
8 Route 109, to a four lane facility between Needham Avenue and
9 Modesto Irrigation District Lateral No. 3, all within the County
10 of Stanislaus; and

11 WHEREAS, by said agreement, the City of Modesto is
12 authorized, directed and required to acquire all of the rights
13 of way required for the widening of State Highway Route 109 be-
14 tween Needham Avenue and Modesto Irrigation District Lateral
15 No. 3; and

16 WHEREAS, the State has agreed, under said agreement,
17 to construct said public improvement,

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

20 1. That the public interest and necessity require the
21 acquisition, construction and completion by the City of
22 Modesto, a municipal corporation, in cooperation with the State
23 of California, acting through the Department of Public Works, in
24 accordance with the aforesaid agreement, of a public improvement,
25 namely, improvement of a State Highway, being also a city street
26 within said City.

27 2. The public interest and necessity require the ac-
28 quisition for and in connection with the said public improvement,
29 of a perpetual easement to construct, place, suspend, inspect,
30 maintain and place thereon poles, crossarms, wires, cables,
31 braces, transformers, terminal boxes, service lines, fixtures,

1 anchors and guys and appurtenances, and to keep the same free
2 from any trees or parts of trees or any foliage, across the real
3 property, or interests in real property, hereinafter described.

4 3. The use to which said property is to be applied
5 is a use authorized by law.

6 4. Said proposed public improvement is planned and
7 located in a manner which will be most compatible with the
8 greatest public good and the least private injury.

9 5. The City Attorney of the City of Modesto is
10 hereby authorized, empowered and instructed:

11 (a) To acquire in the name of the City of
12 Modesto, a perpetual easement for the purposes and uses herein-
13 above described, in and to the said hereinafter real property or
14 interests in real property, by condemnation in accordance with
15 the provisions of the Streets and Highways Code, Code of Civil
16 Procedure and of the Constitution of California relating to
17 eminent domain;

18 (b) To prepare and prosecute in the name of the
19 City of Modesto, such proceeding or proceedings in the proper
20 court having jurisdiction thereof as are necessary for such
21 acquisition;

22 (c) To make application to said court for an
23 order fixing the amount of such security in the way of money
24 deposits as said court may direct and for an order permitting
25 said City to take immediate possession and use of said real
26 property or interests in real property as a right of way for
27 public use; and

28 (d) To make deposit of such security out of
29 proper funds of the City of Modesto in such amount so fixed
30 and determined and in such manner as said court in which said
31 condemnation proceedings are pending, may direct.

1 6. The real property or interests in real property in
2 which the City of Modesto is by this resolution authorized to
3 acquire, is situated in the City of Modesto, Modesto Irrigation
4 District, County of Stanislaus, State of California, and is
5 described as follows:

6 Parcel No. 29.

7 The West 130.54 feet of the South 20 feet of the
8 North 40 feet of the following described property:

9 All that portion of Lot 9 of MENSINGER COLONY,
10 as per Map filed May 18, 1909 in Volume 4 of
11 Maps, page 25, Stanislaus County Records,
12 described as follows:

13 Beginning at the Northeast corner of Lot 9,
14 said corner being the intersection of the center
15 line of Orangeburg Avenue and the center line of
16 McHenry Avenue; thence North 88° 51' 30" West
17 along the center line of Orangeburg Avenue, a dis-
18 tance of 180 feet; thence South 0° 56' East
19 parallel with the East line of said Lot 9, a dis-
20 tance of 145 feet, thence South 88° 51' 30" East,
21 a distance of 180 feet; thence North 0° 56' West
22 145 feet to the point of beginning. Said to contain
23 0.060 of an acre more or less.

24 Parcel No. 30.

25 The West 30 feet of the East 210 feet of the South
26 20 feet of the North 40 feet of the following
27 described property:

28 All that portion of Lot 9 of MENSINGER COLONY,
29 filed May 18, 1909, Volume 4 of Maps, page 25,
30 Stanislaus County Records, described as follows:

31 Beginning at the center of the intersection of
McHenry Avenue with Orangeburg Avenue; thence
Westerly along the center line of Orangeburg
Avenue, a distance of 300 feet; thence at right
angles Southerly and parallel with McHenry Avenue,
a distance of 145 feet; thence at right angles and
Easterly parallel with Orangeburg Avenue, a dis-
tance of 300 feet; thence Northerly and parallel
with McHenry Avenue, a distance of 145 feet to
the point of beginning. Said to contain 0.014 of an
acre more or less.

 The foregoing resolution was introduced at a regular
meeting of the Council of the City of Modesto held on the
15 day of April, 1959, by Councilman
Arata, who moved its adoption, which motion


1 being duly seconded by Councilman Merrill, was upon
2 roll call carried and the resolution adopted by the following
3 vote:

4 AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
5 Spaulding, Mayor Marks

6 NOES: Councilmen: None

7 ABSENT: Councilmen: None

8 ATTEST:


9 REX E. GAILFUS, City Clerk

10 (SEAL)

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MODESTO CITY COUNCIL
RESOLUTION NO. 59-146

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FLORENCE SATHER, MARILYN MATHNEY AND BEVERLY WILLS AND FRANK W. ROBERTS, JR. RELATING TO THE DEDICATION OF PROPERTY ON MCHENRY AVENUE FOR STREET WIDENING PURPOSES (ORA R. BATES PROPERTY)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Florence Sather, Marilyn Mathney, and Beverly Wills, as executrixes of the estate of Ora R. Bates, deceased, and Frank W. Roberts, Jr., as executor of the Estate of Ora R. Bates, deceased, for the dedication of property on McHenry Avenue for street widening purposes


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 15 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-147

A RESOLUTION APPROVING RIGHT OF WAY CONTRACTS BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, four Right of Way Contracts for widening of McHenry Avenue are now complete as follows:

<u>Document</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-4	Rose E. Caster	\$375.
M-12	Mayme A. Hoffman	\$325.
M-45	Claude O. & Beulah T. Ryan	\$4000.
M-131	Raymond S. & Aurelia Gada	\$2,500.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve these Right of Way Contracts as presented and the City Manager be authorized to sign them on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 15th day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO COMMENDING ALLEN ODELL FOR THE CREDITABLE AND EFFECTIVE CONDUCT OF RIGHT OF WAY ACQUISITION FOR THE IMPROVEMENT OF McHENRY AVENUE

WHEREAS, the widening of McHenry Avenue to four lanes and the provision of curbs, gutters, and storm drains at the time of such widening is an urgently needed community improvement, and

WHEREAS, in order to obtain this important improvement without excessive cost to the property owners and to the taxpayers of the City it has been necessary that the right of way be dedicated voluntarily by the owners without cost to City, except for costs of damage to or removal or relocation of improvements within the right of way, and

WHEREAS, it has been vital both for the completion of the project within the time available and for the preservation of desirable community relations that negotiations with property owners regarding dedications of right of way be carried forward diligently and in a courteous and understanding manner, and

WHEREAS, throughout his work on this assignment, Allen Odell, as the City's right of way representative, has exercised outstanding discernment and good judgment, has maintained and upheld the integrity and good faith of the City, and

WHEREAS, through his unfailing patience and sincere interest and friendly good will Allen Odell has achieved a "working climate" of reason and harmony, and

WHEREAS, because of the resultant high degree of mutual understanding and cooperation, almost all the right of way required for this important community improvement has been donated voluntarily by the property owners,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Modesto does hereby express its sincere appreciation to Allen Odell for the dignity, diligence, and discernment with which he has represented the City in the acquisition of right of way for the McHenry Avenue Improvement Project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of April, 1959, by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-149

A RESOLUTION COMMENDING THE HONORABLE RALPH
M. BROWN FOR HIS SERVICES AS STATE ASSEMBLYMAN
AND SPEAKER OF THE STATE ASSEMBLY.

WHEREAS, the Honorable Ralph M. Brown was first elected as a State Assemblyman from the 30th Assembly District in 1942, representing Stanislaus County, and has continuously served as a State Assemblyman since that time, now serving on his 9th consecutive term, and

WHEREAS, said Ralph M. Brown was elected and is now serving as Speaker of the Assembly for the 1959 General Session of the State Legislature, and

WHEREAS, said Ralph M. Brown has rendered invaluable service to his constituents during his tenure of office by sponsoring legislation advancing the public interest and general welfare and promoting more efficient and better government in this State, and

WHEREAS, during his service as an Assemblyman, said Ralph M. Brown has served as Chairman of the Assembly Judiciary Committee and Chairman of the Assembly Governmental Efficiency and Economy Committee, rendering outstanding service in both capacities, and

WHEREAS, Friday, May 1, 1959, has been designated as Law Day - U.S.A. and the Stanislaus County Bar Association is sponsoring ceremonies commemorating this occasion in honor of said Ralph M. Brown,

NOW, THEREFORE, be it resolved by the Council of the City of Modesto that it hereby commends the Honorable Ralph M. Brown for outstanding services rendered as Assemblyman from the 30th Assembly District and Speaker of the State Assembly.

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be presented to said Ralph M. Brown 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 15 day of April, 1959,

by Mayor Marks, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

WHEREAS, City of Modesto, hereinafter designated as "Public Agency," desires to establish a "deemed" retirement system pursuant to Section 218 (d)(6) of the Federal Social Security Act composed of positions of members of the State Employees' Retirement System, hereinafter designated as "Present Retirement System", desiring coverage, and to include services performed by individuals employed by the Public Agency in positions covered by said "deemed" retirement system, as members of a coverage group established by Section 218 (d)(4) of said Act, in the California State Social Security Agreement of March 9, 1951, providing for the coverage of public employees under the insurance system established by Title 2 of said Act as amended; and

WHEREAS, an election has been held among members of the Present Retirement System as required by State law as a condition of establishing said System and a majority of the members voting therein voted in favor of dividing the Present Retirement System to establish said system; and

WHEREAS, State and Federal law and regulations require, as a condition of such coverage, that a referendum be authorized by the Board of Administration, State Employees' Retirement System and conducted among the eligible employees (as defined in Sec. 218 (d)(3) of the Soc. Sec. Act) of the Public Agency in positions covered by said retirement system; and

WHEREAS, it is necessary that the "Public Agency" now designate any services which it desires to exclude from coverage with respect to such coverage group under said insurance system; and

WHEREAS, it is necessary for the Public Agency to set forth the modification, if any, of the benefits and contributions under the Present Retirement System that may result from coverage under the said insurance system with respect to such coverage group:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Administration, State Employees' Retirement System, be and hereby is requested to authorize the foregoing division and referendum; and

BE IT FURTHER RESOLVED, that upon receipt of authorization from the Board of Administration a referendum and division shall be conducted in accordance with the requirements of Section 218(d) of the Social Security Act, and applicable State and Federal laws and regulations; that each member of the Present Retirement System at the time of the division shall be furnished a form to permit the member to elect whether or not his services should be excluded from or included under the said California State Social Security Agreement as hereinbefore provided; that such referendum shall be held on the question of whether service in positions covered by said retirement system should be excluded from or included under the said California State Social Security Agreement, as hereinbefore provided, with such coverage effective as to services performed on and after January 1, 1956; and

BE IT FURTHER RESOLVED, that the following services with respect to said coverage group of the Public Agency shall be excluded from coverage under said agreement:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Public Agency (Check only one part):
 - a. No optional exclusions desired
 - b. Service performed:

and

BE IT FURTHER RESOLVED, that with respect to the said coverage group the benefits and contributions of the Present Retirement System shall be modified pursuant to Resolution No. 59-87 of this body adopted on March 11, 1959; and

BE IT FURTHER RESOLVED, that notice of the division shall be given not less than fifteen days prior to the date of the division; provided, however, that notice shall be given to employees becoming members of the Present Retirement System after the date of such notice up to and including the date of the division on the date on which they attain membership in the system; that not less than ninety days' notice of such referendum be given to all "eligible employees" as hereinabove provided; and that Rex E. Gailfus, City Clerk, is hereby designated and appointed to conduct such division and referendum on behalf of the Public Agency in accordance with law, regulations, and this resolution, including the giving of proper notice thereof to members of the Present Retirement System and to all such eligible employees; and

BE IT FURTHER RESOLVED, that the certification required by Section 598.51 of the California Administrative Code be executed with respect to the election by the official designated by this body to conduct such election and be forwarded with this resolution to the Board of Administration, State Employees' Retirement System; and

BE IT FURTHER RESOLVED, that the Public Agency will pay and reimburse the State at such time and in such amounts as may be determined by the State the approximate cost of any and all work and services relating to such division and referendum.

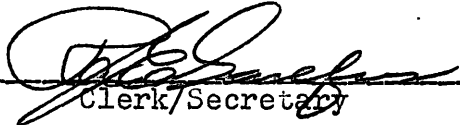
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

I, Rex E. Gailfus, Clerk/Secretary of the
City of Modesto, State of California, do hereby
certify that the foregoing to be a full, true, and correct copy of
Resolution No. 59-150 adopted by the City Council of the
City of Modesto at the regular meeting held on the 15 day of
April, 1959, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand affixed the
Seal of said City of Modesto, at my office this 16 day of
April, 1959.



Clerk/Secretary

TO: Board of Administration
State Employees' Retirement System
1227 - O Street
Sacramento 14, California

This is to certify that:

- (a) An election has been held pursuant to Section 22150 of the California Government Code on the question of permitting the division of the State Employees' Retirement System with respect to members of such retirement system as employees of the City of Modesto for the purposes of coverage under the California State Social Security Agreement of March 9, 1951;
- (b) Prior to the casting of ballots in such election, each member of the system was informed in writing of:
 - (1) The election and the date thereof;
 - (2) The procedure to be followed before coverage under the California State Social Security Agreement of March, 1951, would be extended to services performed by such members;
 - (3) The fact that the vote cast by him in such election would not be binding upon him with respect to any vote to be made by him in the division and referendum to be conducted subsequent to the election;
- (c) Prior to the casting of ballots in such election, each member of the said retirement system was furnished at least a brief statement of the plan of combination of the said retirement system and Old-Age, Survivors, and Disability Insurance as proposed in the division and referendum to be conducted subsequent to the election;
- (d) Such election was conducted by the undersigned, duly designated by the City Council to conduct such election;
- (e) A majority of the eligible members of the said retirement system voting in such election on the proposition voted in favor of the division.

Executed by the direction of the City Council of the City of Modesto
this 15th day of April, 1959.



Rex E. Gailfus, City Clerk

REPORT ON RESULTS OF ELECTION TO
PERMIT DIVISION

TO: OASDI SECTION
1227 O Street
Sacramento 14, California

The following results were obtained in an election among employees of the City of Modesto conducted April 10, 1959, on the question of permitting a division of the State Employees' Retirement System for the purposes of OASDI (Social Security) coverage:

NUMBER OF ELIGIBLES	<u>232</u>	
TOTAL VOTES CAST		<u>222</u>
TOTAL YES VOTES	<u>205</u>	
TOTAL NO VOTES	<u>17</u>	
TOTAL VOID VOTES	<u>0</u>	
		<u><u>222</u></u>

April 15, 1959

Date


Rex E. Gailfus, City Clerk
LOCAL ELECTION OFFICIAL

MODESTO CITY COUNCIL
RESOLUTION NO. 59-151

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,250 FROM GENERAL RESERVE TO PROVIDE FUNDS FOR DIAMOND JUBILEE CELEBRATION

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

FROM: General Reserve - 600 \$1,250.

TO: Diamond Jubilee Celebration
~~4th of July Celebration 440 61~~ \$1,250.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of April, 1959, by Councilman Hammond, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-152

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, one Right of Way Contract for widening of McHenry Avenue is now complete as follows:

<u>Document</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-117	Robert C. Watson	\$890.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve this Right of Way Contract as presented and the City Manager be authorized to sign it on behalf of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the City Council held on the 20 day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Robinson, Spaulding, Mayor Pro Tempore
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Merrill, Mayor Marks

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-153

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULT OF GENERAL MUNICIPAL ELECTION HELD ON APRIL 14, 1959

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 14th day of April, 1959, a general municipal election to elect one (1) Mayor for the full term of four (4) years, three (3) Councilmen as members of the City Council for a full term of four (4) years, for the purpose of electing three (3) members of the Board of Education for a full term of four (4) years, and

WHEREAS, said general municipal election was held on Tuesday, April 14, 1959, 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 10020 votes.

(a) That the total number of votes cast at said election in said City was 7957 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 2063 votes.

3. That the names of the persons voted for and 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:

C A N D I D A T E S

MAYOR

Special Consolidated Election <u>Precinct No.</u>	<u>Don D. Hammond</u>	<u>Lyndall O. Merrill</u>	<u>Scattering</u>
1.	<u>115</u>	<u>103</u>	
2.	<u>99</u>	<u>93</u>	
3.	<u>84</u>	<u>86</u>	
4.	<u>113</u>	<u>130</u>	
5.	<u>78</u>	<u>67</u>	
6.	<u>126</u>	<u>104</u>	
7.	<u>82</u>	<u>75</u>	
8.	<u>114</u>	<u>68</u>	
9.	<u>88</u>	<u>73</u>	
10.	<u>68</u>	<u>61</u>	
11.	<u>93</u>	<u>88</u>	
12.	<u>40</u>	<u>51</u>	
13.	<u>49</u>	<u>62</u>	
14.	<u>58</u>	<u>63</u>	
15.	<u>84</u>	<u>67</u>	
16.	<u>74</u>	<u>55</u>	
17.	<u>89</u>	<u>109</u>	
18.	<u>60</u>	<u>78</u>	<u>1</u>
19.	<u>86</u>	<u>88</u>	<u>3</u>
20.	<u>188</u>	<u>95</u>	
21.	<u>114</u>	<u>121</u>	
22.	<u>107</u>	<u>86</u>	
23.	<u>145</u>	<u>86</u>	
24.	<u>60</u>	<u>18</u>	
25.	<u>172</u>	<u>115</u>	
26.	<u>119</u>	<u>101</u>	
27.	<u>183</u>	<u>69</u>	
28.	<u>146</u>	<u>141</u>	
29.	<u>137</u>	<u>131</u>	<u>2</u>

C A N D I D A T E S

MAYOR

Special
Consolidated
Election
Precinct No.

Don D.
Hammond

Lyndall O.
Merrill

Scattering

30.	<u>143</u>	<u>82</u>	<u> </u>
31.	<u>105</u>	<u>71</u>	<u> </u>
32.	<u>91</u>	<u>62</u>	<u> </u>
33.	<u>61</u>	<u>62</u>	<u> </u>
34.	<u>74</u>	<u>87</u>	<u> </u>
35.	<u>111</u>	<u>91</u>	<u> </u>
36.	<u>104</u>	<u>87</u>	<u> </u>
37.	<u>71</u>	<u>30</u>	<u> </u>
38.	<u>63</u>	<u>47</u>	<u> </u>
39.	<u>39</u>	<u>35</u>	<u> </u>
40.	<u>137</u>	<u>72</u>	<u> </u>
41.	<u>105</u>	<u>47</u>	<u> 2</u>
42.	<u>124</u>	<u>55</u>	<u> </u>
43.	<u>90</u>	<u>43</u>	<u> </u>
44.	<u>66</u>	<u>43</u>	<u> </u>

C A N D I D A T E S

COUNCILMAN

Special
Consolidated
Election
Precinct No.

	<u>Thomas M. Spaulding</u>	<u>James M. Day</u>	<u>Howard C. Hutchison</u>	<u>Cecil T. Jones</u>	<u>Leslie G. Knoles</u>	<u>John Quaresma</u>	<u>Richard Vander Wall</u>	<u>Arthur J. Wylie</u>	<u>Scattering</u>
1.	<u>140</u>	<u>11</u>	<u>75</u>	<u>71</u>	<u>138</u>	<u>50</u>	<u>127</u>	<u>22</u>	<u> </u>
2.	<u>116</u>	<u>8</u>	<u>64</u>	<u>79</u>	<u>116</u>	<u>21</u>	<u>112</u>	<u>18</u>	<u> </u>
3.	<u>105</u>	<u>11</u>	<u>61</u>	<u>66</u>	<u>82</u>	<u>36</u>	<u>88</u>	<u>31</u>	<u> </u>
4.	<u>143</u>	<u>11</u>	<u>100</u>	<u>96</u>	<u>138</u>	<u>47</u>	<u>132</u>	<u>30</u>	<u> </u>
5.	<u>92</u>	<u>17</u>	<u>52</u>	<u>54</u>	<u>77</u>	<u>37</u>	<u>70</u>	<u>22</u>	<u> </u>
6.	<u>152</u>	<u>8</u>	<u>73</u>	<u>78</u>	<u>138</u>	<u>35</u>	<u>125</u>	<u>39</u>	<u> </u>
7.	<u>88</u>	<u>16</u>	<u>74</u>	<u>61</u>	<u>80</u>	<u>37</u>	<u>70</u>	<u>21</u>	<u> </u>
8.	<u>117</u>	<u>8</u>	<u>51</u>	<u>44</u>	<u>129</u>	<u>38</u>	<u>102</u>	<u>41</u>	<u> </u>
9.	<u>114</u>	<u>4</u>	<u>55</u>	<u>54</u>	<u>107</u>	<u>25</u>	<u>76</u>	<u>19</u>	<u> </u>
10.	<u>70</u>	<u>15</u>	<u>48</u>	<u>39</u>	<u>70</u>	<u>42</u>	<u>59</u>	<u>21</u>	<u> </u>
11.	<u>109</u>	<u>16</u>	<u>53</u>	<u>61</u>	<u>92</u>	<u>34</u>	<u>97</u>	<u>34</u>	<u> </u>
12.	<u>59</u>	<u>9</u>	<u>34</u>	<u>39</u>	<u>50</u>	<u>20</u>	<u>36</u>	<u>14</u>	<u> </u>
13.	<u>71</u>	<u>13</u>	<u>50</u>	<u>46</u>	<u>50</u>	<u>31</u>	<u>46</u>	<u>14</u>	<u> </u>
14.	<u>70</u>	<u>24</u>	<u>41</u>	<u>49</u>	<u>53</u>	<u>30</u>	<u>43</u>	<u>13</u>	<u> </u>
15.	<u>92</u>	<u>33</u>	<u>55</u>	<u>55</u>	<u>64</u>	<u>47</u>	<u>59</u>	<u>29</u>	<u> </u>
16.	<u>73</u>	<u>25</u>	<u>37</u>	<u>64</u>	<u>53</u>	<u>29</u>	<u>53</u>	<u>24</u>	<u> </u>
17.	<u>96</u>	<u>28</u>	<u>75</u>	<u>96</u>	<u>82</u>	<u>58</u>	<u>86</u>	<u>45</u>	<u> </u>

C A N D I D A T E S

COUNCILMAN

Special
Consolidated
Election
Precinct No.

	<u>Thomas M. Spaulding</u>	<u>James M. Day</u>	<u>Howard C. Hutchison</u>	<u>Cecil T. Jones</u>	<u>Leslie G. Knoles</u>	<u>John Quaresma</u>	<u>Richard Vander Wall</u>	<u>Arthur J. Wylie</u>	<u>Scattering</u>
18.	<u>81</u>	<u>13</u>	<u>42</u>	<u>56</u>	<u>83</u>	<u>21</u>	<u>70</u>	<u>29</u>	<u> </u>
19.	<u>97</u>	<u>22</u>	<u>56</u>	<u>78</u>	<u>81</u>	<u>42</u>	<u>77</u>	<u>35</u>	<u> </u>
20.	<u>215</u>	<u>4</u>	<u>70</u>	<u>60</u>	<u>206</u>	<u>33</u>	<u>202</u>	<u>32</u>	<u> </u>
21.	<u>144</u>	<u>8</u>	<u>109</u>	<u>59</u>	<u>133</u>	<u>34</u>	<u>166</u>	<u>18</u>	<u> </u>
22.	<u>129</u>	<u>12</u>	<u>70</u>	<u>59</u>	<u>109</u>	<u>32</u>	<u>103</u>	<u>33</u>	<u> </u>
23.	<u>150</u>	<u>9</u>	<u>69</u>	<u>83</u>	<u>133</u>	<u>46</u>	<u>128</u>	<u>31</u>	<u> </u>
24.	<u>62</u>	<u>9</u>	<u>18</u>	<u>27</u>	<u>46</u>	<u>19</u>	<u>32</u>	<u>11</u>	<u> </u>
25.	<u>196</u>	<u>7</u>	<u>75</u>	<u>57</u>	<u>192</u>	<u>44</u>	<u>183</u>	<u>64</u>	<u> </u>
26.	<u>143</u>	<u>9</u>	<u>63</u>	<u>75</u>	<u>149</u>	<u>42</u>	<u>110</u>	<u>31</u>	<u> </u>
27.	<u>175</u>	<u>7</u>	<u>58</u>	<u>66</u>	<u>176</u>	<u>34</u>	<u>172</u>	<u>34</u>	<u> </u>
28.	<u>187</u>	<u>9</u>	<u>89</u>	<u>70</u>	<u>190</u>	<u>45</u>	<u>172</u>	<u>51</u>	<u> </u>
29.	<u>179</u>	<u>6</u>	<u>96</u>	<u>82</u>	<u>164</u>	<u>43</u>	<u>147</u>	<u>56</u>	<u> </u>
30.	<u>157</u>	<u>3</u>	<u>81</u>	<u>61</u>	<u>154</u>	<u>37</u>	<u>127</u>	<u>32</u>	<u> </u>
31.	<u>108</u>	<u>1</u>	<u>71</u>	<u>59</u>	<u>89</u>	<u>40</u>	<u>97</u>	<u>40</u>	<u> </u>
32.	<u>98</u>	<u>13</u>	<u>61</u>	<u>66</u>	<u>81</u>	<u>26</u>	<u>71</u>	<u>24</u>	<u> </u>
33.	<u>77</u>	<u>12</u>	<u>50</u>	<u>39</u>	<u>74</u>	<u>29</u>	<u>49</u>	<u>18</u>	<u> </u>
34.	<u>94</u>	<u>17</u>	<u>55</u>	<u>60</u>	<u>86</u>	<u>43</u>	<u>65</u>	<u>37</u>	<u> </u>
35.	<u>137</u>	<u>7</u>	<u>55</u>	<u>41</u>	<u>128</u>	<u>36</u>	<u>114</u>	<u>50</u>	<u> </u>

C A N D I D A T E S

COUNCILMAN

Special
Consolidated
Election
Precinct No.

	<u>Thomas M. Spaulding</u>	<u>James M. Day</u>	<u>Howard C. Hutchison</u>	<u>Cecil T. Jones</u>	<u>Leslie G. Knoles</u>	<u>John Quaresma</u>	<u>Richard Vander Wall</u>	<u>Arthur J. Wylie</u>	<u>Scattering</u>
36.	<u>96</u>	<u>9</u>	<u>52</u>	<u>61</u>	<u>103</u>	<u>65</u>	<u>99</u>	<u>54</u>	<u> </u>
37.	<u>56</u>	<u>11</u>	<u>29</u>	<u>34</u>	<u>66</u>	<u>20</u>	<u>52</u>	<u>24</u>	<u> </u>
38.	<u>70</u>	<u>4</u>	<u>38</u>	<u>27</u>	<u>75</u>	<u>18</u>	<u>60</u>	<u>22</u>	<u> </u>
39.	<u>52</u>	<u>14</u>	<u>20</u>	<u>30</u>	<u>37</u>	<u>24</u>	<u>32</u>	<u>12</u>	<u> </u>
40.	<u>147</u>	<u>6</u>	<u>57</u>	<u>51</u>	<u>143</u>	<u>41</u>	<u>126</u>	<u>31</u>	<u> </u>
41.	<u>103</u>	<u>2</u>	<u>34</u>	<u>37</u>	<u>107</u>	<u>56</u>	<u>93</u>	<u>30</u>	<u> </u>
42.	<u>113</u>	<u>9</u>	<u>46</u>	<u>63</u>	<u>113</u>	<u>36</u>	<u>85</u>	<u>50</u>	<u> </u>
43.	<u>92</u>	<u>6</u>	<u>34</u>	<u>40</u>	<u>85</u>	<u>25</u>	<u>79</u>	<u>37</u>	<u> </u>
44.	<u>72</u>	<u>6</u>	<u>33</u>	<u>36</u>	<u>68</u>	<u>25</u>	<u>53</u>	<u>22</u>	<u> </u>

C A N D I D A T E S

BOARD OF EDUCATION

Special
Consolidated
Election
Precinct No.

	<u>Catherine E. Everett</u>	<u>Cecil G. Plummer</u>	<u>John R. Hewitt</u>	<u>John A. Morgan</u>	<u>Jack E. Noyer</u>	<u>Frank I. Pirrone</u>	<u>Charles M. Spencer</u>	<u>Scattering</u>
1.	<u>148</u>	<u>177</u>	<u>37</u>	<u>73</u>	<u>7</u>	<u>42</u>	<u>142</u>	<u> </u>
2.	<u>120</u>	<u>152</u>	<u>31</u>	<u>61</u>	<u>9</u>	<u>43</u>	<u>106</u>	<u> </u>
3.	<u>96</u>	<u>134</u>	<u>31</u>	<u>66</u>	<u>11</u>	<u>40</u>	<u>94</u>	<u> </u>
4.	<u>156</u>	<u>199</u>	<u>43</u>	<u>81</u>	<u>13</u>	<u>67</u>	<u>134</u>	<u> </u>
5.	<u>101</u>	<u>108</u>	<u>27</u>	<u>59</u>	<u>12</u>	<u>36</u>	<u>83</u>	<u> </u>
6.	<u>133</u>	<u>181</u>	<u>43</u>	<u>91</u>	<u>14</u>	<u>70</u>	<u>120</u>	<u> </u>
7.	<u>93</u>	<u>130</u>	<u>19</u>	<u>69</u>	<u>16</u>	<u>43</u>	<u>62</u>	<u> </u>
8.	<u>134</u>	<u>138</u>	<u>29</u>	<u>60</u>	<u>18</u>	<u>47</u>	<u>100</u>	<u> </u>
9.	<u>106</u>	<u>119</u>	<u>23</u>	<u>55</u>	<u>19</u>	<u>27</u>	<u>104</u>	<u> </u>
10.	<u>73</u>	<u>93</u>	<u>18</u>	<u>53</u>	<u>9</u>	<u>41</u>	<u>72</u>	<u> </u>
11.	<u>120</u>	<u>141</u>	<u>24</u>	<u>77</u>	<u>14</u>	<u>26</u>	<u>102</u>	<u> </u>
12.	<u>71</u>	<u>64</u>	<u>5</u>	<u>45</u>	<u>8</u>	<u>27</u>	<u>45</u>	<u> </u>
13.	<u>80</u>	<u>88</u>	<u>12</u>	<u>60</u>	<u>9</u>	<u>28</u>	<u>43</u>	<u> </u>
14.	<u>77</u>	<u>64</u>	<u>19</u>	<u>57</u>	<u>10</u>	<u>26</u>	<u>75</u>	<u> </u>
15.	<u>104</u>	<u>112</u>	<u>25</u>	<u>61</u>	<u>19</u>	<u>26</u>	<u>77</u>	<u> </u>
16.	<u>90</u>	<u>89</u>	<u>19</u>	<u>66</u>	<u>8</u>	<u>29</u>	<u>60</u>	<u> </u>
17.	<u>132</u>	<u>139</u>	<u>24</u>	<u>92</u>	<u>24</u>	<u>52</u>	<u>90</u>	<u> </u>
18.	<u>105</u>	<u>102</u>	<u>21</u>	<u>61</u>	<u>9</u>	<u>24</u>	<u>79</u>	<u> </u>

C A N D I D A T E S

BOARD OF EDUCATION

Special
Consolidated
Election
Precinct No.

	<u>Catherine E. Everett</u>	<u>Cecil G. Plummer</u>	<u>John R. Hewitt</u>	<u>John A. Morgan</u>	<u>Jack E. Noyer</u>	<u>Frank I. Pirrone</u>	<u>Charles M. Spencer</u>	<u>Scattering</u>
19.	<u>104</u>	<u>122</u>	<u>34</u>	<u>74</u>	<u>26</u>	<u>45</u>	<u>77</u>	<u> </u>
20.	<u>185</u>	<u>237</u>	<u>48</u>	<u>102</u>	<u>17</u>	<u>74</u>	<u>155</u>	<u> </u>
21.	<u>146</u>	<u>190</u>	<u>36</u>	<u>55</u>	<u>18</u>	<u>75</u>	<u>124</u>	<u> </u>
22.	<u>116</u>	<u>157</u>	<u>35</u>	<u>69</u>	<u>22</u>	<u>48</u>	<u>93</u>	<u> </u>
23.	<u>167</u>	<u>183</u>	<u>31</u>	<u>73</u>	<u>12</u>	<u>68</u>	<u>124</u>	<u> </u>
24.	<u>60</u>	<u>56</u>	<u>5</u>	<u>46</u>	<u>5</u>	<u>15</u>	<u>38</u>	<u> </u>
25.	<u>185</u>	<u>232</u>	<u>56</u>	<u>70</u>	<u>28</u>	<u>77</u>	<u>153</u>	<u> </u>
26.	<u>129</u>	<u>161</u>	<u>43</u>	<u>81</u>	<u>19</u>	<u>68</u>	<u>112</u>	<u> </u>
27.	<u>149</u>	<u>197</u>	<u>47</u>	<u>62</u>	<u>17</u>	<u>63</u>	<u>163</u>	<u> </u>
28.	<u>172</u>	<u>222</u>	<u>56</u>	<u>92</u>	<u>21</u>	<u>81</u>	<u>159</u>	<u> </u>
29.	<u>174</u>	<u>213</u>	<u>54</u>	<u>79</u>	<u>17</u>	<u>81</u>	<u>135</u>	<u> </u>
30.	<u>159</u>	<u>194</u>	<u>27</u>	<u>68</u>	<u>12</u>	<u>62</u>	<u>102</u>	<u> </u>
31.	<u>90</u>	<u>141</u>	<u>38</u>	<u>56</u>	<u>6</u>	<u>64</u>	<u>83</u>	<u> </u>
32.	<u>96</u>	<u>116</u>	<u>21</u>	<u>59</u>	<u>19</u>	<u>44</u>	<u>89</u>	<u> </u>
33.	<u>95</u>	<u>98</u>	<u>16</u>	<u>48</u>	<u>11</u>	<u>33</u>	<u>66</u>	<u> </u>
34.	<u>105</u>	<u>109</u>	<u>20</u>	<u>84</u>	<u>18</u>	<u>30</u>	<u>95</u>	<u> </u>
35.	<u>140</u>	<u>160</u>	<u>38</u>	<u>55</u>	<u>14</u>	<u>49</u>	<u>123</u>	<u> </u>
36.	<u>126</u>	<u>122</u>	<u>23</u>	<u>73</u>	<u>12</u>	<u>53</u>	<u>115</u>	<u> </u>
37.	<u>65</u>	<u>68</u>	<u>29</u>	<u>46</u>	<u>4</u>	<u>21</u>	<u>52</u>	<u> </u>

C A N D I D A T E S

BOARD OF EDUCATION

Special
Consolidated
Election
Precinct No.

	<u>Catherine E. Everett</u>	<u>Cecil G. Plummer</u>	<u>John R. Hewitt</u>	<u>John A. Morgan</u>	<u>Jack E. Noyer</u>	<u>Frank I. Pirrone</u>	<u>Charles M. Spencer</u>	<u>Scattering</u>
38.	<u>65</u>	<u>80</u>	<u>25</u>	<u>34</u>	<u>7</u>	<u>33</u>	<u>69</u>	<u> </u>
39.	<u>54</u>	<u>47</u>	<u>12</u>	<u>41</u>	<u>13</u>	<u>10</u>	<u>44</u>	<u> </u>
40.	<u>141</u>	<u>165</u>	<u>36</u>	<u>82</u>	<u>14</u>	<u>47</u>	<u>118</u>	<u> </u>
41.	<u>109</u>	<u>126</u>	<u>9</u>	<u>49</u>	<u>16</u>	<u>43</u>	<u>103</u>	<u> </u>
42.	<u>110</u>	<u>135</u>	<u>31</u>	<u>47</u>	<u>20</u>	<u>51</u>	<u>105</u>	<u> </u>
43.	<u>81</u>	<u>99</u>	<u>18</u>	<u>48</u>	<u>9</u>	<u>53</u>	<u>86</u>	<u> </u>
44.	<u>69</u>	<u>79</u>	<u>12</u>	<u>56</u>	<u>6</u>	<u>37</u>	<u>50</u>	<u> </u>
45.	<u>50</u>	<u>65</u>	<u>16</u>	<u>17</u>	<u>7</u>	<u>32</u>	<u>39</u>	<u>1</u>
46.	<u>85</u>	<u>94</u>	<u>17</u>	<u>46</u>	<u>12</u>	<u>28</u>	<u>65</u>	<u> </u>
47.	<u>36</u>	<u>34</u>	<u>7</u>	<u>21</u>	<u>5</u>	<u>5</u>	<u>28</u>	<u> </u>
48.	<u>60</u>	<u>69</u>	<u>13</u>	<u>32</u>	<u>1</u>	<u>20</u>	<u>50</u>	<u> </u>
49.	<u>15</u>	<u>11</u>	<u>3</u>	<u>14</u>	<u>1</u>	<u>3</u>	<u>13</u>	<u> </u>
50.	<u>28</u>	<u>33</u>	<u>8</u>	<u>31</u>	<u>1</u>	<u>13</u>	<u>36</u>	<u> </u>
51.	<u>47</u>	<u>58</u>	<u>9</u>	<u>26</u>	<u>6</u>	<u>21</u>	<u>56</u>	<u> </u>
52.	<u>62</u>	<u>67</u>	<u>6</u>	<u>28</u>	<u>6</u>	<u>13</u>	<u>49</u>	<u> </u>
53.	<u>61</u>	<u>78</u>	<u>17</u>	<u>37</u>	<u>9</u>	<u>15</u>	<u>60</u>	<u> </u>
54.	<u>21</u>	<u>22</u>	<u>10</u>	<u>16</u>	<u>3</u>	<u>2</u>	<u>19</u>	<u> </u>
55.	<u>41</u>	<u>47</u>	<u>13</u>	<u>14</u>	<u>2</u>	<u>11</u>	<u>31</u>	<u> </u>
56.	<u>85</u>	<u>94</u>	<u>25</u>	<u>50</u>	<u>19</u>	<u>26</u>	<u>81</u>	<u> </u>

C A N D I D A T E S

BOARD OF EDUCATION

Special
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	<u>Catherine E. Everett</u>	<u>Cecil G. Plummer</u>	<u>John R. Hewitt</u>	<u>John A. Morgan</u>	<u>Jack E. Noyer</u>	<u>Frank I. Pirrone</u>	<u>Charles M. Spencer</u>	<u>Scattering</u>
57.	<u>36</u>	<u>41</u>	<u>6</u>	<u>23</u>	<u>6</u>	<u>17</u>	<u>43</u>	<u> </u>
58.	<u>42</u>	<u>42</u>	<u>13</u>	<u>41</u>	<u>7</u>	<u>13</u>	<u>31</u>	<u> </u>
59.	<u>71</u>	<u>87</u>	<u>15</u>	<u>43</u>	<u>10</u>	<u>22</u>	<u>72</u>	<u> </u>
60.	<u>40</u>	<u>48</u>	<u>4</u>	<u>25</u>	<u>6</u>	<u>5</u>	<u>58</u>	<u> </u>
61.	<u>42</u>	<u>39</u>	<u>9</u>	<u>34</u>	<u>6</u>	<u>15</u>	<u>35</u>	<u> </u>
62.	<u>23</u>	<u>25</u>	<u>9</u>	<u>28</u>	<u>6</u>	<u>6</u>	<u>28</u>	<u> </u>
63.	<u>43</u>	<u>50</u>	<u>13</u>	<u>23</u>	<u>3</u>	<u>11</u>	<u>43</u>	<u> </u>
64.	<u>27</u>	<u>30</u>	<u>11</u>	<u>21</u>	<u>5</u>	<u>7</u>	<u>18</u>	<u> </u>
65.	<u>33</u>	<u>53</u>	<u>11</u>	<u>14</u>	<u>6</u>	<u>15</u>	<u>42</u>	<u> </u>
66.	<u>38</u>	<u>41</u>	<u>7</u>	<u>13</u>	<u>0</u>	<u>27</u>	<u>31</u>	<u> </u>
67.	<u>28</u>	<u>33</u>	<u>6</u>	<u>34</u>	<u>7</u>	<u>5</u>	<u>45</u>	<u> </u>
68.	<u>35</u>	<u>39</u>	<u>7</u>	<u>12</u>	<u>6</u>	<u>9</u>	<u>32</u>	<u> </u>
69.	<u>72</u>	<u>89</u>	<u>22</u>	<u>44</u>	<u>13</u>	<u>24</u>	<u>60</u>	<u> </u>
70.	<u>26</u>	<u>37</u>	<u>5</u>	<u>27</u>	<u>10</u>	<u>14</u>	<u>31</u>	<u> </u>
71.	<u>43</u>	<u>51</u>	<u>11</u>	<u>23</u>	<u>7</u>	<u>20</u>	<u>28</u>	<u> </u>
72.	<u>19</u>	<u>22</u>	<u>1</u>	<u>15</u>	<u>7</u>	<u>13</u>	<u>21</u>	<u> </u>
73.	<u>26</u>	<u>35</u>	<u>11</u>	<u>17</u>	<u>2</u>	<u>20</u>	<u>14</u>	<u> </u>
74.	<u>60</u>	<u>86</u>	<u>30</u>	<u>37</u>	<u>7</u>	<u>30</u>	<u>67</u>	<u> </u>

<u>CANDIDATES</u>	<u>INSIDE ABSENTEE BALLOTS</u>	<u>OUTSIDE ABSENTEE BALLOTS</u>	<u>TOTAL VOTE</u>
Don D. Hammond	37		4392
Lyndall O. Merrill	47		3445
Thomas M. Spaulding	44		4981
James M. Day	9		501
Howard C. Hutchison	33		2562
Cecil T. Jones	33		2562
Leslie G. Knoles	42		4632
John Quaresma	17		1590
Richard Vander Wall	58		4203
Arthur J. Wylie	10		1355
Catherine E. Everett	55	4	6385
Cecil G. Plummer	72	4	7535
John R. Hewitt	17	1	1603
John A. Morgan	29	2	3673
Jack E. Noyer	3	1	802
Frank I. Pirrone	17	3	2501
Charles M. Spencer	50	4	5501
Scattering			
Mayor			8
Board of Education			2

4. 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 22, 1959, 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:

DON D. HAMMOND	MAYOR for four year term
THOMAS M. SPAULDING	COUNCILMAN for four year term
LESLIE G. KNOLES	COUNCILMAN for four year term
RICHARD VANDER WALL	COUNCILMAN for four year term
CATHERINE E. EVERETT	MEMBER OF BOARD OF EDUCATION for four year term
CECIL G. PLUMMER	MEMBER OF BOARD OF EDUCATION for four year term
CHARLES M. SPENCER	MEMBER OF BOARD OF EDUCATION for four year term

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21 day of April, 1959, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson, Spaulding,
Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-154

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS AND RENTAL OF POLLING PLACES FOR THE GENERAL MUNICIPAL ELECTION HELD ON APRIL 14, 1959

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

SECTION 1. A payment of \$12 to each election official who served at the General Municipal Election held in the City of Modesto and the Modesto City School District on April 14, 1959, is hereby authorized, and

SECTION 2. A payment of \$10 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 21 day of April, 1959, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Mayor Marks, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Merrill, Robinson,
Spaulding, Mayor Marks
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-155

A RESOLUTION COMMENDING HARRY MARKS FOR OUTSTANDING SERVICES RENDERED TO THE CITY OF MODESTO AS ITS MAYOR

WHEREAS, the term of Harry Marks as Mayor of the City of Modesto expired on April 21, 1959, and

WHEREAS, Harry Marks has served as Mayor of the City of Modesto for two full terms of four years each, starting April 17, 1951, and

WHEREAS, Harry Marks has served this community as its Mayor in an outstanding manner, and has been a devoted and sincere public servant for approximately 8 years, and

WHEREAS, the City of Modesto has benefited to a great extent through his knowledge and experience while serving as its Mayor,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto on behalf of the citizens of the said City express to Harry Marks its sincere appreciation for his unselfish interest and devotion to the affairs of the City of Modesto during his long years of service.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Harry Marks.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-156

A RESOLUTION COMMENDING LYNDALL MERRILL FOR HIS MANY YEARS OF SERVICE AS A MEMBER OF THE MODESTO CITY COUNCIL

WHEREAS, the term of Lyndall Merrill as a member of the Modesto City Council expired on April 21, 1959, and

WHEREAS, Lyndall Merrill has served on the City Council for two full terms starting April 17, 1951, and

WHEREAS, he has served the City of Modesto unselfishly, with sincerity and understanding as a member of the Modesto City Council, and

WHEREAS, the City of Modesto has benefited to a great extent through his efforts and experience while serving on the Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto, on behalf of the citizens of the said City, express to Lyndall Merrill its sincere appreciation for his unselfish interest and devotion to the affairs of the City during his long years of service,

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Lyndall Merrill.

The foregoing resolution was introduced at a regular meeting held on the 22 day of April, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-157

A RESOLUTION COMMENDING LAWRENCE ROBINSON, JR. FOR HIS YEARS OF SERVICE AS A MEMBER OF THE MODESTO CITY COUNCIL

WHEREAS, the term of Lawrence Robinson, Jr. as a member of the Modesto City Council expired on April 21, 1959, and

WHEREAS, Lawrence Robinson, Jr. has served on the City Council for one full term of four years starting April 20, 1955, and

WHEREAS, he has served the City of Modesto unselfishly, with sincerity and understanding as a member of the Modesto City Council, and

WHEREAS, the City of Modesto has benefited to a great extent through his efforts and experience while serving on the Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto, on behalf of the citizens of the said City express to Lawrence Robinson, Jr., its sincere appreciation for his unselfish interest and devotion to the affairs of the City during his years of service.

BE IT FURTHER RESOLVED that the City Clerk be directed to send a copy of this resolution to Lawrence Robinson, Jr.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-158

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER MAINS ON McHENRY AVENUE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-125, on April 8, 1959, approving the plans and specifications for installation of water mains on McHenry Ave. between Orangeburg Ave. and Johanna Ave., between Modesto Ave. and Francis Ave., between Jones St. and alley of Block 566 and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 20 day of April, 1959, 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 W. M. Lyles Company, in the sum of \$9,033.67, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$3,824.65, thus effecting a savings to the taxpayers of approximately \$5,209.02, 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

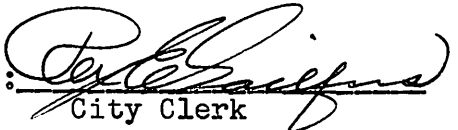
the aforesaid notice be, and they are hereby rejected and the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-159

A RESOLUTION ACCEPTING THE BID OF STANDARD MATERIALS, INC. FOR FURNISHING PAVING MATERIALS FOR THE CALENDAR YEAR ENDING DECEMBER 31, 1959

WHEREAS, Resolution No. 59-122, adopted by the Council of the City of Modesto on April 8, 1959, approved the plans and specifications for the furnishing of paving materials for the calendar year ending December 31, 1959

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of paving materials for the calendar year ending December 31, 1959

were opened at April 20, 1959 at 2:30 P.M. 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 Standard Materials, Inc.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Standard Materials, 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 22 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-160

A RESOLUTION REJECTING ALL BIDS FOR THE CONSTRUCTION OF SUB-TRUNK
SEWERS IN MCHENRY AVENUE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-124 on April 8, 1959, approving the plans and specifications for construction of sub-trunk sewers in McHenry Avenue 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 April, 1959, 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 Division of Highways, Stockton Office, has approved a modification of the backfill requirements which would result in substantial savings on this project,

NOW, THEREFORE, BE IT RESOLVED that all bids on this project be rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.59-161

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SUB-TRUNK IN MCHENRY AVENUE, BETWEEN GRANGER AVE. AND ORANGEBURG AVE. (UNIT A); BETWEEN ORANGEBURG AVE. AND HINTZE AVE. (UNIT B); INVERTED SANITARY SIPHON AT ROSEBURG AVE. (UNIT C)

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

Section 1. The plans and specifications for construction of sub-trunk sewer in McHenry Ave.

Between Granger Ave. and Orangeburg Ave. (Unit A)
Between Orangeburg Ave. & Hintze Ave. (Unit B)
Inverted Sanitary Siphon at Roseburg Ave. (Unit C)

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, 717 10th Street, in the City of Modesto, on May 4, 1959 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 22 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-162

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR CONSTRUCTION OF CURB AND GUTTER IN PIKE PARK

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

Section 1. The plans and specifications for construction of
curb and gutter in Pike 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, 717 10th Street, in the City
of Modesto, on May 4, 1959 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 tabulat-
ed 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 22 day of
April, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Spaulding,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-163

A RESOLUTION APPROVING PLANS ~~AND~~ SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR FURNISHING 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 furnishing 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, 717 10th Street, in the City
of Modesto, on May 4, 1959 at 1:30 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 tabulat-
ed 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 22 day of
April, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Adams,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-164

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION #23

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 #23

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, 717 10th Street, in the City
of Modesto, on May 4, 1959 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 tabulat-
ed 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 22 day of
April, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-165

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ALONG MCHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the city and along McHenry Avenue, and

WHEREAS, one Right of Way Contract for widening of McHenry Avenue is now complete as follows:

<u>Document</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-115	Walter E. Soper	\$995.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve this Right of Way Contract as presented and the City Manager be authorized to sign it on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 22 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-166

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND JACK R. WATSON AND ALBERTA WATSON FOR WIDENING OF McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, the following right of way contract is now complete as follows:

<u>DOCUMENT NO.</u>	<u>NAME</u>	<u>Estimated Damage Costs</u>
M-119	Jack R. Watson and Alberta Watson	\$850.00

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approves this Right of Way Contract as presented and the City Manager be authorized to sign on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council held on the 22nd day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
Noes: None Absent: None

ATTEST:


City Clerk

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 21 BY EDWARD A. TOMLINSON; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of pump house at Pump Station No. 21

has been completed by Edward A. Tomlinson

in accordance with the contract agreement dated March 4, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of pump house at Pump Station No. 21

be accepted from said contractor Edward A. Tomlinson

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 22 day of April, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: 
CITY CLERK

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AT WASHINGTON & H STREETS BY INDUSTRIAL ELECTRICAL COMPANY; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of traffic signals at Washington & H Streets

has been completed by Industrial Electrical Company

in accordance with the contract agreement dated February 18, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals at Washington & H 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 22 day of April, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-169

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR ONE DEEP WELL PUMP FOR PUMP STATION NO. 22

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

Section 1. The ~~plans~~ and specifications for one deep well pump at Pump Station No. 22

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, 717 10th Street, in the City of Modesto, on May 25, 1959 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, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
And Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-170

A RESOLUTION ACCEPTING THE BID OF \$5,200 FROM JACUZZI BROS. INC. FOR FURNISHING ONE DEEP WELL PUMP AND ELECTRICAL EQUIPMENT

WHEREAS, Resolution No. 59-123, adopted by the Council of the City of Modesto on April 8, 1959, 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 electrical equipment were opened at 2:00 P.M., April 27, 1959, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the low offer submitted by Wintroath Pump Company in the amount of \$5,026.32 does not meet the specifications with regard to closed impellers, and the low bid meeting the specifications is submitted by Jacuzzi Bros.

WHEREAS, the Director of Public Works has recommended that the bid of Jacuzzi Bros. Inc. for the sum of \$5,200.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Jacuzzi Bros., Inc. in the sum of \$5,200 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 6th day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-171

A RESOLUTION ACCEPTING THE BID OF \$1,779.70 FROM BRAMAN PIPE & SUPPLY COMPANY FOR FURNISHING IRRIGATION SPRINKLERS AND EQUIPMENT FOR DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 59-135, adopted by the Council of the City of Modesto on April 15, 1959, approved the plans and specifications for the furnishing of irrigation sprinklers and equipment for Dryden Park Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of irrigation sprinklers and equipment for Dryden Park Municipal Golf Course were opened at 10:00 A.M. April 27, 1959 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 Braman Pipe & Supply Company in the sum of \$1,779.70

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Braman Pipe & Supply Company in the sum of \$1,779.70 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 6th day of May, 1959, by Councilman Vander Wall who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-172

A RESOLUTION ACCEPTING THE BID OF \$40,960.00 FROM U.S. PIPE & FOUNDRY COMPANY FOR FURNISHING ~~ASBESTOS CEMENT~~ WATER PIPE (ITEMS 1 & 2)
CAST IRON PIPE

WHEREAS, Resolution No. 59-163, adopted by the Council of the City of Modesto on April 22, 1959, approved the plans and specifications for the furnishing of water pipe, valves and fittings

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe, valves and fittings

were opened at 1:30 p.m., May 4, 1959 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 U. S. Pipe and Foundry Company in the sum of \$40,960 for items 1 & 2 of the call for bids

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of U. S. Pipe in the sum of \$40,960 for items 1 & 2 of the call for bids 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 6th day of May, 1959, by ~~Councilman~~ ^{Mayor} Hammond, who moved its adoption, which action being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: *[Signature]*
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-173

A RESOLUTION ACCEPTING THE BID OF \$68,435 FROM JOHNS-MANVILLE FOR
FURNISHING ~~EAST-IRON-WATER PIPE~~ (ITEMS 3a, 4a, 5a)
~~ASBESTOS CEMENT~~

WHEREAS, Resolution No. 59-163, adopted by the Council of the
City of Modesto on April 23, 1959, approved the plans and specifi-
cations for the furnishing of water pipe, valves and fittings

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe,
valves and fittings

were opened at May 4, 1959 at 1:30 P.M. 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 Johns-Manville in the sum of \$68,435 for items 3a, 4a, & 5a, of
the call for bids

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Johns-Manville
in the sum of \$68,435 for items 3a, 4a, & 5a of the call for bids
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 6th day of May,
1959, by Councilman Spaulding, who moved its adoption, which
motion being duly seconded by Councilman Vander Wall, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-174

A RESOLUTION ACCEPTING THE BID OF \$5,435.02 FROM CRANE COMPANY
FURNISHING VALVES (ITEMS 6, 7, 8a & 9a)

WHEREAS, Resolution No. 59-163, adopted by the Council of the
City of Modesto on April 23, 1959, approved the plans and speci-
fications for the furnishing of valves, water pipe, and fittings

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe,
valves and fittings

were opened at May 4, 1959 at 1:30 P.M. 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 Crane Company in the sum of \$5,435.02 for items 6, 7, 8a & 9a
of the call for bids

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Crane Company
in the sum of \$5,435.02 for items 6, 7, 8a & 9a of the call for bids
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 6th day of May,
1959, by Councilman Spaulding, who moved its adoption, which
motion being duly seconded by Councilman Arata, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-175

A RESOLUTION ACCEPTING THE BID OF \$2,938.89 FROM CRANE COMPANY FOR FURNISHING CAST IRON FITTINGS (ITEMS 10-20 Inc.)

WHEREAS, Resolution No. 59-163, adopted by the Council of the City of Modesto on April 23, 1959, approved the plans and specifications for the furnishing of water pipe, valves and fittings

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of water pipe, valves and fittings

were opened at May 4, 1959 at 1:30 P.M. 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 Crane Company in the sum of \$2,938.89 for items 10-20 Inc. of the call for bids

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Crane Company in the sum of \$2,938.89 for items 10-20 Inc. of the call for bids 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 6th day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-176

A RESOLUTION ACCEPTING THE BID OF \$1,702.80 FROM STANDARD MATERIALS, INC.
FOR CONSTRUCTION OF CURB AND GUTTER IN PIKE PARK

WHEREAS, Resolution No. 59-162, adopted by the Council of the
City of Modesto on April 22, 1959, approved the plans and specifi-
cations for the construction of curb and gutter in Pike Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of curb and
gutter in Pike Park

were opened at 2:00 P.M. May 4, 1959 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 Standard Materials, Inc. in the sum of \$1,702.80

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Standard Materials,
Inc. in the sum of \$1,702.80
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 6 day of May,
1959, by Councilman Arata, who moved its adoption, which
action being duly seconded by Councilman Spaulding, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-177

A RESOLUTION ACCEPTING THE BID OF \$1,465 FROM B. B. FORD FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 23.

WHEREAS, Resolution No. 59-164, adopted by the Council of the City of Modesto on April 22, 1959, approved the plans and specifications for the construction of pump house at Pump Station No. 23

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of pump house at Pump Station No. 23

were opened at 2:15 P.M. May 4, 1959 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 B. B. Ford in the sum of \$1,465.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of B. B. Ford in the sum of \$1,465

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 6 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-178

A RESOLUTION ACCEPTING THE BID OF \$21,435.37 FROM W. M. LYLES COMPANY FOR THE CONSTRUCTION OF SUB-TRUNK SEWER IN McHENRY AVENUE

WHEREAS, Resolution No. 59-161, adopted by the Council of the City of Modesto on April 22, 1959, approved the plans and specifications for the CONSTRUCTION of sub-trunk sewer in McHenry Avenue

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sub-trunk sewer in McHenry Avenue

were opened at 2:30 P.M. May 4, 1959 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 W. M. Lyles Company in the sum of \$21,435.37

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of W. M. Lyles Company in the sum of \$21,435.37 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 6th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-179

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$10,650.00 FROM SPECIAL CAPITAL OUTLAY RESERVE TO SPECIAL CAPITOL OUTLAY FOR COMPLETION OF SUB-TRUNK SEWER IN Mc HENRY AVENUE.

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

FROM:	Special Capital Outlay Reserve 600-321	\$10,650.00
TO:	Special Capital Outlay 503-321 Sub-trunk McHenry Avenue from Granger to Hintze	\$10,650.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall and
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-180

A RESOLUTION ACCEPTING THE BID OF \$8,880.00 FROM B. B. FORD FOR CONSTRUCTION OF COMFORT STATIONS AT BEARD BROOK PARK AND WEST SIDE PARK

WHEREAS, Resolution No. 59-111, adopted by the Council of the City of Modesto on April 1, 1959, approved the plans and specifications for the two comfort stations at Beard Brook Park and West Side park.

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of comfort stations at Beard Brook and West Side Parks.

were opened at April 20, 1959 at 2:00 P.M. 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 B. B. Ford in the sum of \$8,880.00.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of B. B. Ford in the sum of \$8,880.00.

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 6th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-181

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR HYDROPNEUMATIC STORAGE TANK AT PUMP STATION #23

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

Section 1. The plans and specifications for Hydropneumatic Storage Tank at Pump Station #23

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, 717 10th Street, in the City of Modesto, on May 18 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, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-182

A RESOLUTION APPROVING A NEW PROJECT APPLICATION IN THE AMOUNT OF \$16,545.30 TO F.A.A. FOR CONSTRUCTION OF LIGHTED WIND TEE AND REIMBURSEMENT OF LAND COST AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION ON BEHALF OF THE CITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City Manager be authorized, on behalf of the City of Modesto, to sign and submit a new project application in the sum of \$16,545.30 to the Federal Aviation Agency for federal aid in the acquisition of land and the construction of a wind tee for approach protection at the Modesto Municipal Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-183

RESOLUTION AUTHORIZING THE PACIFIC FRUIT EXPRESS COMPANY TO RELOCATE BUILDINGS IN CONNECTION WITH IMPROVEMENT OF TULLY ROAD

WHEREAS, the City of Modesto has been working with the Pacific Fruit Express Company for several years regarding acquisition of needed right of way for improvement of Tully Road, and

WHEREAS, several small buildings must be relocated and reconstructed on the premises of the company in order to proceed with this improvement, and

WHEREAS, the City has approved an easement agreement with the company to obtain the necessary right of way, a condition of which requires the City to pay the cost of relocation of the buildings,

WHEREAS, Company has called for bids for the doing of the work and the lowest bidder was Edward Tomlinson who submitted a bid in the amount of \$7,280.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Pacific Fruit Express Company be authorized to proceed with relocation of Pacific Fruit Express Company buildings in connection with improvement of Tully Road, by awarding the bid to said Edward Tomlinson.

BE IT FURTHER RESOLVED that upon completion of the contract for removal and reconstruction of the buildings, and clearing of the right of way, the City shall pay the sum of \$7,280.00 to Pacific Fruit Express Co.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

A RESOLUTION GRANTING A VARIANCE TO FLOYD A. JOHNSON TO CONSTRUCT TWO DRIVEWAYS ON PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE LaLOMA-YOSEMITE INTERSECTION

WHEREAS, a request was granted to Floyd A. Johnson on March 25, 1959, for a variance from the Modesto Municipal Code to permit the construction of two driveways 36' each in width for a service station located on the northwest corner of LaLoma-Yosemite intersection, and

WHEREAS, a study indicated that these 36' driveways will not adequately serve the islands at the service station and a new request was filed for a variance to permit the construction of a 26' driveway and a 48' driveway to serve the property, and

WHEREAS, Section 7-1.104 (a) of the Municipal Code provides that the maximum width of any driveway shall not be more than 36' (thirty-six feet), as measured from the top of the curbing, and

WHEREAS, Section 7-1.104 (c) of the Municipal Code provides that not more than 40% of the frontage upon any street of the lots to be served thereby shall be devoted to driveways, and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that the request of Floyd A. Johnson for a variance from the provisions of the Modesto Municipal Code to permit the construction of two driveways, one 26' and one 48' in length, for a service station located on the northwest corner of LaLoma-Yosemite intersection 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 6th day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Adams, Arata, Knoles, Spaulding, Vander- Wall, Mayor Hammond
NAYS:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-185

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION BOND FILED BY U. Z. AND GENEVA BRANNON TO GUARANTEE IMPROVEMENTS IN MONTGOMERY VILLAGE NO. 1 SUBDIVISION

WHEREAS, U. Z. and Geneva Brannon filed a subdivision bond in the sum of \$15,000 to cover the cost of improvements, engineering, inspection fees and incidental expenses in Montgomery Village Subdivision No. 1, and

WHEREAS, the Director of Public Works has reported that all work within the subdivision covered by the subdivision agreement is now in and completed, and all fees required by the subdivision agreement have been paid by the subdivider, and

WHEREAS, the Director of Public Works has recommended that the City Clerk accept this subdivision as complete and order the release of the performance bond posted by the subdivider.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Clerk be authorized to release the subdivision bond filed by U.Z. and Geneva Brannon to cover the costs in Montgomery Village Subdivision No. 1, 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 6th day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-186

A RESOLUTION ACCEPTING THE RESIGNATION OF TREVOR J. GRIFFITH
FROM THE MODESTO CITY BOARD OF ZONING ADJUSTMENT

WHEREAS, Trevor J. Griffith has served as a member of
the Modesto City Board of Zoning Adjustment since July 20, 1955,
and

WHEREAS, Mr. Griffith has tendered his resignation as
a member of this Board, effective May 6, 1959,

NOW, THEREFORE, BE IT RESOLVED that the resignation
of Trevor J. Griffith from the Modesto City Board of Zoning
Adjustment be accepted with regrets and Mayor Hammond be author-
ized to write a letter of appreciation to Mr. Griffith for his
faithful service to the City while serving on this Board.

The foregoing resolution was introduced at a regular
meeting of the Council of the City of Modesto held on the 6th
day of May, 1959, by Councilman Spaulding, who moved its adoption,
which motion being duly seconded by Councilman Vander Wall, was
upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-187

A RESOLUTION ACCEPTING THE RESIGNATION OF RAY E. STARN FROM THE
MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Ray E. Starn has served as a member of the
Modesto City Personnel Commission since August 20, 1958, and

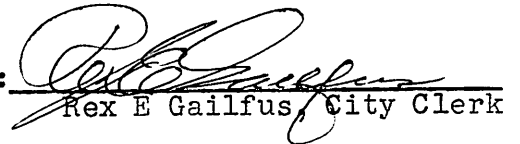
WHEREAS, Mr. Starn has tendered his resignation as a
member of this Commission, effective May 6, 1959,

NOW, THEREFORE, BE IT RESOLVED that the resignation of
Ray E. Starn from the Modesto City Personnel Commission be
accepted with regrets and Mayor Hammond be authorized to write
a letter of appreciation to Mr. Starn for his faithful service
to the City while serving on this Commission.

The foregoing resolution was introduced at a regular
meeting of the Council of the City of Modesto held on the 6th
day of May, 1959, by Councilman Arata, who moved its adoption,
which motion being duly seconded by Councilman Vander Wall, was
upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


Rex E Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-188

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DRILLING AND DEVELOPMENT OF TWO DEEP WELLS BY OSTERBERG & CARROLL: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of drilling, casing testing and development of two deep wells

has been completed by Osterberg & Carroll

in accordance with the contract agreement dated February 11, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of drilling casing, testing and development of two deep wells

be accepted from said contractor Osterberg & Carroll

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 6 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-189

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATER LINE TRENCHING AT DRYDEN PARK MUNICIPAL GOLF COURSE BY TURLOCK TRENCHING COMPANY: AUTHORIZING PAYMENT OF AMOUNTS DUE AND REORDINATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of water line trenching at Dryden Park Municipal Golf Course

has been completed by Turlock Trenching Company

in accordance with the contract agreement dated November 6, 1958

NOW, THEREFORE, BE IT RESOLVED that the construction of water line trenching at Dryden Park Municipal Golf Course

be accepted from said contractor Turlock Trenching 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 6 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knowles, Spaulding, Vander Wall
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-190

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SOIL CONDITIONING AND PREPARATION OF GREENS AT DRYDEN PARK MUNICIPAL GOLF COURSE BY GEORGE REED; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of soil conditioning and preparation of greens at Dryden Park Municipal Golf Course has been completed by George Reed

in accordance with the contract agreement dated April 9, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of soil conditioning and preparation of greens at Dryden Park Municipal Golf Course be accepted from said contractor George Reed

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 6 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-191

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.

WHEREAS, Chapter 2 of Title III of the Modesto Municipal Code authorizes the City Council, by resolution, to establish parking meter zones, one-way streets and alleys and angle parking in the City of Modesto,

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

SECTION 1. PARKING METER ZONES. Parking meter zones are hereby established at the following locations:

9th Street, between H and K Streets (northeast side)

10th Street, between F and Needham Streets (both sides)

11th Street, between G and L Streets (both sides)

12th Street, between G and L Streets (both sides)

13th Street, from two hundred (200') feet southeast of the southeasterly property line of H Street to L Street (both sides)

G Street, between 9th and 12th Streets (both sides)

H Street, between 6th and 8th Streets (both sides)

H Street, between 8th and 9th Streets (northwest side)

H Street, between 9th and 13th Streets (both sides)

I Street, between 9th and 14th Streets (both sides)

J Street, between 9th and 15th Streets (both sides)

K Street, between 9th and 14th Streets (both sides)

L Street, between 9th and 11th Streets (both sides)

SECTION 2. ANGLE PARKING. Angle parking is hereby established at the following locations:

- 15th Street, between F and H Streets (southwesterly side) on Sundays and 6 P.M. to midnight all other days (45° angle). At other times parallel to curb.
- F Street, between 10th and 11th Streets (south side) (diagonal)
- G Street, between 14th and 16th Street (northwesterly side) on Sundays and 6 P.M. to midnight all other days (45° angle). At other times parallel to curb.
- I Street, between 9th and 12th Streets (both sides) (diagonal)
- P Street, between 9th and Needham Streets (both sides) (perpendicular)

SECTION 3. ONE-WAY STREETS AND ALLEYS. One-way streets and alleys are hereby established at the following locations:

(a) One-way Streets:

- 10th Street, from D Street to Needham Street (southeasterly direction)
- 11th Street, from D Street to Needham Street (northwesterly direction)
- 17th Street, from H Street to J Street (southeasterly direction)
- 19th Street, from Burney Street to Downey Avenue (northwesterly direction)
- Burney Street, from LaLoma Avenue to H Street (southerly 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)

(b) One-way Alleys:

- Between 9th and 10th Streets, from H Street to K Street,
southeasterly direction
- Between 10th and 11th Streets, from F Street to G Street,
northwesterly direction
- Between 10th and 11th Streets, from G Street to H Street,
southeasterly direction
- Between 10th and 11th Streets, from H Street to K Street,
northwesterly direction
- Between 10th and 11th Streets, from K Street to L Street,
southeasterly direction
- Between 11th and 12th Streets, from I Street to J Street,
southeasterly direction
- Between 11th and 12th Streets, from J Street to K Street,
northwesterly direction
- Between 12th and 13th Streets, from G Street to H Street,
northwesterly direction
- Between 12th and 13th Streets, from I Street to K Street,
northwesterly direction

SECTION 4. The Director of Parking and Traffic is hereby directed to implement the provisions of this resolution.

SECTION 5. All prior resolutions and regulations establishing parking meter zones, angle parking, one-way streets and one-way alleys are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Councilmen:
AYES: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
Councilmen:
NOES: None
Councilmen:
ABSENT: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-192

A RESOLUTION ESTABLISHING SERVICE CHARGES FOR
KEEPING CITY MAPS CURRENT BY THE PLANNING DEPARTMENT.

WHEREAS, many non-city individuals and agencies desire to purchase maps of the City at a scale of one inch equals six hundred feet (1" = 600'), and

WHEREAS, said maps must be frequently modified and altered to reflect additions and changes in the City, and

WHEREAS, the Planning Department of the City is able to service maps prepared by the City by providing paste-on corrections periodically as well as a current map from time to time, and

WHEREAS, said maps and the services of the Planning Department will be made available to the Public for a charge,

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

SECTION 1. The price for the purchase of a current map of the City of Modesto at a scale of one inch equals six hundred feet (1" = 600') and for one year's map service on such map, dating from the date of purchase of such map, by the Planning Department of the City of Modesto in the manner specified above, is hereby established as \$10.00, plus tax, for each such map and map service for one year. In the event that any one non-city individual or agency desires to have map service for more than one map, receiving one paste-on correction for each map and having all maps and corrections furnished to one address, the price for the first map service shall be \$10.00 as above provided and the price for each additional map and service shall be \$5.00 per year, plus tax.

SECTION 2. The price for each additional year of map service for said scale map, including the furnishing of a current map from time to time, is hereby established in the sum of \$10.00 per year, plus tax, payable in advance for one map and map service and \$5.00 per year, plus tax, payable in advance, for each additional map and map service in excess of one.

SECTION 3. The price for each additional year of map service not including the furnishing of a current map from time to time, is hereby established in the sum of \$6.00 per year, plus tax, payable in advance for one map service and \$2.00 per year, plus tax, payable in advance for each additional map service in excess of one.

SECTION 4. That said prices shall include all costs of preparing and mailing said corrections to the purchasers.

SECTION 5. Resolution No. 57-315 adopted by the Council of the City of Modesto on July 17, 1957, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-193

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 ABEL PROPERTY)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 21, 1959, in the Council Chamber for the purpose of considering an application filed by Gene Abel to amend Section 28 of the Zoning Map to reclassify from Two-Family Zone, R-2 to Neighborhood Commercial Zone, C-1, all of lots 27, 28, 29, and 30 in Block 584, the following described property:

Lots 27, 28, 29 and 30 in Block 584, being located on the east side of High Street north of Morris Avenue,

and

WHEREAS, the said commission after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 518 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 7:40 P.M., Wednesday, May 27, 1959, 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 6th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-194

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 (MORRIS AND HIGH)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 21, 1959, in the Council Chamber for the purpose of considering an amendment to Section 28 of the Zoning Map to rezone lots 1 and 2 of Block 582 and lots 47 and 48 of Block 585 from Neighborhood Commercial Zone, C-1, to Two Family Zone, R-2, the following described property:

Lots 1 and 2 in Block 582 and lots 47 and 48 in Block 585, being located at the southwest and southeast corners of Morris Avenue and High Street,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 519 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 7:45 P.M., Wednesday, May 27, 1959, 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 6th day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-195

A RESOLUTION APPOINTING JOHN H. MARTIN
TO THE OFFICE OF COUNCILMAN OF THE CITY OF MODESTO.

WHEREAS, Don D. Hammond, was elected to the office of Councilman of the City of Modesto at the General Municipal Election held on April 9, 1957, for a term of four (4) years and thereafter qualified and entered upon the duties of said office, and

WHEREAS, said incumbent Councilman was elected to the office of Mayor of the City of Modesto at the General Municipal Election held on April 14, 1959, for a term of four (4) years from and after the first Tuesday following said election, and

WHEREAS, said incumbent Councilman duly qualified and entered upon the duties of the office of Mayor of the City of Modesto on April 22, 1959, and

WHEREAS, by reason of the election and qualification of said incumbent Councilman to the office of Mayor, the Council finds and declares that a vacancy was automatically created in the office of Councilman of the City of Modesto, and

WHEREAS, Section 702 of the Charter of the City of Modesto provides that if a vacancy shall occur in the office of Councilman, the Council shall forthwith appoint a person to fill such vacancy, and

NOW, THEREFORE, be it resolved by the Council of the City of Modesto that John H. Martin be, and he is hereby appointed to the office of Councilman of the City of Modesto to fill the vacancy existing by reason of the election and qualification of incumbent Councilman Don D. Hammond as Mayor of the City of Modesto. Said appointee shall hold office until his successor is duly elected and qualified. Such successor shall be chosen at the next General Municipal Election or at the first succeeding Special Municipal Election

called for any other purpose and shall hold office for the unexpired term of the former incumbent.

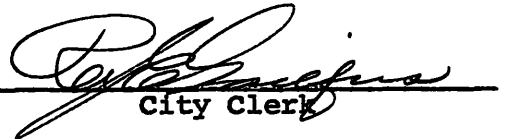
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-196

A RESOLUTION GRANTING A PERMIT TO THE SALVATION ARMY TO DISPLAY BANNERS ACROSS CITY STREETS DURING SALVATION ARMY WEEK MAY 17 TO MAY 24, 1959

WHEREAS, Lieutenant Kenneth L. Hodder, representing the Salvation Army, has requested that permission be granted to display banners across the streets in the downtown district to publicize the National Salvation Army Week for the period beginning May 17 to May 24, 1959,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a permit be granted to the applicant to display banners across city streets during Salvation Army Week May 17 to May 24, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander
Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-197

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION # 22

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 # 22

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, 717 10th Street, in the City of Modesto, on May 25, 1959, 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 13th day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-198

A RESOLUTION DESIGNATING CERTAIN STREETS, OR A PORTION THEREOF, AS MAJOR CITY STREETS IN THE CITY OF MODESTO, STANISLAUS COUNTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following streets within the corporate city limits of the City of Modesto, Stanislaus County, between the termini indicated herein, be selected, approved, and designated by the City Council of said City, as "Major City Streets":

<u>NAME</u>	<u>TERMINI</u>
B Street	Crows Landing Road to Tenth Street
Briggsmore Avenue	McHenry to West City Limits
Brook Way	Morton Boulevard to Morton Boulevard
Burney Street	Downey Avenue to Jennie Street
California Avenue	Franklin Street to Washington Street
Carver Road	North 99 Highway to M.I.D. Lat. No. 3
Coldwell Avenue	North 99 Highway to Sycamore Avenue
College Avenue	Needham Street to No. City Limits
Crows Landing Road	Sierra Drive to South City Limits
Downey Avenue	McHenry Avenue to Scenic Drive
Eighth Street	H Street To Kansas Avenue
Fifth Street	L Street to Sierra Drive
First Street	Washington Street to Sierra Drive
Fourteenth Street	Needham Street to D Street
Granger Avenue	Tully Avenue to McHenry Avenue
Griswold Avenue	Virginia Avenue to McHenry Avenue
H Street	Washington Street to Downey Avenue
Harriett Street	Downey Avenue to Morton Boulevard
I Street	Washington Street to Downey Avenue
Kansas Avenue	North 99 Highway to Franklin Street
L Street	Ninth Street to Needham Street
La Loma	H Street to Yosemite Boulevard
Laurel Street	Franklin Street to Washington Street
Miller Avenue	LaLoma to El Vista Avenue
Morris Avenue	College Avenue to East City Limits

Morton Boulevard	LaLoma to Tenth Street
Needham Street	Ninth Street to McHenry Avenue
Nineteenth Street	Downey Avenue to Burney Street
Orangeburg Avenue	Martin Avenue to McHenry Avenue
Paradise Avenue	Washington Street to West City Limits
Roseburg Avenue	Carver Road to McHenry Avenue
Scenic Drive	Downey Avenue to East City Limits
Seventh Street	Washington Street to Sierra Drive
Sierra Drive	First Street to South Seventh Street
Stoddard Avenue	Tully Avenue to McHenry Avenue
Sunrise Avenue - extended	Northerly City Limits to Downey Avenue
Sycamore Avenue	Needham Street to Orangeburg Avenue
Tenth Street	Needham Street to Morton Boulevard
Tully Avenue	North 99 Highway to No. City Limits
Tuolumne Boulevard	Paradise Avenue to Crows Landing Road
Virginia Avenue	Needham Street to Roseburg Avenue
Washington Street	Eighth Street to H Street
G Street	Sierra Drive to Burney Street
Ross Street	Burney Street to La Loma
11th Street	D Street to Needham Street

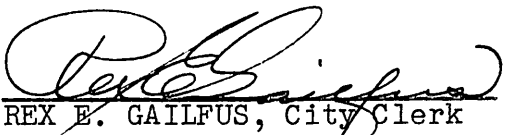
BE IT HEREBY RESOLVED that said City Council does recommend to the Department of Public Works of the State of California that the above selected streets be approved and designated by the Director of said Department as "Major City Streets" in said city and that said streets within the limits above given, be considered the system of Major City Streets in said city within the meaning of such system as defined in Sections 2050 to 2055, inclusive, of the Streets and Highways Code.

BE IT FURTHER RESOLVED that Resolution No. 56-434 adopted by the Council on October 17, 1956, entitled, "A RESOLUTION DESIGNATING CERTAIN STREETS, OR A PORTION THEREOF, AS MAJOR CITY STREETS IN THE CITY OF MODESTO, STANISLAUS COUNTY," be and is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13 day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly

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

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-199

A RESOLUTION GRANTING A VARIANCE TO SEARS, ROEBUCK AND COMPANY TO PERMIT THE INSTALLATION OF A 41'6" DRIVEWAY ON 11TH STREET

WHEREAS, Sears, Roebuck & Co. filed a request for a variance from the Modesto Municipal Code to permit the construction of a 41'6" driveway to serve a parking lot located on 11th Street, and

WHEREAS, Section 7-1.104 (a) of the Municipal Code provides that the maximum width of any driveway shall be not more than thirty (30') feet, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Sears, Roebuck & Co. for a variance from the provisions of the Modesto Municipal Code to permit the construction of a driveway of not more than thirty ^(41'6")~~(30')~~ feet in width, for a parking lot located on 11th Street 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 13 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-200

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF
MODESTO AND PROPERTY OWNERS ALONG McHENRY AVENUE AND AUTHORIZING
THE CITY MANAGER TO SIGN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement
with the American Right of Way and Appraisal Contractors for procuring
certain right of way and properties within the City and along McHenry
Avenue, and

WHEREAS, one Right of Way Contract for widening of McHenry
Avenue is now complete as follows:

<u>Document</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-147	The National Life and Accident Insurance Company	\$6,619.00

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto
approve this Right of Way Contract as presented and the City Manager
be authorized to sign it on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting
of the City Council of the City of Modesto held on the 13 day of May,
1959, by Councilman Spaulding, who moved its adoption, which motion
being duly seconded by Councilman Adams, was upon roll call carried
and the resolution adopted by the following vote:

AYS: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-201

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

WHEREAS, the Modesto City Planning Commission held a public hearing on May 5, 1959, in the Council Chamber for the purpose of considering an amendment to Section 18 of the Zoning Map to rezone from Single-Family Zone, R-1, to Multiple-Family Zone, R-3, the following described property:

Beginning at a point which is the center line of Tully Road and the center line of Modesto Irrigation District Lateral No. 3 right-of-way; thence southward along the center line of Tully Road 249.29 feet; thence westerly along the north line extended of Westwood Manor Subdivision 1044.17 feet; thence north 8° 34' 40" east to the center line of Modesto Irrigation District Lateral No. 3 right-of-way; thence eastward along the center line of Modesto Irrigation District Lateral No. 3 right-of-way to the point of beginning, and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 520 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., Wednesday, June 17, 1959, 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 13 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NAYS: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-202

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS CLUB HOUSE 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 follows:

All that certain real property situate 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 10 and 11 of the Rouse Colony as per map filed January 10, 1911, in Volume 5 of Maps, Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing corporate limits of the City of Modesto and the Northern line of the Dryden-Durand Addition, according to the boundary description filed June 23, 1955 as Instrument 18187, Stanislaus County Records, said point being the intersection of the center line of Sunset Avenue and the extension of the Southeastern line of Neece Drive as per map of the Durand Tract, filed January 21, 1947 in Volume 16 of Maps, Page 19, Stanislaus County Records; thence North $30^{\circ} 46' 30''$ East, 220.51 feet along the City limits and the Southeastern line of said Neece Drive to the Western line of the Durand Addition, according to the boundary description filed March 10, 1959 as Instrument 6806, Stanislaus County Records; thence continuing along the city limits and said Southeastern line of Neece Drive, North $30^{\circ} 46' 30''$ East, 276.44 feet to the Easterly extension across Neece Drive of the Southern line of Don Street

as per map of said Durand Tract; thence West, 272.40 feet, along said Southern line of Don Street and its Easterly and Westerly extension to the Western line of said Sunset Avenue; thence South 0° 15' West, 10.00 feet, to a point on the Northern line of property conveyed to the Sportsmen of Stanislaus, by deed recorded March 4, 1959, as Instrument 6319, Stanislaus County Records, said point also being on the Northern line of Lot 11 of said Rouse Colony; thence North 89° 45' West, 614.65 feet, along said Northern line of the Sportsmen of Stanislaus property to the Northwestern corner thereof; thence South 0° 15' West, 215.30 feet along the Western line of said Sportsmen of Stanislaus property; thence South 89° 45' East, 210.00 feet; thence South 0° 15' West, 139.00 feet to the Southern line of said Sportsmen of Stanislaus property and the Northern line of property conveyed to the City of Modesto by deed recorded March 4, 1959 as Instrument 6320, Stanislaus County Records; thence continuing South 0° 15' West, 36.00 feet along the boundary of said City property; thence North 89° 45' West 210.00 feet to the Northwestern corner of said City property; thence South 0° 15' West 264.22 feet along the Western line of said City property to its intersection with the Southern line of said City property; thence South 89° 45' East, 309.65 feet, along the Southern line of said City property to a point on the existing city limits according to the boundary description of said Dryden-Durand Addition; thence continuing along said city limits, and the Eastern line of said City property, North 0° 15' East, 264.22 feet; thence South 89° 45' East, 325.00 feet along said city limits to the Eastern line of said City property, said Eastern line being the center line of said Sunset Avenue; thence South 0° 15' West, 26.80 feet along said center line of Sunset Avenue and the existing city limits to the true point of beginning, containing 7.958 acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-203

A RESOLUTION APPOINTING COUNCILMAN THOMAS M. SPAULDING, VICE PRESIDENT
OF THE COUNCIL

WHEREAS, Section 603 of the Charter of the City of Modesto provides that the Council shall elect one of its members to be Vice President, and that during the temporary absence or disability of the Mayor, the Vice President of the Council shall act as Mayor Pro Tempore,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman Thomas M. Spaulding be and he is hereby appointed Vice President 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 13 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NOMS: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-204

A RESOLUTION APPOINTING JOHN TATOYAN 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 the Modesto City Personnel Commission and

WHEREAS, Ray E. Starn, on said Commission, resigned on May 6, 1959,

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 City Personnel Commission for the respective term as indicated:

John Tatoyan for a term expiring January 1, 1963

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed 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 13 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-205

A RESOLUTION APPOINTING BEN HOLLINGER A MEMBER OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to the Modesto City Board of Zoning Adjustment, and

WHEREAS, Trevor J. Griffith, on said Board, resigned on May 6, 1959,

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 City Board of Zoning Adjustment for the respective term as indicated:

Ben Hollinger for a term expiring January 1, 1963

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City 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 13 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-206

A RESOLUTION ACCEPTING THE RESIGNATION OF RICHARD E. LYNG FROM THE
MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Richard E. Lyng has served as a member of the Modesto City Personnel Commission since June 6, 1956, and

WHEREAS, Mr. Lyng has tendered his resignation as a member of this Commission, effective May 20, 1959,

NOW, THEREFORE, BE IT RESOLVED that the resignation of Richard E. Lyng from the Modesto City Personnel Commission be accepted with regrets and Mayor Hammond be authorized to write a letter of appreciation to Mr. Lyng for his faithful service to the City while serving on this Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-207

A RESOLUTION ACCEPTING THE BID OF \$2,064.40 FROM CONSOLIDATED WESTERN STEEL COMPANY FOR FURNISHING ONE HYDROPNEUMATIC STORAGE TANK AT PUMP STATION NO. 23

WHEREAS, Resolution No. 59-181, adopted by the Council of the City of Modesto on May 6, 1959, approved the plans and specifications for furnishing of one Hydropneumatic Storage Tank at Pump Station No. 23 and authorizing the calling for bids, and

WHEREAS, the bids received for the furnishing of one Hydropneumatic Storage Tank were opened at 2:00 P.M., May 18, 1959, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the low offer submitted by Grinnell Company in the sum of \$2,056.24 provides for a delivery date of 60 days from acceptance of bid, and

WHEREAS, the Director of Public Works has recommended that the bid of Consolidated Western Steel Company in the sum of \$2,064.40 be accepted as the lowest responsible bid as the bid provides for an earlier delivery date, June 17, and

WHEREAS, the Council of the City of Modesto finds and determines that the acceptance of the bid of Consolidated Western Steel Company is necessary for the public interest and welfare to permit the seeding of the fairways at the Dryden Park Municipal Golf Course to proceed as scheduled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of \$2,064.40 of Consolidated Western Steel Company for furnishing one Hydropneumatic Storage Tank be accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-208

A RESOLUTION SETTING THE DATE FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1959-60

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,

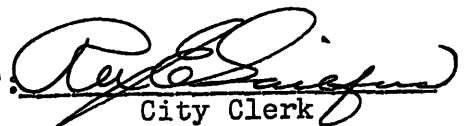
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Wednesday, June 10, 1959, at 8:00 P.M. in the Council Chamber, located in the McHenry Public Library Building, 14th and I Streets, be set as the time and place for the public hearing upon the proposed budget for the fiscal year 1959-60, 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 public Notice of Public Hearing in the official newspaper of the City of Modesto, the Modesto Bee, according to the provision 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 20 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-209

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO PROTESTING THE GRANTING OF AN ON-SALE BEER AND WINE LICENSE FOR THE PREMISES AT 122 N HIGHWAY 99 "GEORGE'S PLACE"

WHEREAS, under State law, the California State Department of Alcoholic Beverage Control has the power to grant or deny licenses for the sale of alcoholic beverages, including beer, and

WHEREAS, Wesley Jacob Busler and John Ruggiero have applied for an "On-Sale Beer and Wine License" at 122 N. Highway 99, "George's Place", and

WHEREAS, the records of the applicants show several arrests on various charges during the past several years, and

WHEREAS, the Modesto Police Department has recommended that a license be denied to said applicants, and

WHEREAS, the City Council believes it to be undesirable and not in the public interest, safety or general welfare to issue a license to said applicants, and

WHEREAS, Section 23988 of the Business and Professions Code of the State of California authorizes local governmental agencies to protest the granting of a liquor license within their jurisdictions,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Modesto hereby protests to the California State Department of Alcoholic Beverage Control the granting of an "On-Sale Beer and Wine License" to Wesley Jacob Busler and John Ruggiero at 122 N. Highway 99, "George's Place", Modesto, California,

BE IT FURTHER RESOLVED that the City Clerk transmit a certified copy of this resolution to the California State Department of Alcoholic Beverage Control.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-210

A RESOLUTION AUTHORIZING THE PURCHASE OF SEED FOR THE PLANTING OF THE DRYDEN PARK MUNICIPAL GOLF COURSE WITHOUT CALLING FOR BIDS DUE TO THE URGENCY

WHEREAS, efforts to purchase Bermuda seed for planting fairways at the Dryden Park Municipal Golf Course indicate that this seed is in very short supply, and

WHEREAS, to follow normal bid procedure in purchasing this seed would delay the planting schedule of the course, and

WHEREAS, the City Manager has recommended that due to the emergency situation the Council authorize the staff to purchase the seed on open market at an estimated cost of \$1,366 without going to bid, and

WHEREAS, the Council finds and determines that it is urgently necessary to authorize the purchase of the seed without call for bids in order to protect and preserve the public interest, welfare and property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the staff be authorized to purchase Bermuda seed on the open market for the seeding of fairways at the Dryden Park Municipal Golf Course at an estimated cost of \$1,366.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-211

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE L. M. MORRIS COMPANY, LEE BROTHERS STATIONERS, INC, MODESTO OFFICE EQUIPMENT COMPANY, AND RUSH OFFICE EQUIPMENT RELATING TO CITY HALL FURNISHINGS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The L. M. Morris Company, a corporation, Lee Brothers Stationers, Inc., a corporation, Modesto Office Equipment Company, a sole proprietorship owned by Bill Rackley, and Rush Office Equipment, a corporation for services relating to City Hall furnishings


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 20 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-212

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ESTABLISHING
RIGHT OF WAY POLICY AS IT PERTAINS TO THE PROVISION OF CURBS AND
GUTTERS AT CITY EXPENSE UNDER CERTAIN CONDITIONS

BE IT HEREBY RESOLVED BY the City Council of the City of Modesto that the following right of way policy, as it pertains to the provision of curbs and gutters at city expense, be and it is hereby adopted ;

That this policy shall apply only where rights of way are needed in developed areas which have been subdivided or split into lots to the point where the lots are not suitable for further division. In such an area, where the city determines that traffic volumes will require the design of the street for four lanes of traffic or more, upon dedication by the property owners of the additional street right of way required, the City will assume the obligation to install curbs and gutters along the property so dedicated providing,

1. The time of installation of curb and gutter to be determined by the City;
2. If the owner wishes to proceed with installation before the City is ready to make such installation, the City will not reimburse the costs thereof;
3. If the curbs have already been installed by the property owner, prior to adoption of this resolution, the City will not reimburse the costs thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-213

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF FUNDS ALLOCATED UNDER SECTION 2107.5 OF THE STREETS AND HIGHWAYS CODE

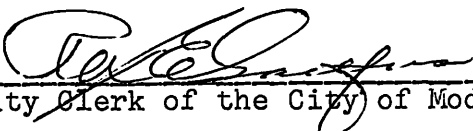
WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement submitted by the City of Modesto for expenditure of the engineering allocation to cities for the fiscal year 1959-60, and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that said project statement be and it is hereby adopted as the budget of proposed expenditures of the engineering allocation to cities, and said agreement be and the same is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City, said agreement to be binding upon the city upon its execution by the authorized officials of the State.

ADOPTED this 20 day of May, 1959.


Mayor of the City of Modesto

Attest: 
City Clerk of the City of Modesto

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto at a regular meeting thereof held May 20, 1959.


Clerk of the City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 59-214

A RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS TO THE PUBLIC UTILITIES COMMISSION FOR AN ORDER AUTHORIZING THE WIDENING OF A PUBLIC ROAD, HIGHWAY OR STREET ACROSS RAILROAD TRACKS OF THE SOUTHERN PACIFIC RAILROAD COMPANY (TULLY ROAD) AND EXECUTION OF APPLICATIONS BY THE MAYOR AND CITY CLERK OF THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto, that the submission of applications to the Public Utilities Commission for an order authorizing the widening of a public road, highway or street across railroad tracks of the Southern Pacific Railroad Company (Tully Road), be and they are hereby authorized, and

BE IT FURTHER RESOLVED that Mayor Don Hammond and City Clerk Rex E. Gailfus, of the City of Modesto, be authorized to execute said applications 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 20 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles, Martin

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 215

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 ROBERTSON - FIRST 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," 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 ROBERTSON - FIRST ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Sections 6 and 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 1, 2, 3 and 4, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point also being on the Eastern line of Robertson Park Playground, as per map of said River View Tract, and bearing South $0^{\circ} 06' 37''$ West, 200.00 feet from the intersection of the Eastern line of said Robertson Park Playground and the Southern line of Fairfield Road as per map of said River View Tract; thence along said City Limits, North $89^{\circ} 40'$ East, 1581.21 feet to the Eastern line of Lot 1; thence along the Eastern line of said Lot 1, North, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from said Southern line of Fairfield Road, South $89^{\circ} 40'$ West, 1581.03 feet to the Eastern line of said Robertson Park Playground; thence along said Eastern line of Robertson Park Playground, South $0^{\circ} 06' 37''$ West, 95.00 feet to the point of beginning, containing 3.448 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 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; and the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 11, _____, 1959, approve the proposed annexation boundaries of said ROBERTSON -
FIRST 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.

3. That July 8, 1959, at the hour of 8:00 o'clock p.m. of said day, in the Council Chambers in the McHenry Public Library 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.

4. 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 BEE, a newspaper of general circulation published in said City of Modesto, the city to which it is proposed to annex the afore-said territory, and also in the Turlock 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 complete at least twenty (20) days prior to the date set for hearing.

And 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And 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 20 day of May, 1959, by Councilman Arata, who moved its adoption, which

motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-216

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 ROBERTSON - SECOND 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," 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 ROBERTSON - SECOND ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 5 and 6, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of Robertson Park Playground, as per map of said River View Tract, and bearing South $0^{\circ} 12'$ West, 200.00 feet from the Southern line of John Street as per map of said River View Tract; thence along said City Limits, South $89^{\circ} 40'$ West, 611.10 feet to the Western line of said Lot 6; thence continuing along said City Limits, North $0^{\circ} 17' 30''$ East, 95.00 feet; thence North $89^{\circ} 40'$ East, 610.95 feet to the Western line of said Robertson Park Playground; thence along the Western line of said Robertson Park Playground, South $0^{\circ} 12'$ West, 95.00 feet to the point of beginning, containing 1.333 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 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; and the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 11,, 1959, approve the proposed annexation boundaries of said ROBERTSON -
SECOND 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.

3. That July 8,, 1959, at the hour of 8:00 o'clock p.m. of said day, in the Council Chambers in the McHenry Public Library 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.

4. 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 Bee, a newspaper of general circulation published in said City of Modesto, the city to which it is proposed to annex the afore-said territory, and also in the Turlock 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 complete at least twenty (20) days prior to the date set for hearing.

And 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And 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 20 day of May, 1959, by Councilman Spaulding, who moved its adoption, which

motion being duly seconded by Councilman Adams, was upon
roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-217

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 ROBERTSON - THIRD 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," 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

ROBERTSON - THIRD ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 7 and 8, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of said Lot 8 and bearing South $0^{\circ} 01' 20''$ West, 209.58 feet from the Southern line of Donald Street as per map of said River View Tract; thence along said City Limits line and the Western line of said Lot 8, North $0^{\circ} 01' 20''$ East, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from the Southern line of said Donald Street, North $89^{\circ} 47' 30''$ East, 657.90 feet to its intersection with the Western line of Marlow Street as per map of said River View Tract; thence along the Western line of said Marlow Street, South $0^{\circ} 17' 30''$ West, 0.42 feet; thence continuing along the Western line of said Marlow Street on a tangent curve concave to the Northeast, having a radius of 163.21 feet, a central angle of $35^{\circ} 17' 50''$, a distance of 100.55 feet to a point on the existing City Limits; thence along said City Limits, South $89^{\circ} 47' 30''$ West, 687.48 feet, to the point of beginning, containing 1.468 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 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; and the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 11, 1959, approve the proposed annexation boundaries of said ROBERTSON -
THIRD 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.

3. That July 8, 1959, at the hour of 8:00 o'clock p.m. of said day, in the Council Chambers in the McHenry Public Library 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.

4. 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 Bee, a newspaper of general circulation published in said City of Modesto, the city to which it is proposed to annex the afore-said territory, and also in the Turlock 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 complete at least twenty (20) days prior to the date set for hearing.

And 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And 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 20 day of May, 1959, by Councilman Arata, who moved its adoption, which

motion being duly seconded by Councilman Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 218

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 ROBERTSON - FOURTH 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," 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 ROBERTSON - FOURTH ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 9 and 10, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of Vernon Avenue as per map of River View Tract and bearing South 0° 01' 20" West, 200.01 feet from the Southern line of Kenneth Street as per map of said River View Tract; thence along said City Limits, South 89° 49' 10" West, 659.72 feet to the Western line of said Lot 10; thence along the Western line of said Lot 10, North 0° 14' 50" West, 95.00 feet; thence along the line parallel with and 105.00 feet at right angles Southerly from the Southern line of said Kenneth Street, North 89° 49' 10" East, 660.16 feet to the Western line of said Vernon Avenue; thence along the Western line of said Vernon Avenue, South 0° 01' 20" West, 95.00 feet, to the point of beginning, containing 1.439 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 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; and the County Boundary Commission of Stanislaus County, California, did in session duly assembled on May 11, 1959, approve the proposed annexation boundaries of said ROBERTSON -
FOURTH 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.

3. That July 8, 1959, at the hour of 8:00 o'clock p.m. of said day, in the Council Chambers in the McHenry Public Library 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.

4. 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 Bee, a newspaper of general circulation published in said City of Modesto, the city to which it is proposed to annex the aforesaid territory, and also in the Turlock 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 complete at least twenty (20) days prior to the date set for hearing.

And 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And, 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 first public hearing on the proposed annexation;

And 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 20 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which

motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-219
EXTENSION OF

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND
STANDARD OIL COMPANY OF CALIFORNIA FOR LEASE OF PORTION OF PROPERTY
AT CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
extension of
that the/Agreement between the City of Modesto and Standard Oil
Company of California

for lease of portion of property at 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 20 day
of May, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-220

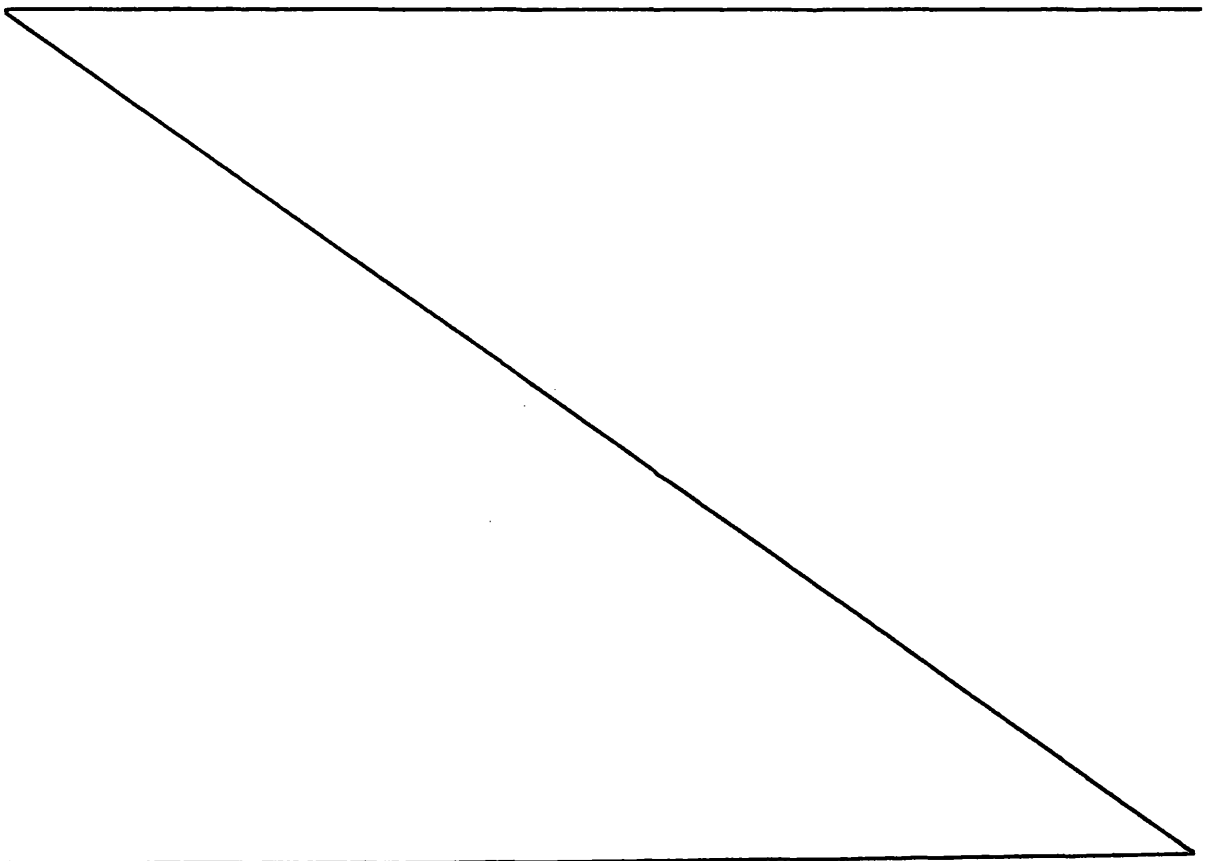
A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION OF THE SHERWOOD MANOR ADDITION TO THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto was filed by Robert P. Bomberger and John E. Hirleman on May 14 1959, to annex to the City of Modesto, under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the area or territory hereby designated as the SHERWOOD MANOR ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being portions of Lots 2, 3, 18 and 19 of the Coffee Colony as per map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at the Northeastern corner of the existing Corporate City Limits as established by the Northeast Addition, filed January 31, 1958 as Instrument 2427, Stanislaus County Records, said point being on the Southern line of a 40 foot public right-of-way known as Floyd Avenue and the Eastern line of a 40 foot public right-of-way known as Sunrise Avenue as per map of Montgomery Village No. 2 subdivision, filed May 14, 1957 in Volume 18 of Maps, Page 68, as Instrument 12680, Stanislaus County Records, said point also being on the Western line of Lot 19 of said Coffee Colony and bearing South $0^{\circ} 38'$ East, 20.00 feet from the Northwestern corner of said Lot 19; thence along the existing City Limits and the Southern line of said Floyd Avenue, North $89^{\circ} 30' 30''$ West, 495.00 feet, to the intersection with the Southerly extension across Floyd Avenue of the Western line of property conveyed to Robert P. Bomberger by deed recorded January 14, 1959, Instrument 1085, Stanislaus County Records; thence along said Southerly extension and the Western line of said Bomberger property, North $0^{\circ} 39'$ West, 365.00 feet, to the Southern line of property conveyed to Robert P. Bomberger by deed recorded March 27, 1959, Instrument 8950, Stanislaus County Records; thence along the Southern line of last mentioned Bomberger property, North $89^{\circ} 30' 30''$ West, 6.00 feet, to the Southwest corner thereof; thence along the Western line of last mentioned Bomberger property,

North $1^{\circ} 55' 40''$ West, 358.71 feet to the North-western corner thereof; thence along the Northern line of last mentioned Bomberger property, South $89^{\circ} 29' 50''$ East, 14.00 feet to the Northeastern corner thereof; thence along the Western line of said Bomberger property as mentioned in Instrument 1085, North $0^{\circ} 39'$ West, 616.60 feet to the North-western corner of said Bomberger property said point being on the Northern line of Lot 3 of said Coffee Colony; thence along the Northern line of said Bomberger property and the Northern line of said Lot 3, South $89^{\circ} 30'$ East, 495.00 feet to the Northeastern corner thereof; thence along the Northern line of Lot 2 of said Coffee Colony and the Northern line of property conveyed to Robert P. Bomberger by deed recorded December 2, 1958 as Instrument 30582, Stanislaus County Records, South $89^{\circ} 30'$ East, 661.22 feet to the Northeastern corner thereof; thence along the Eastern line of said Lot 2 and the Eastern line of said Bomberger property, South $0^{\circ} 36' 30''$ East, 1117.36 feet to the Southern line of property conveyed to John E. Hirleman by deed recorded April 13, 1959 as Instrument 10562, Stanislaus County Records; thence along said Southern line of Hirleman property, North $89^{\circ} 30' 30''$ West, 100.00 feet to the Western line of property conveyed to James H. Wilson, et ux, by deed recorded December 17, 1953 as Instrument 31388, Stanislaus County Records; thence along said Western line of Wilson property and its Southerly extension across Floyd Avenue, South $0^{\circ} 36' 30''$ East, 222.50 feet to the Southern line of said Floyd Avenue; thence along said Southern line of Floyd Avenue, North $89^{\circ} 30' 30''$ West, 560.00 feet to the point of beginning containing 35.116 acres, more or less.



and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 1st day of July 1959, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles, Martin

ATTEST: 
City Clerk

(SEAL)

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 20 day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles, Martin

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-222

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE PUBLICATION AND PRINTING OF THE OFFICIAL ADVERTISING FOR THE FISCAL YEAR 1959-60

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 1959-60

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, 717 10th Street, in the City of Modesto, on June 15, 1959 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 27 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-223

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR LAMP BULBS FOR FISCAL YEAR 1959-60

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

Section 1. The plans and specifications for furnishing of lamp bulbs for fiscal year 1959-60

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, 717 10th Street, in the City of Modesto, on June 15 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 27 day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-224

A RESOLUTION ACCEPTING THE BID OF \$6,107.90 FROM FAIRBANKS MORSE COMPANY FOR FURNISHING ONE DEEP WELL PUMP AND EQUIPMENT FOR PUMP STATION NO. 22

WHEREAS, Resolution No. 59-169, adopted by the Council of the City of Modesto on May 6, 1959, approved the plans and specifications for the furnishing of one deep well pump and equipment for Pump Station No. 22

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one deep well pump and equipment for Pump Station No. 22

were opened at May 25, 1959 at 2:00 P.M. 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 Fairbanks Morse Company in the sum of \$6,107.90

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Fairbanks Morse Company in the sum of \$6,107.90 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 27 day of May, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-225

A RESOLUTION ACCEPTING THE BID OF \$1,525 FROM B. B. FORD FOR CONSTRUCTION OF PUMP HOUSE AT PUMP STATION NO. 22

WHEREAS, Resolution No. 59-197, adopted by the Council of the City of Modesto on May 13, 1959, approved the plans and specifications for the construction of pump house at Pump Station #22

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of pump house at Pump Station #22

were opened at May 25, 1959 at 2:15 P.M. 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 B. B. Ford in the sum of \$1,525

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of B. B. Ford in the sum of \$1,525 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 27 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-226

A RESOLUTION ACCEPTING DEED OF ROAD EASEMENT FROM CENTRAL PACIFIC RAILWAY COMPANY AND SOUTHERN PACIFIC COMPANY FOR WIDENING OF TULLY ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it does hereby accept a deed of easement from Central Pacific Railway Company and Southern Pacific Company dated May 27, 1959, for widening of Tully Road.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to record said Deed of Easement with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST. 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-227

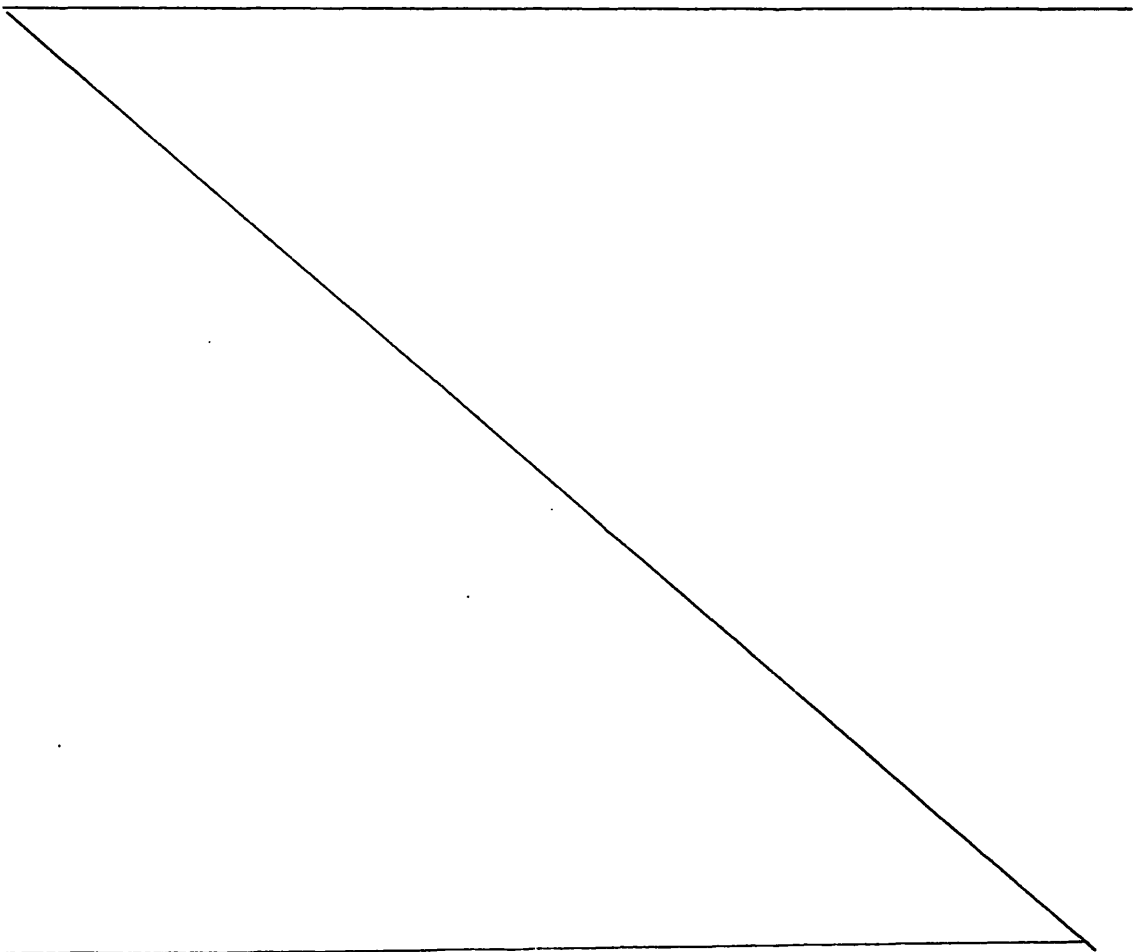
A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE CLUB HOUSE ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by SPORTSMEN OF STANISLAUS, LORNA D. STURM and
NORMAN A. STURM on May 6, 1959,
to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the CLUB HOUSE ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate 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 10 and 11 of
the Rouse Colony as per map filed January 10, 1911,
in Volume 5 of Maps, Page 24, Stanislaus County
Records, described as follows:

Beginning at a point on the existing corporate limits
of the City of Modesto and the Northern line of the
Dryden-Durand Addition, according to the boundary
description filed June 23, 1955 as Instrument 18187,
Stanislaus County Records, said point being the inter-
section of the center line of Sunset Avenue and the
extension of the Southeastern line of Neece Drive
as per map of the Durand Tract, filed January 21,
1947 in Volume 16 of Maps, Page 19, Stanislaus County
Records; thence North $30^{\circ} 46' 30''$ East, 220.51 feet
along the City Limits and the Southeastern line of
said Neece Drive to the Western line of the Durand
Addition, according to the boundary description filed
March 10, 1959 as Instrument 6806, Stanislaus County
Records; thence continuing along the city limits and
said Southeastern line of Neece Drive, North $30^{\circ} 46' 30''$
East, 276.44 feet to the Easterly extension across
Neece Drive of the Southern line of Don Street as
per map of said Durand Tract; thence West, 272.40
feet, along said Southern line of Don Street and its
Easterly and Westerly extension to the Western line
of said Sunset Avenue; thence South $0^{\circ} 15'$ West,
10.00 feet, to a point on the Northern line of property
conveyed to the Sportsmen of Stanislaus, by deed
recorded March 4, 1959, as Instrument 6319, Stanislaus
County Records, said point also being on the Northern
line of Lot 11 of said Rouse Colony; thence North $89^{\circ} 45'$
West, 614.65 feet, along said Northern line of the
Sportsmen of Stanislaus property to the Northwestern

corner thereof; thence South $0^{\circ} 15'$ West, 215.30 feet along the Western line of said Sportsmen of Stanislaus property; thence South $89^{\circ} 45'$ East, 210.00 feet; thence South $0^{\circ} 15'$ West, 139.00 feet to the Southern line of said Sportsmen of Stanislaus property and the Northern line of property conveyed to the City of Modesto by deed recorded March 4, 1959 as Instrument 6320, Stanislaus County Records; thence continuing South $0^{\circ} 15'$ West, 36.00 feet along the boundary of said City property; thence North $89^{\circ} 45'$ West 210.00 feet to the Northwestern corner of said City property; thence South $0^{\circ} 15'$ West 264.22 feet along the Western line of said City property to its intersection with the Southern line of said City property; thence South $89^{\circ} 45'$ East, 309.65 feet; along the Southern line of said City property to a point on the existing city limits according to the boundary description of said Dryden-Durand Addition; thence continuing along said city limits, and the Eastern line of said City property, North $0^{\circ} 15'$ East, 264.22 feet; thence South $89^{\circ} 45'$ East, 325.00 feet along said city limits to the Eastern line of said City property, said Eastern line being the center line of said Sunset Avenue; thence South $0^{\circ} 15'$ West, 26.80 feet along said center line of Sunset Avenue and the existing city limits to the true point of beginning, containing 7.958 acres, more or less.



and

WHEREAS, the County Boundary Commission of Stanislaus County has heretofore approved the proposed boundaries of said territory as to definiteness and certainty, and

WHEREAS, said petition was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, the Planning Commission has heretofore rendered its report and recommendation to the Council, favoring the annexation of said territory, and

WHEREAS, it appears to the Council of the said City and the Council after hearing evidence finds that said petition is in proper form and that the real property described therein and hereinabove described is contiguous to the City of Modesto and that said petition is signed by the owners of not less than one-fourth of the land in the territory by area, and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, being the County in which the territory is situated, and that less than twelve registered voters reside within said territory, and that said territory is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939,

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

SECTION 1. NOTICE IS HEREBY GIVEN that the 8th day of July 1959, at the hour of 8:15 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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. At any time before the hour set for hearing objections, any owner of property within the territory may file written protests against the annexation, which protest shall state the name of the owner of the property affected and the description and area of the property in general terms.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27 day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: _____


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-228

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE PERSONNEL BOARD FOR THE CONTINUANCE OF EXAMINING SERVICES DURING 1959-60

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

for the continuance of examining services during 1959-60

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 27 day of May, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: 
CITY CLERK


MODESTO CITY COUNCIL
RESOLUTION NO. 59-229

A RESOLUTION ACCEPTING THE BID OF LAKESIDE TRUCK BODY COMPANY IN THE SUM OF \$2,062.60 LESS DISCOUNT TO CONSTRUCT RESCUE TRUCK BODY

BE IT HEREBY RESOLVED that the informal bid received from Lakeside Truck Body Company for the construction of rescue truck body in the sum of \$2,062.60 plus tax less 5% discount, 15 days, 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 27 day of May, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

Attest:

City Clerk

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,000 FROM SPECIAL CAPITAL OUTLAY TO CITY HALL & PARKING GARAGE FOR STUDY OF OFFICE FURNISHINGS AND EQUIPMENT FOR THE NEW CITY HALL

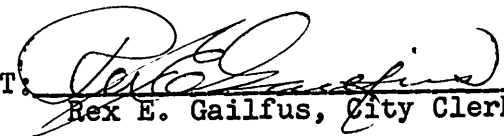
BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfer be approved:

FROM: Special Capital Outlay Reserve \$4,000.
 600(321)

TO: City Hall & Parking Garage \$4,000.
 503(321)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27 day of May, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor Hammond
 NOES: Councilmen: None
 ABSENT: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-231

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE INSTALLATION OF WATER MAINS ON CARVER ROAD BETWEEN ORANGEBURG AVENUE AND PUMP STATION NO. 22 AND CAMPUS EDGE SUBDIVISION NO. 1

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 Carver Road between Orangeburg Avenue and Pump Station No. 22 and LCampus Edge Subdivision No. 1

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, 717 10th Street, in the City of Modesto, on June 15, 1959 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 3 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-232

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE INSTALLATION OF WATER MAINS IN HILLVIEW ACRES AND MAZE BOULEVARD

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 Hillview Acres and Maze Boulevard

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, 717 10th Street, in the City of Modesto, on June 15, 1959 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 3 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-233

A RESOLUTION ACCEPTING THE RESIGNATION OF HENRY H. LAWS FROM
THE MODESTO CITY BOARD OF ZONING ADJUSTMENT

WHEREAS, Henry H. Laws has served as a member of the Modesto City Board of Zoning Adjustment since February 26, 1958, and

WHEREAS, Mr. Laws has tendered his resignation as a member of this Board, effective June 4, 1959,

NOW, THEREFORE, BE IT RESOLVED that the resignation of Henry H. Laws from the Modesto City Board of Zoning Adjustment be accepted with regrets and Mayor Hammond be authorized to write a letter of appreciation to Mr. Laws for his faithful service to the City while service on this Board.

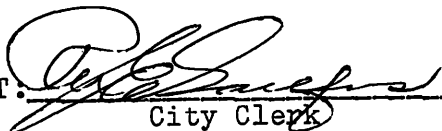
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-234

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
U. S. FIRE PROTECTION ENGINEERING SERVICE INC. FOR ANALYSIS OF
FIRE PROTECTION FACILITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and U. S. Fire
Protection Engineering Service Inc.

for analysis of fire protection facilities

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 3 day
of June, 1959, by Councilman Spaulding, who moved
its adoption, which motion being duly seconded by Councilman
Vander Wall, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-235

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY AND COUNTY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO AND AUTHORIZE THE COUNTY ASSESSOR TO CANCEL THE 1959-60 ASSESSMENT AGAINST THE PROPERTY

WHEREAS, the following parcels of real property owned by the City of Modesto were annexed to the City of Modesto on February 25, 1959, and

WHEREAS, Sections 4886 (e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes on property acquired after the lien date by a public agency upon written consent of the City Attorney and the District Attorney, respectively, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be, and it is hereby requested to cancel the unpaid second installment of 1958-59 City-County taxes and the 1959-60 County assessments against the property as follows:

1958-59	Tax Bill #39583	
80/10	57976	BK/6
Durand Tract Lots A & B - Beg 220.51' N E - PI, SL - Neece Dr. & CL - Sunset Ave.; Th N Ely 1051.60', E 466.43'; S 940.81'; Wly 999.22', N 72.77'; N 231.12' to Beg (Ctg 19 acres)		
Assessed Valuation Land		\$4530.00
" "	Trees	3040.00
2nd Installment of Taxes		529.14

1958-59	Tax Bill #10209	
2/3	58765	H/32
Section 5-4-9, Por beg. at NE Cor of Lot A of Durand Tr, Th W 318.60', Nly 157.30', N Ely 161.66', E 36.40', S Ely 170.82', S 192.86' to beg.		
Assessed Valuation Land		\$440.00
2nd Installment of Taxes		17.75

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 236

A RESOLUTION AUTHORIZING AN APPLICATION FOR STATE AID FOR CONSTRUCTION OF RAILROAD CROSSING PROTECTION SIGNALS AT TIDEWATER SOUTHERN RAILROAD CROSSING NO. 75-27-3 AND ORANGEBURG AVENUE.

WHEREAS, the State of California, under Chapter 1739, Statutes of 1953, has appropriated funds for allotment to counties and cities so that they may engage in the construction of railroad grade crossing protection, and

WHEREAS, the City desires to apply for an allotment of State aid for the construction of protection for a railroad grade crossing, and

WHEREAS, an application to the Public Utilities Commission of the State of California has been prepared and presented to this Legislative Body for consideration, and

WHEREAS, the City of Modesto has made provision for paying that portion of the cost of the project not requested as an allotment for the State,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto submit the aforesaid application for State aid for construction of railroad grade crossing protection to the Public Utilities Commission requesting an allotment of One Thousand Seven Hundred and Five and no/100ths (\$1,705.00) Dollars, or of an allotment of such amount as may be allotted by the Public Utilities Commission.

BE IT FURTHER RESOLVED that the City of Modesto hereby certifies the total estimate of cost to be paid for the construction of protection for railroad crossing No. 75-27-3 on Orangeburg Avenue, which the City of Modesto is making under said act is Six Thousand Eight Hundred and Twenty and no/100ths (\$6,820.00) Dollars.

BE IT FURTHER RESOLVED that for the purpose of this request, Ross Miller, City Manager of the City of Modesto, 717 Tenth Street, Modesto, California, be, and he is hereby, designated as the authorized

agent of the City of Modesto, and is hereby authorized and directed to sign the hereinmentioned application of the City of Modesto, and to submit the same to the Public Utilities Commission, together with a certified statement of the total estimated cost to be paid for construction of the project herein mentioned.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-237

A RESOLUTION DENYING REQUEST OF GLENN STEPP, 1521 STETSON AVENUE,
FOR A VARIANCE FROM THE SIDEWALK PROVISION OF THE MODESTO MUNICIPAL
CODE

WHEREAS, Glenn Stepp, 1521 Stetson Avenue, has filed a request
for a variance from the following provisions of the Modesto Municipal
Code:

7-1.201----permit must be obtained before construction of
sidewalk is started from the Director of
Public Works,

7-1.203(a)-sidewalk to be constructed in accordance with
standard plans and specifications for concrete
sidewalk and under supervision of Director of
Public Works,

WHEREAS, the Director of Public Works has recommended that
the request for a variance to permit the brick sidewalk to remain
in the public right of way on Stetson Avenue, which was installed by
applicant without a permit and of materials and at a grade not
approved by the Municipal Code and the standard plans and specifications
on file in the office of the Director of Public Works, be denied,
since a potentially hazardous condition exists,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Modesto that the request of Glenn Stepp for a variance to permit the
brick sidewalk to remain on Stetson Avenue be denied 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 3 day of June, 1959,
by Mayor Hammond, who moved its adoption, which motion being duly
seconded by Councilman Vander Wall, was upon roll call carried and
the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-238

A RESOLUTION GRANTING ENCROACHMENT PERMIT TO BEARD LAND AND INVESTMENT COMPANY ON WEST SIDE OF TENTH STREET BETWEEN B AND C STREETS, IN THE CITY OF MODESTO

WHEREAS, the Beard Land and Investment Company has filed a request for an encroachment permit to construct a concrete step eleven (11") inches wide and four (4') feet in length for the purpose of extending an existing stairway, and

WHEREAS, the existing stairway was formerly used to provide access to a loading platform eight (8') feet in width which presently exists on public right of way on the West side of Tenth Street between B and C Streets, and

WHEREAS, it has been necessary for Beard Land and Investment Company to revise the location of the stairway in order to provide sufficient width on the platform for operation of modern forklift equipment in its warehousing operations, and

WHEREAS, in order to provide access to the platform for pedestrians, it is necessary that the additional encroachment eleven (11") inches wide and four (4') feet wide be constructed at the base of the loading platform on the West side of Tenth Street between B and C Streets by Beard Land and Investment Company, as shown on the sketch on file in the office of the City Clerk,

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 construct a concrete step eleven (11") inches wide and four (4') feet in length for the purpose of extending an existing stairway on the West side of Tenth Street between B and C Streets, as shown on the sketch on file in the office of the City Clerk, 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) This permit may be revoked by City upon giving Permittee thirty (30) days notice, and upon revocation of the permit Permittee agrees to remove the structure and return the street to its original condition at its own expense.

(b) Permittee, 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.

(c) Permittee, its successors and assigns, during the term of this permit, at its own cost and expense, shall defend any and all lawsuits, 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, 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 (\$100,000.00) 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 (\$200,000.00) Dollars on account of one occurrence; and

Property Damage Insurance, in an amount not less than Ten Thousand and no/100ths (\$10,000.00) Dollars.

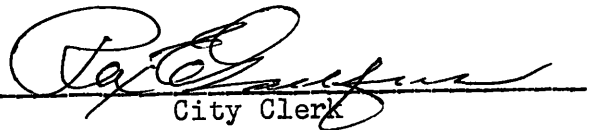
Permittee shall furnish City with satisfactory proof of carriage of the insurance required. Such insurance shall be absolutely non-cancellable for a period of not less than five (5) days after notice to the City.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit and certificates of insurance as required by this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance and certificates are filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-239

A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF MILL LICENSE TO
BOUDREAU MACHINE COMPANY

WHEREAS, the Boudreau Machine Company has filed with the Finance Department of the City of Modesto, a claim of \$387.51 for overpayment of mill license for the period of March 31, 1957 through September 30, 1958, and

WHEREAS, the Director of Finance reported that a review of the accounting records made by the Boudreau Machine Company indicated there were some discrepancies and recommended a refund in the amount of \$359.92 be allowed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a refund of \$359.92 to the Boudreau Machine Company be approved, as recommended by the Director of Finance, and that the balance of the claim be rejected.

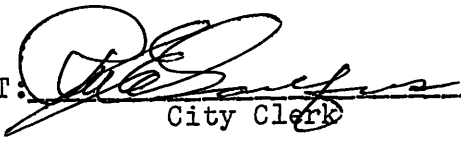
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


City Clerk

MODESTO CITY COUNCIL

RESOLUTION NO. 59-240

A RESOLUTION GRANTING A PERMIT TO THE CALIFORNIA FRYER FESTIVAL COMMITTEE, INC. FOR THE USE OF LEGION PARK ON JUNE 13, 1959 FOR ITS ANNUAL FESTIVAL

WHEREAS, the California Fryer Festival Committee has filed a request with the Council for permission to use Legion Park on June 13, 1959 for its annual festival,

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 the Legion Park on June 13, 1959 for its annual festival 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 ~~twenty (20)~~ ^{five (5)} 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 3 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: Knoles

ATTEST: 
Rex E. Gailfus, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-241

A RESOLUTION APPOINTING RALPH E. WATSON A MEMBER OF THE MODESTO CITY PERSONNEL COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto required the City Council to appoint members to the Modesto City Personnel Commission, and

WHEREAS, Richard E. Lyng, on said Commission, resigned on May 20, 1959,

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 to the Modesto City Personnel Commission for the respective term as indicated:

Ralph E. Watson for a term expiring January 1, 1961

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed 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 3 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-242

A RESOLUTION ACCEPTING THE OFFER OF THE NATIVE DAUGHTERS OF THE GOLDEN WEST SEWING CLUB OF THE MORADA PARLOR NO. 199 TO PAY THE COST OF A CLOCK FOR THE MAIN MEETING ROOM AT THE MODESTO COMMUNITY SERVICE CENTER

WHEREAS, the sewing club of the Morada Parlor No. 199, Native Daughters of the Golden West, has graciously offered to pay the cost for the installation of a clock in the main meeting room at the Modesto Community Service Center, 800 Morris Avenue,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the offer of the sewing club of the Morada Parlor No. 199, Native Daughters of the Golden West is hereby accepted and the Council does hereby express its sincere appreciation on behalf of the citizens of the City of Modesto for the donation of this clock.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


City Clerk

MODESTO CITY COUNCIL

RESOLUTION NO. 59-243

A RESOLUTION GRANTING A PERMIT TO KIWANIS CLUB TO HOLD A BEEF BARBECUE IN LEGION PARK ON JULY 4, 1959

WHEREAS, the Kiwanis Club of Greater Modesto has filed a request with the Council for permission to hold a beef barbecue in Legion Park on July 4, 1959

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 a beef barbecue in Legion Park on July 4, 1959

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 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 10 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: Arata

ATTEST: 
Rex E. Gailfus, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-244

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SUB-TRUNK SEWER ALONG M.I.D. LATERAL NO. 4 TO HILLVIEW ACRES SUBDIVISION

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

Section 1. The plans and specifications for construction of sub-trunk sewer along M.I.D. Lateral No. 4 to Hillview Acres 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, 717 10th Street, in the City of Modesto, on June 22, 1959 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 10 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-245

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF LIGHTED WIND TEE ADDITION AT 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 lighted wind tee addition 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, 717 10th Street, in the City of Modesto, on June 22, 1959 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 10 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-246

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR FURNISHING THREE TRAFFIC SIGNAL CONTROLLERS

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

Section 1. The plans and specifications for furnishing three
traffic signal controllers

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, 717 10th Street, in the City
of Modesto, on June 30, 1959 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 tabulat-
ed 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 10 day of
June, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Adams,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-247

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR SEEDING AND FERTILIZING OF FAIRWAYS AND TEES
AT DRYDEN PARK MUNICIPAL GOLF COURSE

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

Section 1. The plans and specifications for seeding and
fertilizing of fairways and tees at Dryden Park Municipal Golf Course

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, 717 10th Street, in the City
of Modesto, on June 22, 1959 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 tabulat-
ed 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 10 day of
June, 1959, by Councilman Vander Wall, who moved its
adoption, which motion being duly seconded by Councilman Martin,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-248

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

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

Section 1. The plans and specifications for furnishing of
radio equipment

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, 717 10th Street, in the City
of Modesto, on July 6, 1959 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 tabulat-
ed 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 10 day of
June, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Adams,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-249
EXTENSION OF
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND
HARRY JENKS FOR CONSULTING SERVICES TO JUNE 30, 1960

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Harry Jenks

for consulting service to June 30, 1960

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 10 day
of June, 19 59, by Councilman Adams, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-250

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND FLORENCE SAETHER FOR WIDENING OF McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, the following right of way contract is now complete as follows:

<u>Document No.</u>	<u>Name</u>	<u>Estimated Damage Cost</u>
M-2	Florence Saether, et al as representatives of the Estate of Ora R. Bates, deceased	\$1,500.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approves this Right of Way Contract as presented and the City Manager be authorized to sign on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 10 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-251

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURB AND GUTTER IN PIKE PARK BY STANDARD MATERIALS, INC.; AUTHORIZING FINAL PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of curb and gutter in Pike Park

has been completed by Standard Materials, Inc.

in accordance with the contract agreement dated May 7, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of curb and gutter in Pike Park

be accepted from said contractor Standard Materials, 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 10 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,500 FROM GENERAL RESERVE TO FIRE GRADING FOR COST OF FIRE GRADING SERVICE

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

FROM: General Reserve \$2,500.

TO: Fire Grading \$2,500.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION
OF THE MONTGOMERY VILLAGE ADDITION TO THE CITY
OF MODESTO AND FIXING THE TIME AND PLACE FOR HEARING
OBJECTIONS TO THE PROPOSED ANNEXATION.

WHEREAS, a petition for annexation to the City of Modesto
was filed by Frank J. Francek, Mary J. Francek, Joseph Candela,
Josephine Candela, Newton S. Johnson, Margaret E. Johnson, Joseph
Chirco, Jr., and Margaret Chirco on June 10, 1959 ,
to annex to the City of Modesto, under the provisions of the Annexation
of Uninhabited Territory Act of 1939, as amended, the area or territory
hereby designated as the MONTGOMERY VILLAGE ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, described as follows:

All that certain real property situate in the State of California,
County of Stanislaus, Section 16, Township 3 South, Range 9 East,
Mount Diablo Base and Meridian, being a portion of Lots 2 and 19
of the COFFEE COLONY, as per map filed January 13, 1906 in Volume
2 of Maps, Page 22, Stanislaus County Records, described as
follows:

Beginning at the Northeastern corner of the existing Corporate
City Limits as established by the Northeast Addition, filed
January 31, 1958 as Instrument 2427, Stanislaus County Records, said
point being on the Southern line of a 40 foot public right-of-way
known as Floyd Avenue and the Eastern line of a 40 foot public
right-of-way known as Sunrise Avenue as per map of Montgomery
Village No. 2 Subdivision, filed May 14, 1957 in Volume 18 of
Maps, as Instrument 12680, Stanislaus County Records, said point
also being on the Western line of Lot 19 of said Coffee Colony
and bearing Southerly 20.00 feet from the Northwestern corner
of said Lot 19; thence along the Southern line of said Floyd
Avenue, South 89° 30' 30" East, 560.26 feet to the Southerly ex-
tension across Floyd Avenue of the Western line of property conveyed
to James H. Wilson, et ux, by deed recorded December 17, 1953 as
Instrument 31388, Stanislaus County Records; thence along said
Southerly extension and the Western line of said Wilson property,
North 0° 36' 30" West, 222.50 feet to the Southwestern corner
of property conveyed to John E. Hirleman by deed recorded April 13,
1959 as Instrument 10562, Stanislaus County Records; thence along
the Southern line of said Hirleman property, South 89° 30' 30"
East, 100.00 feet to the Southeastern corner thereof and the
Eastern line of said Wilson property, said line also being the
Eastern line of said Lot 2 of Coffee Colony; thence along said
Eastern line of Lot 2, South 0° 36' 30" East, 202.50 feet to the
Southeastern corner of said Lot 2 and the Northeastern corner of
said Lot 19; thence along the Eastern line of said Lot 19, South
0° 49' 45" East, 1319.95 feet to the Southeastern corner of said
Lot 19; thence along the Southern line of said Lot 19, North
89° 31' 45" West, 660.84 feet to the Southwestern corner of
said Lot 19 and the existing City Limits; thence along the
existing City Limits and the Western line of said Lot 19, North
0° 48' 15" West, 1300.18 feet to the point of beginning,
containing 20.22 Acres, more or less.

SECTION 2. 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 Bee, 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.

SECTION 3. 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-254

A RESOLUTION AUTHORIZING A TRANSFER IN THE AMOUNT OF \$23,250.00 FROM THE SPECIAL CAPITAL OUTLAY FUND TO THE IN LIEU PARKING FUND FOR PARKING SPACES AT THE NEW CITY HALL AND AUTHORIZING THE NECESSARY BUDGET ADJUSTMENTS.

WHEREAS, forty-seven (47) parking spaces would normally be required for a commercial building comparable to the new City Hall, and

WHEREAS, funds are provided for sixteen (16) parking spaces at the new City Hall to be reserved for official use, and

WHEREAS, the remaining thirty-one (31) spaces not so provided would normally require in lieu payments in the amount of Seven hundred fifty and no/100ths (\$750.00) Dollars each,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a transfer be authorized in the amount of Twenty three thousand two hundred fifty and no/100ths (\$23,250.00) Dollars from the Special Capital Outlay Fund to the In Lieu Parking Fund representing in lieu payment for thirty-one (31) parking spaces.

BE IT FURTHER RESOLVED that the necessary adjustments to the budget be made as follows:

A. Special Capital Outlay Fund

(1) Transfer from: Appropriations - 70 City Hall and Parking Garage - 502 (321)	\$23,250.00
To: Fund Transfer Appropriations - 71 Interfund Transfers Out - 940	\$23,250.00

B. In Lieu Parking Fund

(1) Transfer from: Estimated Revenue Receivable-20 Miscellaneous Revenue - 919	\$23,250.00
To: Estimated Fund Transfers Receivable - 21 Interfund Transfers In - 941	\$23,250.00
(2) Transfer from: Appropriations - 70 In Lieu Parking Reserve - 600	\$23,250.00
To: Appropriations - 70 City Hall and Parking Garage - 502 (326)	\$23,250.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded

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

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-255

A RESOLUTION CHANGING THE NAME OF ROSS STREET TO G STREET IN THE CITY OF MODESTO.

WHEREAS, the extension of G Street to La Loma Avenue followed the alignment of Ross Street, running eastward from Burney Street, and

WHEREAS, such extension created a continuation of G Street resulting in one street with two names, and

WHEREAS, the two names cause confusion, 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 city 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. 526, adopted June 2, 1959, that said street be renamed accordingly,

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

1. That the street name of "Ross Street" be changed to "G Street".
2. That the Director of Public Works be directed to erect street name signs accordingly.
3. 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 10 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution

adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoes, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:



City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-256

A RESOLUTION APPOINTING CHARLES W. SEGUIN A MEMBER OF THE MODESTO
CITY BOARD OF ZONING ADJUSTMENT

WHEREAS, Section 1100 of the Charter of the City of Modesto required the City Council to appoint members to the Modesto City Board of Zoning Adjustment, and

WHEREAS, Henry H. Laws, on said Board, resigned on June 3, 1959,

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 City Board of Zoning Adjustment for the respective term as indicated:

Charles W. Seguin for a term expiring January 1, 1962

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Modesto City 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 10 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-257

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

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 May 4, 1959, 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 in the following words:

"GRANT AGREEMENT

Part 1 - Offer

Date of Offer June 9, 1959
Modesto City-County Airport
Project No. 9-04-027-5906
Contract No. FA4-316

TO: The City of Modesto, California and the County of Stanislaus, California (Herein referred to as the "Co-sponsors")

FROM: The United States of America (acting through the Administrator of Civil Aeronautics, herein referred to as the "Administrator")

WHEREAS, the Co-sponsors have submitted to the Administrator a Project Application dated May 4, 1959 for a grant of Federal funds for a project for development 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 Administrator, is hereby incorporated herein and made a part hereof; and

WHEREAS, the Administrator has approved a project for development of the Airport (herein called the "Project") consisting of the following described airport development:

Land acquisition (Areas 2 and 3); install lighted wind tee

(The airport development to be accomplished, herein described, is in addition to that contemplated under the Grant Agreements between the Co-sponsors and the United States under Projects 9-04-027-701, -002, -503, -0604, and -0605.)

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 purposes of carrying out the provisions of the Federal Airport Act (60 Stat. 170; Pub. Law 377, 79th

Congress), and in consideration of (a) the Co-sponsors' adoption and ratification of the representations and assurances contained in said Project Application, and their 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 ADMINISTRATOR, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share of costs incurred in accomplishing the project, 54.12 per centum of all allowable project costs, subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be \$9,441.00
2. The Co-sponsors shall
 - (a) begin accomplishment of the Project within a reasonable time after acceptance of this Offer, and
 - (b) carry out and complete the Project in accordance with the terms of this Offer, and the Federal Airport Act and the Regulations promulgated thereunder by the Administrator in effect on the date of this Offer, which Act and Regulations are incorporated herein and made a part hereof, and
 - (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 Administrator or his duly authorized representatives.
3. The Co-sponsors shall operate and maintain the Airport as provided in the Project Application incorporated herein.
4. The Administrator having determined that no space in airport buildings will be required by any civil agency of the United States for the purposes set forth in Paragraph 9 of Part III of the Project Application, the provisions of said paragraph shall be deemed to be of no force or effect.
5. Any misrepresentation or omission of a material fact by the Co-sponsors concerning the Project or the Co-sponsors' authority or ability to carry out the obligations assumed by the Co-sponsors in accepting this Offer shall terminate the obligation of the United States, and it is understood and agreed by the Co-sponsors in accepting this Offer that, if a material fact has been misrepresented or omitted by the Co-sponsors, the Administrator on behalf of the United States may recover all grant payments made.
6. The Administrator reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Co-sponsors.
7. This Offer shall expire and the United States shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Co-sponsors within 60 days from the above date of Offer or such longer time as may be prescribed by the Administrator in writing.
8. It is hereby understood and agreed by and between the parties hereto that the Administrator, in tendering this Offer in behalf of the United States, recognizes the existence of a Co-sponsorship Agreement between the City of Modesto and the County of Stanislaus entered into on May 25, 1955, which Agreement is incorporated herein and which is attached to the Grant Agreement for Project No. 9-04-027-503, it being understood that by acceptance of this Offer, each of said Co-sponsors assumes only their respective obligations as

provided in said Agreement, and it being further understood and agreed that the Co-sponsors will not amend, modify or terminate said Agreement without the prior approval in writing of the Administrator or his duly designated representatives

9. It is hereby understood and agreed by and between the parties hereto that the Co-sponsors will acquire a fee title or such lesser property interest as may be found satisfactory to the Administrator to Areas 2 and 3, as shown on the property map attached hereto and identified as Exhibit "A"; and that the United States will not make nor be obligated to make any payments involving said areas until the Co-sponsors have acquired a fee title or such lesser property interest as may be found satisfactory to the Administrator in and to said areas subject to no liens, encumbrances, reservations or exceptions which in the opinion of the Administrator might create an undue risk of interference with the use and operation of the airport.
10. It is understood and agreed by and between the parties hereto that the terms "Administrator of Civil Aeronautics", "Administrator", "Civil Aeronautics Administration", "Department of Commerce", "CAA" or "Section 303 of the Civil Aeronautics Act of 1938" wherever they appear in this Agreement, in the Project Application, plans and specifications or in any other documents constituting a part of this Agreement shall be deemed to mean the Federal Aviation Agency or the Administrator thereof or Section 308(a) of the Federal Aviation Act of 1958, as the case may be.

The Co-sponsors' acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the City of Modesto, California and the County of Stanislaus, California, as Co-sponsors, as hereinafter 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, on the one part, and the City of Modesto, California and the County of Stanislaus, California, jointly and severally, on the other part, with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Co-sponsors' 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
THE ADMINISTRATOR OF CIVIL AERONAUTICS

BY W. P. Plett
Regional Administrator, Region IV (LA)
FEDERAL AVIATION AGENCY"

and

WHEREAS, the City of Modesto desires to accept said offer and to authorize the City Manager to sign an acceptance in substantially the following form:

"Part II - Acceptance

The City of Modesto, California and the County of Stanislaus, California do 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 do hereby accept said Offer, and by such acceptance agree to all of the terms and conditions thereof.

Executed this _____ day of _____, 19____.

THE CITY OF MODESTO, CALIFORNIA
(Name of Co-sponsor)

(SEAL)

By _____

Title _____

Attest: _____

Title: _____

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 above, and

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 17 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

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. 59-257, adopted at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, 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 18 day of June, 1959.

Signed: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-258

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND INDIAN RIVER CORPORATION FOR IMPROVEMENT OF CHICAGO AVENUE BETWEEN PARADISE ROAD AND SUTTER AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Indian River Corporation

for improvement of Chicago Avenue between Paradise Road and Sutter Ave.

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 17 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-259

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF CHICAGO AVENUE (BETWEEN PARADISE ROAD AND SUTTER AVE.)

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

Section 1. The plans and specifications for the construction of Chicago Avenue (between Paradise Road and Sutter Ave.)

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, 717 10th Street, in the City of Modesto, on June 29, 1959 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 17 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-260

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING OF ONE SAND TRAP AT PUMP STATION #22

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

Section 1. The plans and specifications for furnishing of one sand trap at Pump Station No. 22

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, 717 10th Street, in the City of Modesto, on June 29, 1959 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 17 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-261

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE INSTALLATION OF WATER MAINS IN HILLVIEW ACRES AND ON MAZE BOULEVARD BETWEEN M.I.D. LATERAL #3 AND HILLVIEW ACRES

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-232, on June 3, 1959 approving the plans and specifications for the installation of water mains in Hillview Acres and Maze Boulevard

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 15 day of June, 1959, 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 \$7,499.50, 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 17 day of June, 1959, by Councilman Knoles, who moved

its adoption, which motion being duly seconded by Councilman
Arata, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-262

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR THE INSTALLATION OF WATER MAINS ON CARVER ROAD BETWEEN ORANGEBURG AVENUE AND PUMP STATION #22 AND CAMPUS EDGE SUB. NO. 1

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-231, on June 3, 1959 approving the plans and specifications for the installation of water mains on Carver Road between Orangeburg Avenue and Pump Station No. 22 and Campus Edge Subdivision No. 1

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 15 day of June, 1959, 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 \$1,892.50, 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 17 day of June, 1959, by Councilman Arata, who moved

its adoption, which motion being duly seconded by Councilman
Vander Wall, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-263

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY FOR
LAMP BULBS FOR FISCAL YEAR 1959-60

WHEREAS, Resolution No. 59-223, adopted by the Council of
the City of Modesto on May 27, 1959, approved the plans and
specifications for the furnishing of lamp bulbs for fiscal year 1959-60

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of lamp bulbs for
fiscal year 1959-60

were opened at 2:30 P.M. June 15, 1959 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, Sylvania Lamps, with a $4\frac{1}{4}\%$
discount from current established price lists, less 2% cash discount,
10 days
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of
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 17 day of June,
1959, by Councilman Spaulding, who moved its adoption, which
motion being duly seconded by Councilman Vander Wall, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-264

A RESOLUTION ACCEPTING THE BID OF THE MODESTO BEE FOR OFFICIAL
ADVERTISING FOR THE YEAR 1959-60

WHEREAS, Resolution No. 59-222 adopted by the Council of
the City of Modesto on May 27, 1959 approved the specifications for
the legal advertising of the City of Modesto for the fiscal year
1959-60, and

WHEREAS, the bids received for the legal advertising for
the fiscal year 1959-60 were opened at 2:00 P.M., June 15, 1959, and
later tabulated by the City Clerk for the consideration of the
Council, and

WHEREAS, the low offer submitted by the Modesto Tribune
provides for the publication in a weekly newspaper, and

WHEREAS, the City Clerk has recommended that the bid of the
Modesto Bee be accepted as the lowest responsible bid as it provides
for daily publication, and

WHEREAS, the Council of the City of Modesto finds and
determined that the acceptance of the bid of the Modesto Bee is
necessary for the public interest and welfare to permit the advertise-
ment of legal notices and publications on a daily basis,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Modesto that the bid of the Modesto Bee 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 17 day of June , 1959,
by Councilman Arata, who moved its adoption, which motion being duly
seconded by Councilman Spaulding, was upon roll call carried and the
resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 265

A RESOLUTION ESTABLISHING RATES FOR THE USE OF THE SWIMMING POOLS AT THE MODESTO HIGH SCHOOL AND DOWNEY HIGH SCHOOL DURING THE SUMMER VACATION SEASONS WHILE POOLS ARE BEING OPERATED BY THE CITY OF MODESTO.

WHEREAS, the City of Modesto has entered into agreements with the Modesto High School District of Stanislaus County for the operation of the swimming pools at Downey High School and Modesto High School during summer vacation seasons, and

WHEREAS, said agreements provide that the City may set reasonable fees to be charged the public for the use of the pool and facilities,

NOW, THEREFORE, BE IT HEREBY 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:

Family Season Ticket-----	\$15.00
Adult, 18 Years and Over, Season Ticket-----	7.50
Youth, 17 Years and Under, Season Ticket-----	5.00
Adult, 18 Years and Over, Daily Ticket-----	.35
Youth, 17 Years and Under, Daily Ticket-----	.20
Party or Group Rates, first hour-----	10.00
Each Additional hour-----	4.00

SECTION 2. This resolution shall become effective as of June 22, 1959.

SECTION 3. Resolution No. 58-208 adopted by the Council on July 2, 1958 is hereby rescinded as of June 22, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution

adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-266

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE JEAP COMPANY FOR CONSTRUCTION OF SANITARY SEWER TO SERVE NEW APARTMENT DEVELOPMENT ON ORANGEBURG AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and J. and P. Investment Co., a corporation, Akana Development Co., a corporation, and Eden Homes' Inc., a corporation, dba The Jeap Co., a partnership for construction of sanitary sewer to serve new apartment development on Orangeburg Avenue

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 17 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-267

TERMINATION

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND
MODESTO COMMUNITY ATHLETIC ASSOCIATION FOR FURNISHING OF SPECIAL
POLICE PROTECTION SERVICES FOR THE BASEBALL GAMES

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the/^{Termination}Agreement between the City of Modesto and the Modesto
Community Athletic Association

for furnishing of special police protection services for the baseball
games

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 17 day
of June, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Vander Wall, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


CITY CLERK

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

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

FROM: Special Capital Outlay Reserve	\$7,000.
TO: McHenry Avenue Widening	7,000.
FROM: Service Division Reserve Appropriation 600	\$3,000.
TO: Service Division Equipment Parts 332-48	3,000.
FROM: Water 503-50 Sand Traps #9 & 10	\$2,000. 1,200.
TO: Water 503-50 New Well & Pump Station #21	M & R Equipment Other 223-50 3,200.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST: 
Rex E. Gailfus, City Clerk

A RESOLUTION No. 59-269

WHEREAS, the City of Modesto is celebrating the Seventy Fifth Anniversary of its incorporation with a Diamond Jubilee commencing June 12, 1959, through July 4, 1959, and

WHEREAS, the Modesto Junior Chamber of Commerce, with the official sanction of the City Council, is sponsoring a Whiskerino Contest to glorify this occasion, and

WHEREAS, members of the City Council, by precedent, establish policy for the City, and therefore owe it to their constituents to lead the way in the ticklish area of hirsute adornment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that during the time of the Diamond Jubilee Celebration, any member of the Council who hereafter attends a Council Meeting without a beard or other facial hirsute growth shall be fined the sum of Five and no/100ths (\$5.00) Dollars by his fellow Councilmen for each such occasion. Revenues so derived shall be expended with unanimous approval of the Council for any necessary care and rejuvenation of tired Councilmen.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-270

A RESOLUTION ACCEPTING THE BID OF \$10,853.40 FROM GEORGE REED FOR CONSTRUCTION OF SUB-TRUNK SEWER ALONG M.I.D. LATERAL NO. 4 TO HILLVIEW ACRES SUBDIVISION

WHEREAS, Resolution No. 59-244, adopted by the Council of the City of Modesto on June 10, 1959, approved the plans and specifications for the construction of sub-trunk sewer along M.I.D. Lateral No. 4 to Hillview Acres Subdivision

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sub-trunk sewer along M.I.D. Lateral No. 4 to Hillview Acres Subdivision were opened at June 22, 1959 at 2:30 P.M. 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 in the sum of \$10,853.40

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed in the sum of \$10,853.40 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 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-271

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
FOR CONSTRUCTION OF WIND TEE AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-245, on June 10, 1959 approving the plans and specifications for construction of lighted wind tee addition at the Modesto City-County Airport

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 22 day of June, 1959, 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 \$3,287., 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 24 day of June, 1959, by Councilman Arata, who moved

its adoption, which motion being duly seconded by Councilman
Vander Wall, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-272

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE SEEDING AND FERTILIZING OF FAIRWAYS AND TEES AT DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-247, on June 10, 1959, approving the plans and specifications for seeding and fertilizing of fairways and tees at Dryden Park Municipal Golf Course

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 22 day of June, 1959, 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 E. L. Dunn & Sons, in the sum of \$9,990., and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$597., thus effecting a savings to the taxpayers of approximately \$9,393., 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 24 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-273

A RESOLUTION APPROVING REQUESTS OF THE STANISLAUS COUNTY FOURTH OF JULY COMMITTEE FOR THE CELEBRATION BEING HELD IN THE CITY OF MODESTO, JULY 4, 1959

WHEREAS, the Stanislaus County Fourth of July Committee has filed the following requests relating to its celebration being held in the City of Modesto, Saturday, July 4, 1959;

- 1- That I Street, between 11th and 12th Streets, be barricaded on July 4, from 9:30 A.M. to 3:30 P.M.;
- 2- That city personnel be authorized to install the city's reviewing stand in the Courthouse Park on Thursday, July 2;
- 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 the displaying of fireworks in the evening of July 4 be approved, the city to supply a stand-by fire truck (along with the County), and the American Legion to furnish auxiliary police for patrol and added protection, 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 with the following conditions:

- 1- That the parade route be cleared by the Police and Parking and Traffic Departments;
- 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 might occur to the field and the Municipal Golf Course and Dryden Park Municipal Golf Course, and
 - (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 22 day of June, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 274

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY OF MODESTO.

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 the south side of Block 628 on Helen Avenue and along the east side of Block 628 on High Street,

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 owner of record of the property described as follows:

The South half of Lot 9 and all of Lot 10, Block 628, John Muir Park Tract, as filed on June 19, 1940, in Volume 14 of Maps, Page 1, Stanislaus County Records,

to construct or cause to be constructed concrete curbs and gutters along the street frontage abutting Helen Avenue on the south side of Block 628 and concrete curbs and gutters along the street frontage abutting High Street on the east side of Block 628 in the City of Modesto, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 8th day of July, 1959, at 7:45 P.M. in the Council Chambers, located in the McHenry Public Library at the corner of Fourteenth and I Streets, 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 24 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST:



City Clerk

(SEAL)

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL RESERVE TO
SANITARY SEWER EXTENSION FOR CONSTRUCTION OF SUB-TRUNK SEWER IN HILLVIEW
ACRES

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

FROM: General Reserve \$4,600.

TO: Sanitary Sewer Extension \$4,600.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 24 day of
June, 1959, by Councilman Vander Wall, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-276

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ADOPTING
BUDGET AND APPROVING MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF
GAS TAX ALLOCATION FOR MAJOR CITY STREETS

WHEREAS, a memorandum of agreement has been presented to be entered into with the State of California in accordance with a project statement submitted by the City of Modesto for expenditure of the gas tax allocation to cities for the fiscal year 1959-60, and

WHEREAS, the City Council has heard read said agreement in full and is familiar with the contents thereof;

NOW, THEREFORE, BE IT RESOLVED by the City 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, and said agreement be and the same is hereby approved and the Mayor and the City Clerk are directed to sign the same on behalf of said City, said agreement to be binding upon the City upon its execution by the authorized officials of the State.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-277

A RESOLUTION APPROVING RENEWAL OF COMPREHENSIVE LIABILITY POLICY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City's comprehensive liability policy which expires on June 27, 1959, be renewed with the Fireman's Fund Indemnity Co.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was adopted upon roll call by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-278

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP HOUSE NO. 23 BY B. B. FORD; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of Pump House No. 23

has been completed by B. B. Ford

in accordance with the contract agreement dated May 7, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of Pump House No. 23

be accepted from said contractor B. B. Ford

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 24 day of June, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-279

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION BOND FILED BY GLADYS L. ULRICH TO GUARANTEE IMPROVEMENTS IN ULRICH SUBDIVISION

WHEREAS, Gladys L. Ulrich filed a subdivision bond in the sum of \$2,600 to cover the cost of improvements, engineering, inspection fees and incidental expenses in Ulrich Subdivision, and

WHEREAS, the Director of Public Works has reported that all work within the subdivision covered by the subdivision agreement is now in and completed, and all fees required by the subdivision agreement have been paid by the subdivider, and

WHEREAS, the Director of Public Works has recommended that the City Clerk accept this subdivision as complete and order the release of the performance bond posted by the subdivider,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Clerk be authorized to release the subdivision bond filed by Gladys L. Ulrich to cover the costs in Ulrich Subdivision, 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 24 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-280

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, FOR OFF-STREET PARKING SPACES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The Bank of California, National Association,

for off-street parking spaces at new building located at 925 Twelfth Street

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 24 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-281

A RESOLUTION COMMENDING ALBERT E. SCHOENFELD FOR HIS SERVICES AS JUNIOR DEVELOPMENT TENNIS MANAGER FOR THE MODESTO PARKS AND RECREATION DEPARTMENT

WHEREAS, Albert E. Schoenfeld has held the position of Junior Development Tennis Manager for the past thirteen years, and

WHEREAS, under his direction the Junior Development Tennis Program has been developed from just a few students to its present participation of approximately 700 youths per season, and

WHEREAS, for several years he performed these services on a strictly volunteer basis without monetary compensation using much of his own time and money in the enlargement and improvement of the tennis program, and

WHEREAS, the Junior Development Tennis Program in Modesto received national recognition in 1957 from the United States Lawn Tennis Association by its award of third prize in a National Junior Tennis Development competition, largely due to the unselfish work of Mr. Schoenfeld,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby commends Albert E. Schoenfeld for outstanding services rendered to the City of Modesto by serving as Junior Development Tennis Manager during these many years,

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be presented to said Albert E. Schoenfeld in recognition of the performance of his outstanding services.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24 day of June, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Spaulding

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-282

A RESOLUTION ACCEPTING THE BID OF \$2,433.60 FROM WALTER R. COLE CO.
FOR FURNISHING ONE SAND TRAP AT PUMP STATION NO. 22

WHEREAS, Resolution No. 59-260, adopted by the Council of
the City of Modesto on June 17, 1959, approved the plans and
specifications for the furnishing of one sand trap at Pump Station #22
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one sand trap
at Pump Station #22

were opened at 2:15 P.M. June 29, 1959 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 Walter R. Cole Co. in the sum of \$2,433.60

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Walter R. Cole
Co. in the sum of \$2,433.60

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 1 day of July,
1959, by Councilman Spaulding, who moved its adoption, which
motion being duly seconded by Councilman Knoles, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-283

A RESOLUTION ACCEPTING THE BID OF ECONOLITE CORPORATION IN THE SUM OF \$1,152.09 FOR THE FURNISHING OF THREE TRAFFIC SIGNAL CONTROLLERS

WHEREAS, Resolution No. 59-246, adopted by the Council of the City of Modesto on June 10, 1959, approved the plans and specifications for the furnishing of three traffic signal controllers

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of three traffic signal controllers

were opened at 2:00 P.M. June 30, 1959 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 Econolite Corporation in the sum of \$1,152.09

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Econolite Corporation in the sum of \$1,152.09 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 1 day of July, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-284

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

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

FROM:	Special Gas Tax Street Improvement Reserve - 600	\$202,756.
TO:	Special Gas Tax Street Improvement Project 60 - Tully Ave.	\$ 50,245.
	Project 66 - College Ave.	73,679.
	Project 68 - Roseburg Ave.	52,782.
	Project 79 - Granger Ave.	26,050.
FROM:	Airport Development Reserve	\$ 2,150.
TO:	City-County Airport Development	\$ 2,150.
FROM:	Special Capital Outlay Fund Reserve	\$ 34,805.
TO:	Construction of 18-Hole Golf Course	\$ 18,000.
	McHenry Avenue Widening	2,500.
	Park Site Acquisition	13,000.
	Traffic Signal Controllers	1,305.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of July, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-285

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL OF DECISION OF THE MODESTO CITY BOARD OF ZONING ADJUSTMENT DENYING A VARIANCE TO C. L. DOWDEN FOR THE CONSTRUCTION OF A 6 FOOT FENCE 4 FEET FROM THE PROPERTY LINE AT 207 STODDARD AVENUE

WHEREAS, The Modesto City Board of Zoning Adjustment held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on June 25, 1959, for the purpose of considering an application for a variance from the Municipal Code filed by C. L. Dowden, 207 Stoddard Avenue, on June 15, 1959, to construct a 6 foot fence 4 feet from the property line at 207 Stoddard Avenue, and

WHEREAS, said Board of Zoning Adjustment, after hearing evidence, both oral and documentary, adopted Resolution No. 98, denying the request for a variance from the Municipal Code, and

WHEREAS, on June 26, 1959, C. L. Dowden filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying the request for the variance, and

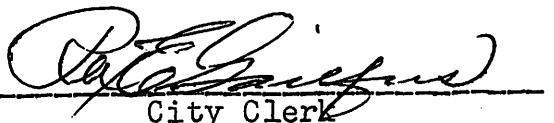
WHEREAS, Section 10-2.2012 of the Municipal Code of the City of Modesto requires that the Council hold a public hearing within a period not to exceed 40 days following the filing of a written appeal from an order of the Board denying an application for a permit.

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 8:00 P.M., Wednesday, July 22, 1959, in the Council Chamber 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 1 day of July, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-286

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, FOR TRAFFIC SIGNALS ON YOSEMITE BLVD.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways

for traffic signals at intersections of LaLoma and South Santa Cruz 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.

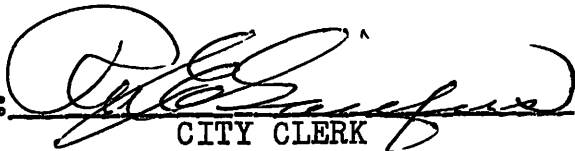
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-287

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF
CURBS AND GUTTERS ALONG CERTAIN STREETS IN THE CITY
OF MODESTO. (BLOCK 628 ON HELEN AVENUE AND HIGH STREET)

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 the south side of Block 628 on Helen Avenue and along the east side of Block 628 on High Street,

WHEREAS, the Council, did, on June 24, 1959, adopt its Resolution No. 59-274, 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 8th day of July, 1959, at 7:45 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 owner 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. 59-274, 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 in hereby directed to proceed with the project in accordance with the provisions of Resolution No. 59-274 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 8 day of July, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-288

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR THE PURCHASE OF EXCESS DIGESTED SLUDGE

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

Section 1. The plans and specifications for the purchase of
excess digested sludge

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, 717 10th Street, in the City
of Modesto, on July 20, 1959 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 tabulat-
ed 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 8 day of
July, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Vander Wall,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-289

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$600 FROM GENERAL RESERVE TO WATER FOR COMPLETION OF NEW WELL AND PUMP STATION #21

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

FROM: General Reserve \$600.

TO: Water - 503-50
New Well & Pump Station #21 \$600.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Vander Wall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-290

A RESOLUTION ACCEPTING THE CONSTRUCTION OF COMFORT STATIONS AT WEST SIDE AND BEARD BROOK PARKS BY B. B. FORD: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of comfort stations at Westside and Beard Brook Parks

has been completed by B. B. Ford

in accordance with the contract agreement dated May 7, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of comfort stations at Westside and Beard Brook Parks

be accepted from said contractor B. B. Ford

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 8 day of July, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-291

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP HOUSE PUMP STATION NO. 22 BY B. B. FORD: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of Pump House Pump Station No. 22

has been completed by B. B. Ford

in accordance with the contract agreement dated May 28, 1959

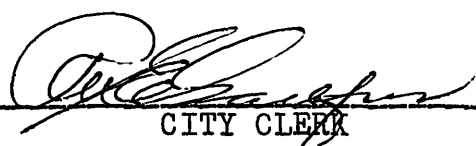
NOW, THEREFORE, BE IT RESOLVED that the construction of Pump House Pump Station No. 22

be accepted from said contractor B. B. Ford

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 8 day of July, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-292

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 SAMUEL JACOBS FOR THE EXTENSION OF COMMERCIAL USES AND PARKING INTO THE R-3 AND R-1 ZONES AT 601 McHENRY AVENUE

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on June 25, 1959, at 10:15 A.M., for the purpose of considering an application filed by Samuel Jacobs on May 20, 1959, for a conditional use permit to extend commercial uses and parking in the R-3 and R-1 zones at 601 McHenry Avenue, and

WHEREAS, said Board, after hearing evidence, both oral and documentary, adopted Resolution No. 96, denying the request for a conditional use permit to extend commercial uses and parking in the R-3 and R-1 zones at 601 McHenry Avenue, and

WHEREAS, on July 3, 1959, Samuel Jacobs filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying the request for a conditional use permit, 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 Board denying an application for a conditional use permit.

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 filed by Samuel Jacobs be set for Wednesday, August 5, 1959, at 5:00 P.M., in the Council Chamber 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 8 day of July, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-293

A RESOLUTION ACCEPTING THE BID OF \$5,964.53 FROM M. J. RUDDY & SON FOR THE CONSTRUCTION OF CHICAGO AVENUE

WHEREAS, Resolution No. 59-259, adopted by the Council of the City of Modesto on June 17, 1959, approved the plans and specifications for the construction of Chicago Avenue (between Paradise Road and Sutter Avenue)

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Chicago Avenue (between Paradise Road and Sutter Avenue)

were opened at 2:00 P.M. June 29, 1959 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 sum of \$5,964.53

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of M. J. Ruddy & Son in the sum of \$5,964.53

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 15 day of July, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-294

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,500 FROM SPECIAL CAPITAL OUTLAY RESERVE TO SPECIAL CAPITAL OUTLAY FOR IMPROVEMENT OF CHICAGO AVENUE

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

FROM:	Special Capital Outlay Reserve	\$3,500.
TO:	Special Capital Outlay Improvements to Chicago Avenue	\$3,500.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of July, 1959, by Councilman Spaulding, 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: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-295

A RESOLUTION ACCEPTING THE BID OF MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. IN THE SUM OF \$4,470.50 FOR RADIO EQUIPMENT

WHEREAS, Resolution No. 59-248, adopted by the Council of the City of Modesto on June 10, 1959, approved the plans and specifications for the furnishing of radio equipment and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of radio equipment were opened at 2:00 P.M. July 6, 1959 and later tabulated by the Finance Department for the consideration of the Council, and

WHEREAS, the Finance Department has recommended that the bid of Motorola Communications and Electronics, Inc., in the sum of \$4,470.50 be accepted as the lowest responsible bid because of the economics and efficiencies realized in standardization of radio equipment, and

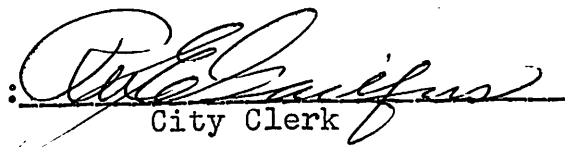
WHEREAS, the Council finds and determines that the bid of Motorola Communications and Electronics, Inc., in the sum of \$4,470.50 is the lowest responsible bid under all the terms, conditions and circumstances.

NOW, THEREFORE, BE IT RESOLVED that the bid of Motorola Communications and Electronics, Inc. in the sum of \$4,470.50 be accepted and the execution of a contract for the delivery of the equipment 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 15 day of July, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: Martin
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-296

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN SHERWOOD MANOR 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 Sherwood Manor 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, 717 10th Street, in the City of Modesto, on July 27, 1959 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 15 day of July, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-297

A RESOLUTION AUTHORIZING THE PURCHASE OF A USED GRADER FROM VALLEY TRACTOR COMPANY FOR THE SUM OF \$12,500.00 AND THE ACCEPTANCE OF THE TRADE-IN OFFER OF \$450.00 FOR THE CITY'S ADAMS ROAD GRADER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase of a used Cat. #12 Road Grader from the Valley Tractor Company for the sum of \$12,500.00, plus sales tax, be and it is hereby approved.

BE IT FURTHER RESOLVED that the trade-in of the Adams Road Grader on this equipment for the sum of \$450.00, 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, 1959, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-298
RENEWAL

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE BANK OF CALIFORNIA, N.A. FOR THE RENTAL OF THE OFFICE SPACE FOR THE CITY ATTORNEY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and The Bank of California, N.A.

for the rental of office space for the City Attorney in the Carlton Building, 925 12th Street

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 15 day of July, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

RESOLUTION NO. 59-299

A RESOLUTION APPROVING THE FINAL MAP OF THE
SHERWOOD MANOR
OF THE CITY OF MODESTO.

WHEREAS, ROBERT P. BOMBERGER and MURIEL F. BOMBERGER
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 33.27 acres, known as the
SHERWOOD MANOR,

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 3rd day of March, 1959,

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 SHERWOOD MANOR
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
SHERWOOD MANOR

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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Two thousand eight hundred twenty six and 70/100

(\$2,826.70) 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 One hundred
twenty eight thousand and no/100ths (\$128,000.00)ollars.

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 15 day of July, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

RESOLUTION NO. 59-300

A RESOLUTION APPROVING THE FINAL MAP OF THE
QUARESMA HOMES UNIT 1
OF THE CITY OF MODESTO.

WHEREAS, JOHN QUARESMA and BERNICE QUARESMA, husband and
wife, as Joint Tenants
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 13.12 acres, known as the
QUARESMA HOMES UNIT 1,

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 23rd day of December, 1958,

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 QUARESMA HOMES UNIT 1
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
QUARESMA HOMES UNIT 1

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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Two thousand eight hundred forty four and 64/100

(\$2,844.64) 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 Sixty seven
thousand and no/100ths (\$67,000.00) 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 15 day of July, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


REX E. GALLFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-301

A RESOLUTION APPROVING PURCHASE OF MATERIALS AND EQUIPMENT FOR
USE AT DRYDEN PARK MUNICIPAL GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the purchase of the following equipment to be used at the
Dryden Park Municipal Golf Course be authorized:

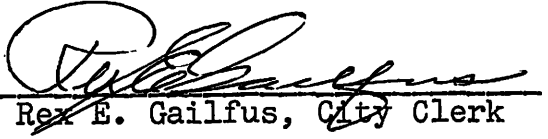
<u>EQUIPMENT</u>	<u>COST*</u>
One (1) Golf Course Tractor (Recommended: Worthington Model "G")	\$2,648.00
One (1) Seven Unit Fairway Mower (Recommended: Worthington 7-Gang, 30" Mowers)	2,599.00
Two (2) 24" Tee and Apron Mowers (Recommended: Jacobsen Model 8-B)	780.00
Two (2) 22" Greens Mowers (Recommended: Jacobsen Model 9-A)	874.00
	<hr/>
Total Cost	\$6,901.00

*Price includes taxes and delivery to Modesto.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 15 day of July,
1959, by Councilman Arata, who moved its adoption, which motion
being duly seconded by Councilman Spaulding, was upon roll call
carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-302

A RESOLUTION ACCEPTING THE CONSTRUCTION OF INSTALLATION OF DEEP WELL PUMP AND ELECTRICAL EQUIPMENT AT PUMP STATION NO. 23 BY JACUZZI BROS., INC.: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of deep well pump and electrical equipment at Pump Station No. 23

has been completed by Jacuzzi Bros., Inc.

in accordance with the contract agreement dated May 7, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of installation of deep well pump and electrical equipment at Pump Station No. 23

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 15 day of July, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-303

A RESOLUTION DENYING PETITION FILED BY FRANK FRANCEK FOR AN EXCEPTION TO THE SUBDIVISION REGULATIONS TO PERMIT THE ELIMINATION OF SIDEWALKS ON THE SOUTH SIDE OF CHARLES AVENUE AND ON THE WEST SIDE OF O'FARRELL STREET ADJACENT TO THE PROPERTY OF THE CHURCH OF THE NAZARENE IN THE MONTGOMERY VILLAGE NO. 3 SUBDIVISION

WHEREAS, Frank Francek, developer of Montgomery Village No. 3 Subdivision, submitted a letter to the City Planning Commission requesting approval of an exception from the Subdivision Regulations which would require installation of sidewalks on the property adjacent to the Church of the Nazarene, and

WHEREAS, the Planning Commission of the City of Modesto, by Resolution No. 532, approved an exception to Montgomery Village No. 3 Subdivision to eliminate the requirements for sidewalks on the south side of Charles Avenue and on the west side of O'Farrell Street adjacent to the property of the Church of the Nazarene, such exception to be subject to the approval by the City Council, and

WHEREAS, the request of Frank Francek for the aforesaid exception was considered by the Council at its regular meeting on July 15, 1959, at which time evidence both oral and documentary was produced, and

WHEREAS, the Council found:

1. The City could not require the subdivider to construct sidewalks at a later date when they would be needed more;
2. The real need for sidewalks at this location is for the Church itself;
3. That the land in this subdivision has been sold on the premise that sidewalks would be installed; and
4. If an exception was granted to this requirement it might become a precedent which would cause other exceptions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it is not in the public interest to grant Frank Francek an exception to the Subdivision Regulations to permit the elimination of sidewalks on the south side of Charles Avenue and on the west side of O'Farrell Street adjacent to the property of the Church of the Nazarene in the Montgomery Village No. 3 Subdivision and that the petition be denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of July, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: Martin

ABSENT: Councilmen: None

ATTEST: Anna W. Collins
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-304

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,000. FROM GENERAL RESERVE TO POLICE DEPARTMENT FOR EXPENDITURES FOR TEEN-AGE DANCES

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

FROM: General Reserve - 600 \$5,000.

TO: Police Department - 422-22 \$5,000.
Teen-Age Dances


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of July, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-305

**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 July 1, 1959.

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, "Salary Ranges and Rates for Classes of Positions in the City Service", which is attached hereto and hereby made a part hereof, are hereby established, effective July 1, 1959.

SECTION 3. CITY MANAGER. The compensation of the City Manager, Ross Miller, is hereby established in the amount of Eighteen Thousand Six Hundred Fifty and no/100ths (\$18,650.00) Dollars per annum, effective July 1, 1959.

SECTION 4. CITY ATTORNEY. The compensation of the City Attorney, Allen Grimes, is hereby established in the amount of Thirteen Thousand Three Hundred Sixteen and no/100ths (\$13,316.00) Dollars per annum, effective July 1, 1959.

SECTION 5. CITY CLERK. The following salary range is hereby established for the City Clerk of the City of Modesto:

<u>RANGE NO.</u>	<u>STEP A.</u>	<u>STEP B.</u>	<u>STEP C.</u>	<u>STEP D.</u>	<u>STEP E.</u>
26.5	\$ 570.	\$ 598.	\$ 628.	\$ 660.	\$ 693.

The compensation to be paid to City Clerk, Rex E. Gailfus, is hereby established at Step E. at the rate of Six Hundred Ninety Three and no/100ths (\$693.00) Dollars per month, effective July 1, 1959.

SECTION 6. 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 7. The salaries hereby established are on a monthly basis,

unless otherwise designated.

SECTION 8. 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 9. 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 10. 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 parttime 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 to approve increase in the salaries of employees in the class of Patrolman to the equivalent step in any of the next three higher ranges above the range established for the class, as compensation for special assignment by the Chief of Police.

SECTION 11. PARTTIME 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 12. TITLE OF RESOLUTION. This resolution shall be known as "The Salary Resolution" and shall be referred to as such.

SECTION 13. EFFECTIVE DATE. The schedules of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective July 1, 1959.

SECTION 14. REPEALS. Resolution No. 58-404 is hereby rescinded, effective July 1, 1959.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: Knoles

ABSENT: Councilmen: Spaulding

ATTEST:



REX E. GAILFUS, City Clerk

(SEAL)

<u>Range No.</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
7	220	231	243	255	268
7.5	225	237	249	261	274
8	231	243	255	268	281
8.5	237	249	261	274	288
9	243	255	268	281	295
9.5	249	261	274	288	302
10	255	268	281	295	310
10.5	261	274	288	302	317
11	268	281	295	310	325
11.5	274	288	302	317	333
12	281	295	310	325	341
12.5	288	302	317	333	349
13	295	310	325	341	358
13.5	302	317	333	349	367
14	310	325	341	358	376
14.5	317	333	349	367	385
15	325	341	358	376	395
15.5	333	349	367	385	405
16	341	358	376	395	415
16.5	349	367	385	405	425
17	358	376	395	415	436
17.5	367	385	405	425	447
18	376	395	415	436	458
18.5	385	405	425	447	469
19	395	415	436	458	481
19.5	405	425	447	469	493
20	415	436	458	481	505
20.5	425	447	469	493	517
21	436	458	481	505	530
21.5	447	469	493	517	543
22	458	481	505	530	556
22.5	469	493	517	543	570
23	481	505	530	556	584
23.5	493	517	543	570	598
24	505	530	556	584	613
24.5	517	543	570	598	628
25	530	556	584	613	644
25.5	543	570	598	628	660
26	556	584	613	644	676
26.5	570	598	628	660	693
27	584	613	644	676	710
27.5	598	628	660	693	727
28	613	644	676	710	745
28.5	628	660	693	727	763
29	644	676	710	745	782
29.5	660	693	727	763	801
30	676	710	745	782	821
30.5	693	727	763	801	841
31	710	745	782	821	862
31.5	727	763	801	841	883
32	745	782	821	862	905
32.5	763	801	841	883	927
33	782	821	862	905	950
33.5	801	841	883	927	974
34	821	862	905	950	998
34.5	841	883	927	974	1023
35	862	905	950	998	1048
35.5	883	927	974	1023	1074

Effective July 1, 1959

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

(Exhibit B)
Effective July 1, 1959

RANGE 7 \$220-231-243-255-268

No Classes

RANGE 7.5 \$225-237-249-261-274

Clerk I

RANGE 8 \$231-243-255-268-281

No Classes

RANGE 8.5 \$237-249-261-274-288

No Classes

RANGE 9 \$243-255-268-281-295

No Classes

RANGE 9.5 \$249-261-274-288-302

Clerk II

Jr. Stenographer Clerk

Typist

RANGE 10 \$255-268-281-295-310

No Classes

RANGE 10.5 \$261-274-288-302-317

Telephone Operator

RANGE 11 \$268-281-295-310-325

No Classes

RANGE 11.5 \$274-288-302-317-333

Janitor

Personnel Clerk

Stenographer Clerk

RANGE 12 \$281-295-310-325-341

Account Clerk

RANGE 12.5 \$288-302-317-333-349

Laborer

RANGE 13 \$295-310-325-341-358

No Classes

RANGE 13.5 \$302-317-333-349-367

Office Service Clerk

Police Clerk Dispatcher

Pump Operator

RANGE 14 \$310-325-341-358-376

No Classes

RANGE 14.5 \$317-333-349-367-385

Administrative Aide I

Jr. Engineering Aide

Jr. Planning Aide

Maintenance Man

Poundmaster

Tree Trimmer I

RANGE 15 \$325-341-358-376-395

Sr. Account Clerk

RANGE 15.5 \$333-349-367-385-405

Equipment Serviceman

Janitor Leadman

Nurseryman

Parking Enforcement Officer

Pump Maintenance Man

Secretary

Sewage Plant Operator

Special Maintenance Man

Stores and Equipment Clerk

RANGE 16 \$341-358-376-395-415

No Classes

RANGE 16.5 \$349-367-385-405-425

Fireman

Heavy Equipment Operator

Legal Secretary

Traffic Painter

Tree Trimmer II

RANGE 17 \$358-376-395-415-436

No Classes

RANGE 17.5 \$367-385-405-425-447

Administrative Aide II
Airport Manager
Electrician I
Engineering Aide
Fire Alarm Operator
Fire Engineer
Laboratory Technician
Parks Leadman
Patrolman I
Planning Aide
Public Works Leadman
Sr. Sewage Plant Operator

RANGE 18 \$376-395-415-436-458

Accountant I

RANGE 18.5 \$385-405-425-447-469

Assistant City Clerk
Equipment Mechanic I
Recreation Supervisor
Secretary to City Manager

RANGE 19 \$395-415-436-458-481

No Classes

RANGE 19.5 \$405-425-447-469-493

Fire Lieutenant
Fire Technician
Patrolman II
Policewoman

RANGE 20 \$415-436-458-481-505

No Classes

RANGE 20.5 \$425-447-469-493-517

Administrative Assistant
Building Inspector
Chief Mechanic
Chief Pump Maintenance Man
Electrician II
Greenskeeper
Parks Foreman
Public Works Foreman
Senior Engineering Aide
Senior Planning Aide

RANGE 21 \$436-458-481-505-530

Accountant II
Purchasing Assistant

RANGE 21.5 \$447-469-493-517-543

Assistant Planner
Fire Captain
Police Sergeant

RANGE 22 \$458-481-505-530-556

No Classes

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

Construction Inspector
Personnel Technician
Recreation Superintendent

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

No Classes

RANGE 23.5 \$493-517-543-570-598

Chief Electrician
Fire Marshall
Police Lieutenant
Service Division Superintendent
Sewage Plant Superintendent

RANGE 24 \$505-530-556-584-613

Accountant III

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

Civil Engineering Assistant
Construction & Maintenance Supt.

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

No Classes

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

Assistant Fire Chief
Assistant to Public Works Director
Associate Planner
Chief Building Official
Land Agent & Project Assistant
Police Captain

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

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

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

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

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

No Classes

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

Assistant City Manager
Associate Civil Engineer
Senior Planner

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

No Classes

RANGE 29.5 \$660-693-727-763-801

Fire Chief

RANGE 30 \$676-710-745-782-821

No Classes

RANGE 30.5 \$693-727-763-801-841

Parks & Recreation Director

RANGE 31 \$710-745-782-821-862

No Classes

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

Assistant Public Works Director
Finance Director
Police Chief

RANGE 32 \$745-782-821-862-905

No Classes

RANGE 32.5 \$763-801-841-883-927

Parking & Traffic Director
Planning Director

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

RANGE 33.5 \$801-841-883-927-974

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

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

RANGE 35 \$862-905-950-998-1048

No Classes

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

Public Works Director

LIBRARY RATES

Librarian I \$341-358-376-392-410

Librarian II \$374-392-410-430-450

MODESTO CITY COUNCIL
RESOLUTION NO. 59-306

A RESOLUTION DENYING VARIANCE TO MAUD GAMBLE TO CONSTRUCT RETAINING WALL AND GRAVEL SIDEWALKS ON PROPERTY LOCATED AT 525 SOUTH JEFFERSON STREET, CITY OF MODESTO

WHEREAS, Alan D. Wheeler, on behalf of Maud W. Gamble, 525 S. Jefferson Street, has filed a request with the Council for a variance to permit construction of a wooden retaining wall and rolled gravel sidewalk on this property, and

WHEREAS, Sec. 7-1.203 of the Modesto Municipal Code relating to sidewalk and driveway construction provides that no sidewalk, driveway, driveway approach, curb or curb and gutter, shall be constructed other than of concrete unless special permission therefore has first been obtained from the Council, and

WHEREAS, the Director of Public Works has recommended that this variance be denied because construction of the wooden retaining wall and rolled gravel sidewalk would create a public hazardous condition for pedestrians, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it is not in the public interest to grant Maud W. Gamble a permit to construct a wooden retaining wall and rolled gravel sidewalk on her property located at 525 S. Jefferson Street, and

BE IT FURTHER RESOLVED that the request for a variance be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-307

A RESOLUTION ACCEPTING THE BID OF HAGER SUPPLY COMPANY FOR PURCHASE OF EXCESS DIGESTED SLUDGE

WHEREAS, Resolution No. 59-288, adopted by the Council of the City of Modesto on July 8, 1959, approved the plans and specifications for the purchase of excess digested sludge

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of excess digested sludge

were opened at 2:00 P.M. July 20, 1959 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¢ a cubic yd.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Hager Supply Company in the sum of .40¢ a cubic yd.

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 22 day of July, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-308

A RESOLUTION OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT AND GRANTING A VARIANCE TO C. L. DOWDEN FOR THE CONSTRUCTION OF SIX FOOT FENCE FOUR FEET FROM THE PROPERTY LINE AT 207 STODDARD AVENUE

WHEREAS, an application for a variance to erect a 6 foot fence 4 feet from the property line instead of the required 10.7 feet on lots 37 and 38, Block 553 at 207 Stoddard Avenue was filed by C. L. Dowden on June 15, 1959, and

WHEREAS, after a public hearing held on June 25, 1959, the Board of Zoning Adjustment adopted Resolution No. 98, denying a variance to C. L. Dowden to erect a 6 foot fence 4 feet from the property line at 207 Stoddard Avenue, and

WHEREAS, an appeal to said decision of the Board of Zoning Adjustment was filed with the City Clerk on June 25, 1959, and

WHEREAS, Council set July 22, 1959, at 8:00 P.M. in the Council Chambers, as the time and place for a public hearing on the appeal, and

WHEREAS, on the basis of evidence taken and introduced at said public hearing, the Council finds and determines that:

1. There are exceptional and extraordinary circumstances and conditions applicable to the property involved.
2. Such variance is necessary for the preservation and enjoyment of a substantial property right, possessed by other property in the same vicinity and zone and denied the property in question.
3. The granting of such variance would not be materially detrimental to the public welfare and injurious to the property or improvements in the vicinity and zone the property is located.
4. The granting of such variance will not adversely affect the comprehensive general plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the aforesaid application of C. L. Dowden for a variance for the construction of a 6 foot fence 4 feet from the property line at 207 Stoddard Avenue be granted.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment as contained in its Resolution No. 98, adopted June 25, 1959, be overruled, and superseded by this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin

NOES: Councilmen: Adams, Mayor Hammond

ABSENT: Councilmen: Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-309

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR IMPROVEMENT OF COLLEGE BETWEEN CECIL WAY AND BRIGGSMORE AVENUE

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

Section 1. The plans and specifications for improvement of College between Cecil Way and Briggsmore 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, 717 10th Street, in the City of Modesto, on August 10, 1959 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 22 day of July, 1959, by Councilman Knoles, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

RESOLUTION NO 59-310 WAS INTRODUCED ON
JULY 22, 1959 AND RELATED TO THE REDUCTION
OF HOURS FOR FIREMEN

THROUGH ERROR THIS WAS AGAIN INTRODUCED ON AUGUST 10
12 (59-335)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-311

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUB-TRUNK SEWER IN McHENRY AVENUE BY W. M. LYLES COMPANY: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of sub-trunk sewer in McHenry Avenue

has been completed by W. M. Lyles Company

in accordance with the contract agreement dated May 7, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of sub-trunk sewer in McHenry Avenue

be accepted from said contractor W. M. Lyles 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 22 day of July, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-312

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN QUARESMA HOMES UNIT I

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 Quaresma Homes Unit I

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, 717 10th Street, in the City of Modesto, on August 3, 1959 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 22 day of July, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-313

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY
FROM THE EMPIRE FIRE PROTECTION
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF
MODESTO. (Phoenix Station Addition)

WHEREAS, a portion of the Empire Fire
Protection District was annexed to the City of Modesto by Ordinance
No. 287 -C.S., adopted on February 18, 1959, and

WHEREAS, said territory officially became a part of the
City on February 18, 1959, and

WHEREAS, the Health and Safety Code of the State of Calif-
ornia provides that whenever any portion of such a District is in-
cluded 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
with drawn, 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 following described territory be withdrawn from
the boundaries of the Empire Fire Protection
District:

All that certain real property situate in the State of
California, County of Stanislaus, Section 27, Township
3 South, Range 9 East; Mount Diablo Base and Meridian,
described as follows:

All of Lot 13 in Block 2196 of the Alta Vista Tract, as
per map filed September 12, 1946 in Volume 14 of Maps,
Page 75, Stanislaus County records, containing 0.176
Acre 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.

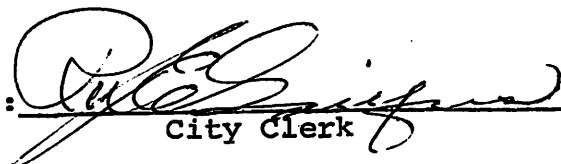
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 19 59, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-314

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT P. BOMBERGER AND MURIEL F. BOMBERGER FOR CONSTRUCTION OF SEWER LATERAL FACILITIES TO SERVE SHERWOOD MANOR SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Robert P. and Muriel F. Bomberger

for construction of sewer lateral facilities to serve Sherwood Manor 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 22 day of July, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-315

A RESOLUTION AMENDING SECTION 13.5 OF THE PERSONNEL
RULES RELATING TO SICK LEAVE.

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 13.5 of the Personnel Rules be amended as hereinafter set forth, and

WHEREAS, the City Manager has reviewed the proposed amendment to the Personnel Rules as recommended by the Personnel Commission and,

WHEREAS, the City Council has reviewed said amendment to the Personnel Rules 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 Section 13.5 of the Personnel Rules be amended to read as follows:

13.5 Sick Leave

After completing three months of continuous service, an employee shall be entitled to paid sick leave at the rate of one working day for each completed calendar month

of service, counted from the original appointment. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave or temporary military leave. Unused sick leave time may be accrued not to exceed ninety days. Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. Paid sick leave shall not be given for any absence from duty due to an injury or illness arising out of or incurred in connection with outside employment. In order to receive sick leave pay, an employee must notify his supervisor or the Personnel Office not later than four hours after the start of the work day. When absent more than three work days, the employee shall file a physician's certificate or a personal affidavit with the Director of Personnel, stating the cause of the absence. He may be required to file such certificate in cases of less than three work days' absence.

Leave for disability covered by workmen's compensation shall be charged against the employee's accrued sick leave and the employee shall receive full pay to the extent of his sick leave credit. Compensation insurance checks shall be endorsed to the City while full salary is paid. When sick leave is exhausted, the employee shall receive the compensation insurance check. Sick leave shall be charged at a rate proportional to the City's actual contribution to the full salary. This provision shall be modified for police and fire personnel to the extent necessary to conform to the provisions of Section 4850 of the State Labor Code.

Employees terminating their City employment or being terminated shall forfeit all unused sick leave benefits, as of the terminal date. Former employees re-employed by the City shall receive no credit for prior service in determination of sick leave or vacation benefits.

SECTION 2. This resolution shall be effective on and after August 1, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Vander Wall and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-316

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,900. FROM SPECIAL CAPITAL OUTLAY RESERVE TO SPECIAL CAPITAL OUTLAY FOR CONSTRUCTION OF CITY HALL AND PARKING GARAGE AND TO COMPLETE THE McHENRY AVENUE SUB-TRUNK SEWER

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

FROM:	Special Capital Outlay Reserve - 600	\$5,900.00
TO:	Special Capital Outlay City Hall and Parking Garage - 502	\$5,000.00
	McHenry Avenue Sub-Trunk Sewer - 503	900.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 317

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO PETITIONING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO EXCLUDE ALL PROPERTY WITHIN THE INCORPORATED LIMITS OF SAID CITY 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 have 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, TO WIT:

1. That this Council do, and it 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 22 day of July, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-318

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
FOR INSTALLATION OF WATER MAINS IN SHERWOOD MANOR SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-296, on July 15, 1959 approving the plans and specifications for installation of water mains in Sherwood Manor Subdivision

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 27 day of July, 1959, 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 \$6,147.20, 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 5 day of August, 1959, by Councilman Arata, 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: Adams, Arata, Martin, Spaulding, VanderWall
and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: A. M. Collins
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-319

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
FOR INSTALLATION OF WATER LINES IN QUARESMA HOMES UNIT I

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-312, on July 22, 1959 approving the plans and specifications for installation of water mains in Quaresma Homes Unit I

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 3 day of August, 1959, 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 \$3,100.50, 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 5 day of August, 1959, by Councilman Arata, who moved

its adoption, which motion being duly seconded by Councilman
Adams, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Anne M. Collins
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-320

A RESOLUTION ESTABLISHING SEPTEMBER 11, 1959 AS THE CUT-OFF DATE FOR CONSTRUCTION OF CURB AND GUTTER BY PRIVATE CONTRACT IN THE NORTH CENTRAL DRAINAGE IMPROVEMENT DISTRICT NO. 8 AND DIRECTING THAT NOTICES BE SENT TO ALL PROPERTY OWNERS

WHEREAS, the Director of Public Works has reported that in order to complete plans for the North Central Drainage Improvement District No. 8, it will be necessary for the Council to establish a cut-off date for construction of curb and gutter by private contract and that all construction must be started within 30 days from the date of issuance of permit.

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

1. That September 11, 1959 be established as the cut-off date for construction of curb and gutter by private contract in this district;
2. That all construction must be started within 30 days from the date of issuance of permit, and
3. That letters be sent to all property owners in the district outlining the plans and notifying the owners of the cut-Off date.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:
Ayes: Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond
Noes: None Absent: Knoles

ATTEST


ACTING CITY CLERK

RESOLUTION NO. 59-321

A RESOLUTION APPROVING THE FINAL MAP OF THE
YORKSHIRE MANOR NO. 1
OF THE CITY OF MODESTO.

WHEREAS, WOLVERINE BUILDING SERVICE, INC., a corporation,
and ARTHUR J. WYLIE and FLORENCE E. WYLIE, husband and wife,
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 4.85 acres, known as the
YORKSHIRE MANOR NO. 1

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 5th day of May, 1959,
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 YORKSHIRE MANOR NO. 1

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
YORKSHIRE MANOR NO. 1

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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Two thousand four hundred fifty nine and 20/100ths
(\$2,459.20)

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 three thousand and no/100ths (\$23,000.00)
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 5 day of August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by ~~Councilman~~ Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Adams, Arata, Martin, Spaulding, Vander#Wall Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Knoles

ATTEST: Gene W. Collins (Signature)
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 322

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
NATHAN PROVINCE FOR RENTAL OF HANGAR AT 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 Nathan Province

for rental of Hangar No. 3 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 5 day
of August, 1959, by Councilman Arata, 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: Adams, Arata, Martin, Spaulding, VanderWall
and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Gene W. Collins
Acting CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-323

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
DONALD MONTGOMERY FOR RENTAL OF HANGAR AT 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 Donald Montgomery

for rental of Hangar No. 1 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 5 day
of August, 1959, by Councilman Martin, who moved
its adoption, which motion being duly seconded by Councilman
Adams, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Gene M. Collins
Acting CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59 -324

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
GARY SMITH AND WALTER FOUNTAIN FOR RENTAL OF HANGAR AT 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 Gary Smith and
Walter Fountain

for rental of hangar No. 2 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 5 day
of August, 1959, by Councilman Adams, 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: Adams, Arata, Martin, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Gene M. Collins
Acting CITY CLERK

RESOLUTION NO. 59-325

A RESOLUTION DENYING REQUEST OF MR. AND MRS. JAMES DEMAKAS
FOR A VARIANCE TO MAINTAIN BRICK PLANTERS AT 2505 MONTE VISTA
IN THE CITY OF MODESTO

WHEREAS, Mr. and Mrs. James Demakas have filed a request for a variance to maintain brick planters at 2505 Monte Vista Avenue, which extend into the sidewalk areas, and

WHEREAS, these planters have sharp corners and edges which extend into the public right of way, presenting a hazard to the users of the public sidewalk, and

WHEREAS, after hearing both oral and documentary evidence the Council of the City of Modesto finds and determines as follows:

1. That these planters were constructed without obtaining the necessary building permit from the City of Modesto Inspection Department;
2. That the maintaining of these planters which extend into the public right of way would create a public hazard;
3. That approval of a variance would not be in the public interest and welfare and would be against the established policy of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto, that it does hereby deny the request of Mr. and Mrs. James Demakas for a variance to maintain brick planters which encroach into the public right of way at their property located at 2505 Monte Vista in the City of Modesto, and

BE IT FURTHER RESOLVED that the petitioners be and they are hereby directed to remove these planters from the public right of way as required by the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1959 by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond
Noes: None Absent: Knoles

ATTEST 
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-326

A RESOLUTION REFERRING THE APPEAL OF SAMUEL JACOBS FROM THE DECISION OF THE BOARD OF ZONING ADJUSTMENT FOR PARKING IN A RESIDENTIAL ZONE BACK TO THE BOARD OF ZONING ADJUSTMENT FOR FURTHER CONSIDERATION

WHEREAS, Samuel Jacobs filed an appeal with the City Clerk on July 3, 1959 to the decision of the Board of Zoning Adjustment denying his application for a conditional use permit to extend commercial uses and parking in the R-3 and R-1 zones at 601 McHenry Avenue, and

WHEREAS, Resolution No. 59-292, adopted by the Council on July 8, 1959, set this date as the time for a public hearing on the aforesaid appeal, and

WHEREAS, Attorney Robert C. Bienvenue, on behalf of his client, Samuel Jacobs, has presented to the Council at the public hearing, a new plan for development of this property which would provide for the construction of the restaurant building on the E-2 zone; the elimination of parking in the R-1 zone, which will be used as a buffer strip; the parking of cars only in the R-3 zone; and the construction of a six foot fence with landscaping which would be maintained by the applicant to screen the parking area from the residential area, and

WHEREAS, this plan for the development of the property is a different plan than the one acted upon by the Board of Zoning Adjustment,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto, that the appeal of Samuel Jacobs from the decision of the Board of Zoning Adjustment be and it is hereby referred back to the Board of Zoning Adjustment for further consideration and action.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1959 by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: Knoles

ATTEST: Gene W. Collins
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-327

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 9 OF THE ZONING MAP (MODESTO INDUSTRIAL PARK ADDITION)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 21, 1959, in the Council Chamber for the purpose of considering an amendment to Section 9 of the Zoning Map to rezone Lot 6 of South Modesto Acres as Neighborhood-Commercial Zone, C-1, and the following described property be zoned Industrial Park Zone, M-P:

Beginning at the southwest corner of lot 6 of the South Modesto Acres Subdivision; thence easterly to the southeast corner of said Lot 6; thence southerly parallel to the eastern line of Crows Landing Road to a point on the Northern line of the property described in the deed to Tidewater Southern Railroad Company, recorded August 19, 1952, as Instrument Number 19402, Stanislaus County Records; thence easterly along the northern line of said railroad property to a point on the western line of the Tidewater Southern Railroad right of way, said point being 25 feet at right angles westerly from the north south quarter section line of Section 9; thence northerly along the western line of said railroad right of way to its intersection with the westerly extension of the southern line of the Olympic Tract; thence easterly along the southern line of the Olympic and its westerly extension to the southeast corner of said Olympic Tract, said point being on the western line of a 40 foot public road known as Morgan Road; thence southerly along the western line of said Morgan Road to the southeastern corner of lot 12 of the Midway Tract; thence westerly along the southern line of lots 12 and 13 of said Midway Tract to the southwestern corner of said lot 13; thence southerly along the eastern line of the southwest quarter of the southeast quarter of Section 9 to a point on the northern line of a 40 foot public road known as Whitmore Road; thence westerly along the northern line of said Whitmore Road to the point of intersection with the western line of said Tidewater Southern Railroad right of way; thence northerly along the western line of said railroad right of way to a point on the southern line of the northwest quarter of said Section 9; thence westerly along the southern line of the northwest quarter of said Section 9 to its intersection with the eastern line of Crows Landing Road; thence northerly along the eastern line of Crows Landing Road to the point of beginning.

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 537 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 4:45 P.M., Wednesday, August 19, 1959, 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 5th day of August, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: Anne M. Collins
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-328

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 (CARVERWOOD ADDITION)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 21, 1959, in the Council Chamber for the purpose of considering an amendment to Section 19 of the Zoning Map to rezone from Single Family Zone, R-1, to Two-Family Zone, R-2, the following described property:

That portion of the Carverwood Addition lying north of the center line of Glenwood Drive and south of the center line of Goldenwood, east of Carver Road and west of the eastern boundary of the Carverwood Addition, as shown on the tentative map of Quaresma Homes Subdivision,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 538 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., Wednesday, August 19, 1959, 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 5th day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Gene W. Collins
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-329

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 (PARADISE CENTER NO. 2)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 21, 1959, in the Council Chamber for the purpose of considering an amendment to Section 31 of the Zoning Map to rezone from Single-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1, the following described property:

Beginning at a point at the intersection of the center line of Sutter Avenue and the northern line of the Marshall Park Addition; thence westerly along said northern line of the Marshall Park Addition to the northwestern corner thereof; thence northerly along the northern extension of the western line of said Marshall Park Addition to the southeastern line of Paradise Road; thence northeasterly along said southeastern line of Paradise Road to the southwestern corner of the property conveyed to Harold A. Knowles et ux, by deed recorded November 21, 1956; thence southeasterly along the southern line of said Knowles property to a point on the western line of Sutter Avenue; thence easterly at right angles to said western line of Sutter Avenue 30 feet to the center line of Sutter Avenue to the point of beginning,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 539 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 4:55 P.M., Wednesday, August 19, 1959, 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 5th day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall

NOES: Councilmen: None
Mayor Hammond

ABSENT: Councilmen: Knoles

ATTEST: Cherene Ne Collins
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 330

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
WOLVERINE BUILDING SERVICE, INC. FOR CONSTRUCTION OF A SUB-TRUNK
LINE AND SEWAGE LIFT STATION TO SERVE YORKSHIRE 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 construction of a sub-trunk line and sewage lift statbn to
serve Yorkshire 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 5th day
of August, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by ~~Councilman~~
Mayor Hammond, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST: Gene W. Collins
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-331

A RESOLUTION ACCEPTING THE BID OF \$43,169.75 FROM STANDARD MATERIALS, INC. FOR IMPROVEMENT OF COLLEGE AVENUE BETWEEN CECIL WAY AND BRIGGSMORE AVENUE

WHEREAS, Resolution No. 59-309, adopted by the Council of the City of Modesto on July 22, 1959, approved the plans and specifications for the improvement of College Avenue between Cecil Way and Briggsmore Avenue

and authorized the calling for bids, and

WHEREAS, the bids received for the improvement of College Avenue between Cecil Way and Briggsmore Avenue

were opened at 2:00 P.M. August 10, 1959 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 Standard Materials, Inc. in the sum of \$43,169.75

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Standard Materials, Inc. in the sum of \$43,169.75 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 12 day of August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST: Gene M. Collins
Acting CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 332

A RESOLUTION AUTHORIZING THE INSTITUTION OF
CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL
PROPERTY IN THE CITY OF MODESTO TO BE USED FOR
STREET WIDENING PURPOSES.

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 to be used for street widening purposes.

The use of said real property for street widening purposes is a public
use authorized by law.

The proposed widening 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.

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 purpose 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 certain real property situate in the State of California, County of Stanislaus, City of Modesto, Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The East 10 feet of Lot 3 in Block 6120 of FRANCEK TRACT, as per map filed August 28, 1946, in Vol. 14 of Maps, page 71, Stanislaus County Records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: None

ABSENT: Knoles Martin

ATTEST: Clementine M. Dooling
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-333

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE INSTALLATION OF WATER MAINS TO SERVE YORKSHIRE MANOR NO. 1

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 to serve Yorkshire Manor No. 1

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, 717 10th Street, in the City of Modesto, on August 24, 1959 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 12 day of August, 1959, by Councilman Adams, 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: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST: Rex E. Gailfus
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-334

A RESOLUTION AMENDING RESOLUTION NO. 59-305 ENTITLED
"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 that Librarian
I and Librarian II listed under Library Rates on page 4 of "Exhibit B" of
Resolution No. 59-305 entitled "A Resolution Establishing Salary Schedules
and Fixing the Compensation for Positions in the City Service", be amended
to read as follows:

LIBRARY RATES

Librarian I

\$ 341 - 358 - 376 - 395 - 415

Librarian II

\$ 376 - 395 - 415 - 436 - 458

The schedules of salary rates and ranges, and the compensation fixed
for Librarian I and Librarian II by this resolution shall be effective on and after
August 1, 1959.

The foregoing resolution was introduced at a regular meeting of the
Council of the City of Modesto held on the 12 day of August, 1959,
by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being
duly seconded by Councilman Adams, was upon roll call carried and the
resolution adopted by the following vote:

AYES: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: None

ABSENT: Knoles, Martin

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-335

1 A RESOLUTION AMENDING SECTION 13.1 OF THE PERSONNEL
2 RULES RELATING TO HOURS OF WORK

3 WHEREAS, Section 1202 of Article XII of the Charter of
4 the City of Modesto provides that the Personnel System provided by
5 said Article shall be implemented by such rules and regulations
6 governing the administration thereof as are adopted by the City
7 Council upon the recommendation of the City Manager, and

8 WHEREAS, Section 1109 of Article XI of the City Charter
9 provides that the Personnel Commission shall have the power and be
10 required to recommend to the City Council the adoption, amendment,
11 or repeal of personnel rules and regulations, and

12 WHEREAS, the Personnel Commission has recommended that
13 Section 13.1 of the Personnel Rules be amended as hereinafter
14 set forth, and

15 WHEREAS, the City Manager has reviewed the proposed
16 amendment to the Personnel Rules as recommended by the Personnel
17 Commission and,

18 WHEREAS, the City Council has reviewed said amendment to
19 the Personnel Rules as recommended by the Personnel Commission
20 and the City Manager and finds that said amendment promotes the pur-
21 poses and objectives of the personnel system,

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

24 SECTION 1. That Section 13.1 of the Personnel Rules be
25 amended to read as follows:

26 13.1 Hours of Work

27 (b) All Fire Department Personnel working in a
28 class for which safety membership in the State Employees'
29 Retirement System is required shall be on duty an
30 average minimum of 67.2 hours a week, except that:

31 (1) The Fire Chief, Assistant Fire Chief, and Fire
32 Marshal shall be on duty 40 hours per week.

(2) and the Fire Chief, with the approval of the
City Manager, may designate for the Fire Techni-
cian a special work week not to exceed 67.2
hours, nor to be less than 40 hours per week.

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The regular hours and days of duty shall be established by the Fire Chief.

SECTION 2. This resolution shall be effective on and after October 1, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1959, by Arata, who moved its adoption, which motion being duly seconded by VanderWall was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Spaulding, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Knoles, Martin

ATTEST: Anna M. Collins
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-336

A RESOLUTION APPROVING APPROPRIATION TRANSFERS

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

<u>FROM</u>	General Reserve	
<u>TO</u>	Salaries & Wages, per attached schedule	\$64,986.00
	Uniform Allowance	3,480.00
	Uniform Allowance	3,840.00
<u>FROM</u>	Service Working Capital	
<u>TO</u>	Salaries & Wages regular	1,760.00
	Salaries & Wages, Utility Crew	5.00
<u>FROM</u>	Parking Reserve	286.00
<u>TO</u>	Salaries & Wages, regular	
<u>FROM</u>	General Reserve	
<u>TO</u>	Public Works-Streets Division Completion of Improvements McHenry Village Subdivision	600.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

Noes: None

Absent: Knoles, Martin

ATTEST: Ann M. Collins
ACTING CITY CLERK

Department Budget Salary Adjustments
Effective July 1, 1959

General Fund

August 12, 1959

<u>Department</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Budget Adjustment</u>
City Manager	110-12	Salaries & Wages Regular	\$ 882.00
	120-12	Salaries & Wages Extra Help	4.00
City Attorney	110-13	Salaries & Wages Regular	526.00
City Clerk & Auditor	110-14	Salaries & Wages Regular	420.00
	120-14	Salaries & Wages Extra Help	15.00
	130-14	Salaries & Wages Overtime	1.00
Finance	110-15	Salaries & Wages Regular	5,585.00
	120-15	Salaries & Wages Extra Help	13.00
	130-15	Salaries & Wages Overtime	5.00
Personnel	110-16	Salaries & Wages Regular	1,026.00
	120-16	Salaries & Wages Extra Help	8.00
Planning	110-17	Salaries & Wages Regular	3,540.00
	120-17	Salaries & Wages Extra Help	73.00
City Hall Building	110-19	Salaries & Wages Regular	377.00
	120-19	Salaries & Wages Extra Help	25.00
Fire	110-21	Salaries & Wages Regular	20,045.00
	120-21	Salaries & Wages Extra Help	14.00
	130-21	Salaries & Wages Overtime	75.00
Police	110-22	Salaries & Wages Regular	7,450.00
	120-22	Salaries & Wages Extra Help	15.00
	130-22	Salaries & Wages Overtime	51.00
Disaster & Civil Defense	110-26	Salaries & Wages Regular	72.00
Recreation	110-31	Salaries & Wages Regular	528.00
	120-31	Salaries & Wages Extra Help	1,261.00
Maddux Youth Center	110-32	Salaries & Wages Regular	132.00
	120-32	Salaries & Wages Extra Help	194.00
Parks	110-35	Salaries & Wages Regular	4,251.00
	120-35	Salaries & Wages Extra Help	7.00
	130-35	Salaries & Wages Overtime	7.00
Modesto Community Service Center	110-36	Salaries & Wages Regular	84.00
Golf Course - 9 hole	110-37	Salaries & Wages Regular	2,632.00
	130-37	Salaries & Wages Overtime	24.00
Dryden Park Municipal Golf Course	110-38	Salaries & Wages Regular	1,173.00
	130-38	Salaries & Wages Overtime	65.00
Engineering & Adm.	110-41	Salaries & Wages Regular	3,591.00
	110-41	Salaries & Wages Utility Crew	(1,691.00)
	130-41	Salaries & Wages Overtime	9.00
Inspection	110-42	Salaries & Wages Regular	741.00
Electrical	110-43	Salaries & Wages Regular	1,162.00
	110-43	Salaries & Wages Utility Crew	8.00
	130-43	Salaries & Wages Overtime	29.00
Airport	110-46	Salaries & Wages Regular	295.00
	110-46	Salaries & Wages Utility Crew	40.00

<u>Department</u>	<u>Account #</u>	<u>Account Name</u>	<u>Budget Adjustment</u>
Water	110-50	Salaries & Wages Regular	\$ 1,086.00
	110-50	Salaries & Wages Utility Crew	540.00
	130-50	Salaries & Wages Overtime	25.00
Streets	110-51	Salaries & Wages Regular	3,650.00
	110-51	Salaries & Wages Utility Crew	815.00
	130-51	Salaries & Wages Overtime	25.00
Sewers	110-52	Salaries & Wages Regular	1,422.00
	110-52	Salaries & Wages Utility Crew	270.00
Sewage Disposal	110-53	Salaries & Wages Regular	1,396.00
	110-53	Salaries & Wages Utility Crew	13.00
Garden Refuse Service	110-54	Salaries & Wages Regular	(3,318.00)
	130-54	Salaries & Wages Overtime	13.00
Parking & Traffic (General Fund)	110-56	Salaries & Wages Regular	4,260.00
	120-56	Salaries & Wages Extra Help	5.00
Total General Fund			\$ 64,986.00

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 337

A RESOLUTION AUTHORIZING OVERTIME PAY FOR OFF DUTY POLICE PERSONNEL PERFORMING SPECIAL SERVICES AT DEL WEBB FIELD AND THE TEENAGE DANCES CONDUCTED BY THE MODESTO POLICE DEPARTMENT.

WHEREAS, the Police Department of the City of Modesto furnishes off-duty personnel at Del Webb Field to help with traffic congestion during such times as Del Webb Field is being used in connection with baseball games played by the Modesto Reds, and

WHEREAS, the Police Department of the City of Modesto also desires to furnish off-duty personnel in connection with the teenage dance program it has recently initiated, and

WHEREAS, it is desired that the off-duty officers furnishing overtime services at the Wel Webb Field and the teenage dances conducted by the Modesto Police Department receive overtime payment for said services,

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

SECTION 1. The Police Department personnel furnishing off-duty overtime services shall be reimbursed as follows:

(a) Officers employed at Del Webb Field shall be paid at the rate of Seven and 50/100ths (\$7.50) Dollars per game day.

(b) Officers employed in connection with the teenage dance program shall be paid at the rate of Ten and no/100ths (\$10.00) Dollars per dance day.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of August, 1959, by Councilman Spaulding who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: None

ABSENT: Knoles, Martin

ATTEST: Gene M. Collins
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-338

A RESOLUTION DENYING REQUEST OF MR. AND MRS. FRANCIS GNESA TO CONSTRUCT A PEBBLE-MOSAIC CONCRETE DRIVEWAY AND ENTRY WALK ON PROPERTY LOCATED AT 1223 PRINCETON AVENUE, IN THE CITY OF MODESTO

WHEREAS, Mr. and Mrs. Frank Gnesa, 1223 Princeton Avenue, have filed a request for a variance from the following provision of the Modesto Municipal Code:

7-1.203(a)--sidewalk, driveway and driveway approaches to be constructed in accordance with standard plans and specifications for concrete sidewalk and under the supervision of Director of Public Works.

and

WHEREAS, the Director of Public Works has reported that the construction of a pebble-mosaic concrete driveway and entry walk with redwood strips at 1223 Princeton Avenue would not be in conformity with city standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Mr. and Mrs. Frank Gnesa for a variance to permit the construction of a pebble-mosaic concrete driveway and entry walk with redwood strips at 1223 Princeton Avenue be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1959 by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, VanderWall, Mayor Hammond

Noes: Spaulding Absent: Knoles, Martin

ATTEST


Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-339

A RESOLUTION REGULATING THE RESERVATION AND USE OF PICNIC TABLES, BARBECUE PITTS, AND SUCH OTHER PICNIC FACILITIES AS MAY BE PROVIDED IN THE PUBLIC PARKS OF THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto desires to establish rules and regulations relating to the use of the picnic facilities in the public parks of the City of Modesto,

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

SECTION 1. ADMINISTRATION OF RESERVATION OF PICNIC FACILITIES. The Director of Parks and Recreation shall be responsible for the administration of the reservation of picnic facilities on city parks in accordance with the provisions of this resolution.

SECTION 2. PUBLIC PARKS IN WHICH RESERVATION OF PICNIC FACILITIES SHALL NOT BE REQUIRED OR PERMITTED. The picnic tables, barbecue pits, and all other picnic facilities provided in Elk, Enslin, Graceada, J. M. Pike, John Muir, Maze Wren, Roosevelt, and West Side Parks shall be available to the general public, individually or in groups, without necessity of prior reservation. No reservation of picnic facilities in the aforementioned parks by any individual or group shall be permitted with the exceptions set forth in Section 3 of this resolution.

SECTION 3. GROUPS EXEMPT FROM THE PROVISIONS OF SECTION 2. In order that Elementary, Junior High, and High Schools may conduct annual school picnics in the public parks, and to insure maximum availability of facilities for said picnics, any Elementary, Junior High, or High School shall be permitted to make application for reservation of picnic facilities in any of the parks listed in Section 2 of this resolution.

SECTION 4. PUBLIC PARKS IN WHICH RESERVATION OF PICNIC FACILITIES SHALL BE PERMITTED. The picnic tables, barbecue pits, and all other picnic facilities provided in Legion Park and Beard Brook Park shall be available for reservation by any group of persons numbering not less than fifty (50).

SECTION 5. APPLICATION FOR RESERVATIONS REQUIRED. Any group consisting of not less than fifty (50) individuals desiring to reserve picnic facilities in Legion Park or Beard Brook Park shall make written application to the Director

of Parks and Recreation not less than forty-eight (48) hours prior to the date facilities are desired. Applications for reservations shall be made on a standard form which shall be provided by the Director of Parks and Recreation.

SECTION 6. REGULATIONS GOVERNING THE USE OF RESERVED PICNIC FACILITIES. Any group making application for reservation of picnic facilities shall agree to abide by the following regulations governing the reservation and use of picnic facilities:

(a) Each group or organization concerned shall provide a representative to claim reserved facilities on date of use.

(b) Each group or organization concerned shall be responsible for leaving facilities in a clean and orderly condition.

(c) Each group or organization concerned shall be responsible for the maintenance of order among those participating.

(d) Each group or organization concerned shall abide by all regulations and ordinances governing city parks and facilities.

Failure of an applicant to comply with the foregoing rules and regulations shall constitute grounds for refusal of the right to subsequent use of park picnic facilities.

SECTION 7. REPEALS. Resolution No. 54-151 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of August, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: None

ABSENT: Knoles, Martin

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-340

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 (RICHARD C. SMITH)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 21, 1959, in the Council Chamber, which hearing was continued to August 4, 1959, for the purpose of considering an amendment to Section 18 of the Zoning Map to reclassify from Single-Family Zone, R-1, to Multiple-Family Zone, R-3, the following described property:

Beginning at a point which is the center line of Tully Road and Ronald Avenue; thence southerly along the center line of Tully Road approximately 600 feet to the center line of M.I.D. Lateral No. 3; thence westerly along the center line of M.I.D. Lateral No. 3 approximately 270 feet; thence northerly approximately 600 feet to the center line of Ronald Avenue; thence easterly along the center line of Ronald Avenue to the point of beginning,

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 541 recommended to the Council that rezoning of the area as requested was required by public necessity, convenience and general welfare,

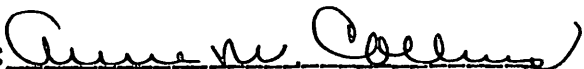
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment be set for 4:50 P.M., Wednesday, September 2, 1959, in the Council Chamber of the City of Modesto as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1959, by Councilman Spaulding, 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: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, S Martin

ATTEST: 
Acting City Clerk

A RESOLUTION APPROVING THE FINAL MAP OF THE
HACIENDAS DEL OESTE SUBDIVISION
OF THE CITY OF MODESTO.

WHEREAS, PHIL-BART HOMES, INC., MODESTO HOLDING COMPANY and
SECURITY TITLE INSURANCE COMPANY
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 22.58 acres, known as the
HACIENDAS DEL OESTE SUBDIVISION,

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 21 day of October, 1958,
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 HACIENDAS DEL OESTE 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
HACIENDAS DEL OESTE 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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Two Thousand Ninety and 70/100ths

(\$2,090.70) 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 Sixty-Nine
and no/100ths (\$69.00) 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 12 day of August, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST: Rex E. Gailfus
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-342

A RESOLUTION URGING THE CITIZENS OF THE COMMUNITY TO
ASSIST IN ALLEVIATING THE FARM LABOR SHORTAGE IN
STANISLAUS COUNTY

WHEREAS, an emergency exists in Stanislaus County due to the shortage of farm labor available for harvesting the crops.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the citizens of the community are hereby called upon to do everything possible to alleviate the critical shortage of farm labor in this county to prevent very serious financial losses not only to the farmers in this area but to all residents of the county, and

BE IT FURTHER RESOLVED that all citizens who can lend assistance in this emergency/^{are urged to}contact the local State Farm Labor Office, located at 712 H Street, and offer their services to help harvest the crops.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1959 by Councilman Arata, 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: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: Knoles, Martin

ATTEST: *Rene M. Collins*
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-343

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY RAYMOND S. GADA FOR AN AMENDMENT TO SECTION 20 OF THE ZONING MAP (COOLIDGE AVENUE WEST OF McHENRY AVENUE)

WHEREAS, the Modesto City Planning Commission held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on July 21, 1959, for the purpose of considering an application filed by Raymond S. Gada on May 27, 1959, for reclassification from R-1 Single-Family Residential to C-2 General Commercial, the following described property:

Beginning at a point which is on the center line of Coolidge Avenue 185 feet west of the center line of McHenry Avenue; thence northerly 128.04 feet parallel to the center line of McHenry Avenue; thence westerly parallel to the center line of Coolidge Avenue 40 feet; thence southerly parallel to the center line of McHenry Avenue 128.04 feet to the center line of Coolidge Avenue; thence easterly 40 feet along the center line of Coolidge Avenue to the point of beginning,

and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 534, denying the request for reclassification of the above described property, and

WHEREAS, on August 5, 1959, Raymond S. Gada filed an appeal with the City Clerk on the decision of the Planning Commission denying the request for reclassification from R-1 Single-Family Residential to C-2 General Commercial the above described property, 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 the request for reclassification.

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 filed by Raymond S. Gada be set for Wednesday, September 2, 1959, at 4:45 P.M., in the Council Chamber 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 August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

ATTEST: *Anna M. Collins*
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-344

A RESOLUTION PROCLAIMING SUNDAY, AUGUST 16, 1959, AS MODESTO
BASEBALL FOR BOYS DAY

WHEREAS, the Junior Baseball League will be playing
its championship run-off baseball game at Del Webb Field,
Sunday, August 16, 1959, and

WHEREAS, the Junior Baseball League provides an
activity for the youth of the community which develops
character and strong, healthy bodies.

NOW, THEREFORE, BE IT RESOLVED by the Council of the
City of Modesto that Sunday, August 16, 1959, be proclaimed
as "MODESTO BASEBALL FOR BOYS DAY" and the citizens of the
community are urged to attend the championship baseball game
being held at Del Webb Field.

The foregoing resolution was introduced at a regular
meeting of the Council of the City of Modesto held on August
12, 1959 by Councilman Spaulding, who moved its adoption,
which motion being duly seconded by Councilman Arata, was
upon roll call carried and the resolution adopted by the
following vote:

Ayes: Adams, Arata, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: Knoles, Martin

ATTEST: Anna M. Collins
ACTING CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-345

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF COMFORT STATION AT DRYDEN PARK MUNICIPAL GOLF COURSE

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

Section 1. The plans and specifications for construction of comfort station at Dryden Park Municipal Golf Course

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, 717 10th Street, in the City of Modesto, on August 31, 1959 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 19 day of August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Protempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Rex E. Gailfus
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-346

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR REMOVAL OF CITY HOUSE LOCATED ON COLLEGE AND NORTHERN BOULEVARD

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

Section 1. The plans and specifications for removal of city house located on College and Northern Boulevard

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, 717 10th Street, in the City of Modesto, on August 31, 1959 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 19 day of August, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWal

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Rex E. Galfus
REX E. GALFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-347

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN HACIENDAS DEL OESTE 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 Haciendas Del Oeste 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, 717 10th Street, in the City of Modesto, on August 31, 1959 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 19 day of August, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Rex E. Gailfus
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-348

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR CONSTRUCTION OF SANITARY SEWER LINES

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

Section 1. The plans and specifications for construction
of sanitary sewer facilities to Unit A-Norwegian Avenue; Unit B-
Montgomery Village No. 3; Unit C-Yorkshire Manor 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, 717 10th Street, in the City
of Modesto, on **August 31, 1959** at 3:00 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 19 day of
August, 1959, by Councilman Adams, who moved its
adoption, which motion being duly seconded by Councilman Knoles,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Rex E. Gailfus
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 349

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF
UNIFORM ALLOWANCE FOR POLICE AND FIRE PERSONNEL.

WHEREAS, the City Council finds that a high standard of personal appearance shall be maintained by members of the Police Department and Fire Department, and

WHEREAS, some members of the Police Department and Fire Department are required to wear uniforms that are exposed to extraordinary hazards and may be damaged in line of duty, and

WHEREAS, the Personnel Commission has recommended that the City furnish a uniform allowance for Police and Fire personnel designated by the chief officers to wear uniforms, and

WHEREAS, it is determined to be in the City's interest to provide reimbursement for uniform care separately from regular salaries, which reimbursement is to be used by Police and Fire personnel for uniform maintenance,

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

SECTION 1. UNIFORM ALLOWANCE. Chief fire officers, police, and parking enforcement officers required to wear dress uniforms on duty shall be paid Ten and no/100ths (\$10.00) Dollars per full calendar month of service, as a uniform allowance, said sum to be paid quarterly at the end of March, June, September and December of each year.

Other uniformed Fire Department personnel shall be paid Five and no/100ths (\$5.00) Dollars per full calendar month of service, as a uniform allowance, to be paid quarterly in the same manner as stated in the preceding paragraph.

No uniform allowance shall be paid to Police or Fire personnel during the first six (6) months of City service, but said allowance shall be withheld and shall accrue to the benefit of said employees to be paid at the end of the second regular full quarter.

No payment shall be made to Police and Fire personnel who terminate their employment during or at the end of the first six (6) months of service.

The Chiefs of the Police and Fire Departments shall report at the end of each calendar quarter the names of the Police and Fire personnel eligible to receive the uniform allowance during each month of the quarter.

Uniform allowance shall not accrue to persons not specifically included in this resolution.

SECTION 2. EFFECTIVE DATE. This resolution shall be effective on and after July 1, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19 day of August, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Martin, Knoles, Mayor Pro Tempore VanderWall

NOES: None

ABSENT: Spaulding and Mayor Hammond

ATTEST: Gene W. Collins
Acting City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-350

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$931 FROM LIBRARY RESERVE TO SALARIES & WAGES, REGULAR FOR SALARY ADJUSTMENTS APPROVED BY THE COUNCIL AUGUST 12, 1959

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

FROM: Library Reserve - 600 \$931.

TO: Library \$931.
Salaries & Wages, Regular
110-62

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19 day of August, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Anne W. Coelius, Acting
~~Rex E. Guilfus~~, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-351

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUB-TRUNK SEWER ALONG M.I.D. LATERAL NO. 4 TO HILLVIEW ACRES SUBDIVISION BY GEORGE REED: AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of sub-trunk sewer along M.I.D. Lateral No. 4 to Hillview Acres Subdivision

has been completed by George Reed

in accordance with the contract agreement dated June 25, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of sub-trunk sewer along M.I.D. Lateral No. 4 to Hillview Acres Subdivision

be accepted from said contractor George Reed

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 19 day of Aug., 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: Anna M. Collins
CITY CLERK

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS ALLEN ADDITION (UNINHABITED)

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 follows:

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

Beginning at a point on the existing city limits, said point being the Northeastern corner of the Covell Addition as per map filed August 22, 1956, Instrument 22580, Stanislaus County Records, said point also being on the Southern line of Hintze Avenue and the existing City limits; thence along said city limits, South $88^{\circ} 57'$ West, 263.00 feet to a point which is 25.00 feet West of the center line of McHenry Avenue; thence continuing along the city limits parallel to and distant 25.00 feet west of the center line of McHenry Avenue North $0^{\circ} 56'$ West 163.44 feet; thence North $88^{\circ} 57'$ East, 68.00 feet to the Northwestern corner of property conveyed to Charles J. and Harriet T. Allen as per deed recorded February 5, 1945, Stanislaus County Records; thence along the Northern line of said Allen property, North $88^{\circ} 57'$ East, 207.00 feet to the Northeastern corner of said Allen property, said corner also being on the Western line of property conveyed to Donald F. and Lillian L Potter as per deed recorded May 3, 1955, Instrument 12981; thence along the Western line of said Potter

property, North 0° 56' West, 21.56 feet to the North-western corner of said Potter property; thence along the Northern line of said Potter property North 88° 57' East, 80.00 feet to the Northeastern corner of said Potter property; thence along the Eastern line of said Potter property, South 0° 56' East, 125.00 feet to the Southeastern corner of said Potter property, said corner also being on the Northern line of Hintze Avenue; thence along the Northern line of Hintze Avenue South 88° 57' West, 92.00 feet to a point 12.00 feet West of the Southeastern corner and on the Southern line of said Allen property; thence South 0° 56' East, 60.00 feet to a point on the Southern line of Hintze Avenue, said point also being the Northeastern corner of said Covell Addition and the point of beginning, containing 1.05 acres more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: None

ABSENT: Spaulding and Mayor Hammond

ATTEST: Gene M. Callahan, Acting
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 353

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT PROVIDING FOR THE PARTICIPATION OF THE CITY OF MODESTO IN THE STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING ITS EMPLOYEES MEMBERS OF SAID SYSTEM.

WHEREAS, the Board of Administration of the State Employees' Retirement System of the City Council of the City of Modesto entered into a contract effective August 1, 1946, providing for the participation of said City of Modesto in the State Employees' Retirement System, and

WHEREAS, said contract provides for the funding of the liabilities for benefits based on "prior service" by annual installment payments by said Agency extending over a twenty seven (27) year period beginning on the effective date of said contract, and

WHEREAS, the amount of said annual installment payment has been determined by actuarial revaluation to be materially larger than previously determined, and

WHEREAS, it is desirable that the contributions required of said Agency under said contract not be excessive, and

WHEREAS, it is desirable to have prior service liabilities liquidated by contributions expressed as a percentage of member payroll instead of as a level annual amount,

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

That said City Council authorize, and it does hereby authorize, an amendment to said Contract, a copy of said amendment being attached hereto, marked "Exhibit A" and by such reference made a part hereof as though set forth in full herein.

That the presiding officer of said City Council be, and he is hereby authorized, empowered and directed to execute said amendment for and on behalf of said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19 day of August, 1959, by Councilman Martin, who moved its adoption, which motion

being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

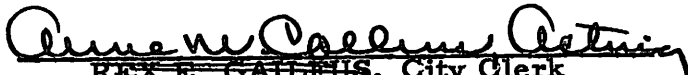
AYES: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: None

ABSENT: Spaulding, Mayor Hammond


MAYOR OF THE CITY OF MODESTO

ATTEST:


REX E. GALLUS, City Clerk

(SEAL)

AMENDMENT TO CONTRACT BETWEEN
THE BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the City Council of the City of Modesto, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective November 1, 1950, and December 1, 1950, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

1. Paragraph 11a of said Contract shall be amended to read:

- a. 2.247% of total salaries each month, for a period of 27 years from and including the year which began on July 1, 1959, on account of the liability for benefits based on service rendered to the Agency prior to the effective date of the contract.

2. This amendment shall be attached to said Contract and shall be effective as of July 1, 1959.

WITNESS our hand this 19 day of August, 1959.

CITY COUNCIL OF THE CITY OF MODESTO

By *Robert Hammond*
MAYOR

BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM

By WILLIAM E. PAYNE, Executive Officer

ATTEST:

Rex B. Gailfus
REX B. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-354

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES V. JEFFERS AND MARGUERITTE K. JEFFERS FOR SEWER SERVICE IN STRATHMORE SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Charles V. and Margueritte K. Jeffers

for sewer service in Strathmore 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 26 day of August, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-355

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
STANISLAUS COUNTY TITLE COMPANY FOR SEWER SERVICE IN DOWNEY PARK
SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Stanislaus County
Title Company

for sewer service in Downey Park 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 26 day
of August, 1959, by Councilman Spaulding, who moved
its adoption, which motion being duly seconded by Councilman
Knoles, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall; Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-356

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR THE CONSTRUCTION OF ROSE AVENUE TRUNK SEWER

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

Section 1. The plans and specifications for the construction
of Rose Avenue trunk sewer

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, 717 10th Street, in the City
of Modesto, on September 8, 1959 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 26 day of
August, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-357

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE INSTALLATION OF WATER MAINS IN DOWNEY PARK SUBDIVISION, STRATHMORE NO. 1 SUBDIVISION, AND ROSE 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 water mains in Downey Park Subdivision, Strathmore No. 1 Subdivision, and Rose 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, 717 10th Street, in the City of Modesto, on September 8, 1959 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 26 day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-358

A RESOLUTION COMMENDING ANDREW P. FISCHER FOR THE DONATION OF A LEAD LINED METAL BOX FOR USE UNDER THE DEDICATION PLAQUE AT THE NEW CITY HALL BUILDING

WHEREAS, the dedication plaque for the new city hall will be mounted over a box containing momentos generally depicting the city as it exists at the time of dedication, and

WHEREAS, Andrew P. Fischer has donated a lead lined metal box to contain dedicatory documents,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Modesto does hereby accept the offered donation and express its appreciation to Andrew P. Fischer for the gift of a dedication box,

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to forward a copy of this resolution to Andrew P. Fischer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26 day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-359

**A RESOLUTION APPROVING THE GRANTING OF AN EXCEPTION TO THE
SUBDIVISION REGULATIONS AND APPROVAL OF STREET DEDICATIONS
AND STREET IMPROVEMENT IN THE CHARLES T. CHADWICK SUBDIVISION**

WHEREAS, the Modesto City Planning Commission adopted Resolution No. 543 on August 18, 1959, recommending to the Council of the City of Modesto that approval of an exception to the subdivision regulations be granted to Charles T. Chadwick, et al for the extension of Granger Avenue, west of Tully Road with the center line offset approximately twenty-four (24) feet from the center line of Granger Avenue east of Tully Road, and the acceptance of the dedication of twenty-five (25) feet for the widening of Tully Road and fifty (50) feet for the extension of Granger Avenue west of Tully Road, and enter into an agreement for the improvement of such dedications to city standards by the subdivider, and

WHEREAS, the City Council has, after hearing both oral and documentary evidence, found and determined that the granting of an exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner, due to the size and location of the property and will not be detrimental to the public welfare or injurious to other property in the vicinity, and

WHEREAS the twenty-five (25) feet to be dedicated for Tully Road widening and the fifty (50) feet to be dedicated for the extension of Granger Avenue are in harmony with the General Plan and preliminary plans of development of the area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that approval of an exception to the subdivision regulations is hereby granted to Charles T. Chadwick, et al for the extension of Granger Avenue, west of Tully Road with the center line offset approximately twenty-four (24) feet from the center

line of Granger Avenue, east of Tully Road, and

BE IT FURTHER RESOLVED that the Council will accept the dedication of twenty-five (25) feet for the widening of Tully Road and fifty (50) feet for the extension of Granger Avenue, west of Tully Road, and enter into an agreement for the improvement of such dedications to city standards by the subdivider.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1959 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: Martin

ATTEST


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-360

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CHICAGO AVENUE BY M. J. RUDDY AND SON; AUTHORIZE PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of Chicago Ave.

has been completed by M. J. Ruddy & Son

in accordance with the contract agreement dated July 15, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of Chicago 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 26 day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

RESOLUTION NO. 59-361

A RESOLUTION APPROVING THE FINAL MAP OF THE
PARK MANOR NO. 1 SUBDIVISION
OF THE CITY OF MODESTO.

WHEREAS, LANCE E. ELLIS and CARROL L. ELLIS,
are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 22.46 acres, known as the
PARK MANOR NO. 1 SUBDIVISION,
and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 5th day of May, 1959,
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 PARK 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
PARK 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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Two Thousand Two Hundred Sixty-Two and 70/100ths
(\$2,262.70) 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 Seventy-Eight
Thousand (\$78,000.00) 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 26 day of August, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-362

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LANCE E. AND CAROL L. ELLIS FOR SEWER SERVICE IN PARK MANOR SUBDIVISION (SUB-TRUNK SEWER AND LIFT STATION)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Lance E. and Carol L. Ellis

for sewer service in Park Manor Subdivision (sub-trunk sewer and lift station)

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 26 day of August, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-363

A RESOLUTION TERMINATING LEASE AGREEMENT BETWEEN THE CITY AND GRISWOLD AND WIGHT FOR LEASE OF TEN PARKING SPACES IN OFF-STREET PARKING LOT NO. 5 IN THE CITY OF MODESTO.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease agreement entered into between the City of Modesto and Griswold and Wight dated April 17, 1957, for the leasing of ten (10) parking spaces located in the City's off-street parking Lot No. 5, situated on the west side of Tenth Street between K and L Streets in the City of Modesto, County of Stanislaus, State of California, be terminated in accordance with the written request received from Griswold and Wight dated August 18, 1959.

Termination of said lease agreement shall be effective as of September 18, 1959. Said termination date is in accordance with the provisions of Paragraph 8 of said agreement, a copy of which is on file in the Office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26 day of August, 1959, by Councilman Knolles, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knolles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-364

A RESOLUTION SETTING THE TIME AND PLACE FOR THE PUBLIC HEARING ON THE APPLICATION OF LOIS L. LANE, DOING BUSINESS AS RED TOP TAXI, FOR PERMIT TO OPERATE ONE ADDITIONAL TAXICAB

WHEREAS, Lois L. Lane, doing business as Red Top Taxi, has filed an application for a permit to operate one additional taxicab in the City of Modesto, and

WHEREAS, Section 4-6.215 of the Municipal Code, provides that a public hearing be held before the Council to determine whether the public convenience and necessity requires the operation of an additional cab.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the public hearing on the application of Lois L. Lane to operate an additional taxicab in the City of Modesto, be held at 8:00 P.M., September 10, 1959 in the Council Chamber located in the McHenry Public Library, 14th and I Streets, 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 26 day of August, 1959, by Councilman Knoles, 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: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-365

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
FOR THE INSTALLATION OF WATER MAINS TO SERVE YORKSHIRE MANOR NO. 1

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-333, on August 12, 1959 approving the plans and specifications for the installation of water mains to serve Yorkshire Manor No. 1

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 24 day of August, 1959, 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 \$1,861.30, 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 26 day of August, 1959, by Councilman VanderWall, who moved

its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-366

A RESOLUTION GRANTING A PERMIT TO THE YOSEMITE-MODESTO EXCHANGE CLUB TO USE THE DEL WEBB FIELD ON SUNDAY, SEPTEMBER 27, 1959, TO HOLD A "DAWG DAZE" PROJECT

WHEREAS, the Yosemite-Modesto Exchange Club has filed a request with the Council for permission to use the Del Webb Field on Sunday, September 27, 1959 to hold a "Dawg Daze" project,

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 the Del Webb Field on Sunday, September 27, 1959 to hold a "Dawg Daze" project 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 2 day of September, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-367

A RESOLUTION ACCEPTING THE BID OF EDWARD A. TOMLINSON IN THE SUM OF \$5,150. FOR THE CONSTRUCTION OF COMFORT STATION AT DRYDEN MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 59-345, adopted by the Council of the City of Modesto, on August 19, 1959, approved the plans and specifications for the construction of comfort station at Dryden Park Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of comfort station at Dryden Park Municipal Golf Course were opened at 2:15 P.M. August 31, 1959 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 Edward A. Tomlinson in the sum of \$5,150.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Edward A. Tomlinson in the sum of \$5,150.

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 2 day of September, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-368

A RESOLUTION REAFFIRMING THE DECISION OF THE MODESTO CITY PLANNING COMMISSION IN DENYING THE REQUEST OF RAYMOND GADA AS EXPRESSED IN RESOLUTION NO. 534

WHEREAS, Raymond S. Gada filed an appeal with the City Council on August 4, 1959 to the decision of the Modesto City Planning Commission denying the request for an amendment to Section 20 of the Zoning Map to reclassify from R-1 Single Family Residential to C-2 General Commercial the following described property:

Beginning at a point which is on the center line of Coolidge Avenue 185 feet west of the center line of McHenry Avenue; thence northerly 128.04 feet parallel to the center line of McHenry Avenue; thence westerly parallel to the center line of Coolidge Avenue 40 feet; thence southerly parallel to the center line of McHenry Avenue 128.04 feet to the center line of Coolidge Avenue; thence easterly 40 feet along the center line of Coolidge Avenue to the point of beginning.

and

WHEREAS, the Modesto City Council adopted Resolution No. 59-343 on August 12, 1959, setting the time and place for the hearing on the appeal, and

WHEREAS, after hearing evidence both oral and documentary, the Council determined that the rezoning of the property is not required by the public necessity, convenience and welfare for the following reasons as set forth in Resolution No. 534 adopted by the Modesto City Planning Commission on July 21, 1959:

1. Rezoning of the property would not necessarily provide additional parking or access to the existing business property; and
2. Necessary parking can be provided by the granting of a conditional use permit by the Board of Zoning Adjustment; and
3. Rezoning would permit the facing of a new commercial business on the residential street frontage of Coolidge Avenue, thus encouraging commercial traffic in conflict with residential uses and traffic.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does affirm the decision of the Modesto City Planning Commission in denying the request of Raymond Gada as expressed in Resolution No. 534, adopted by the Commission on July 21, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding

NOES: Councilmen: Arata, VanderWall, Mayor Hammond

ABSENT: Councilmen: None

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-369

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE MODESTO CITY PLANNING COMMISSION THAT THE ZONING AS ESTABLISHED ON A INTERIM BASIS FOR THE MODESTO INDUSTRIAL PARK ADDITION BE FORMALLY ESTABLISHED AND REFERRING IT BACK TO THE COMMISSION FOR FURTHER STUDY AND REPORT

WHEREAS, The Council of the City of Modesto held a public hearing at 4:45 P.M. August 19, 1959 and continued this hearing to 5:00 P.M. September 2, 1959 , on the recommendation of the Modesto City Planning Commission to amend Section 9 of the Zoning Map to declare the emergency interim zoning established by Ordinance No. 296-C.S. to classify a portion of the Modesto Industrial Park Addition for Neighborhood-Commercial Zone, C-1, and Industrial Park Zone, M-P, and

WHEREAS, after these public hearings the City Council finds that the annexation of that portion of Robert L. Moore's property located on the east side of Crows Landing Road was an encroachment on his property and that Mr. Moore should be entitled to the same zoning as he enjoyed before annexation of his property to the city,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby refer the matter of zoning the Modesto Industrial Park Addition area back to the Modesto City Planning Commission for further study and recommendation.

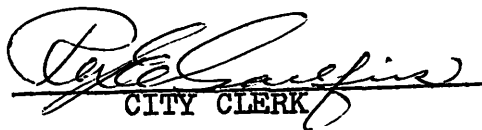
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, by Mayor Hammond, who moved its adoption, which motion, being duly seconded by Councilman Knoles, was, upon roll call, carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: Adams, Martin, Spaulding

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-370

A RESOLUTION GRANTING A PERMIT TO MODESTO FOOTBALL FOR BOYS TO USE
ENSLLEN AND BEARD BROOK PARKS

WHEREAS, Modesto Football for Boys has filed a request with the Council for permission to use Enslen and Beard Brook Parks for the purposes of conducting practice^{and}/football games

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 Enslen and Beard Brook Parks for the purposes of conducting practice and football games, lights to be furnished by the City according to the customary policy. 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 2 day of September, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-371

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
FOR THE INSTALLATION OF WATER MAINS IN HACIENDAS DEL OESTE
SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolu-
tion No. 59-347, on August 19, 1959 approving the plans
and specifications for the installation of water mains in Haciendas
Del Oeste Subdivision

and directed the City Clerk to advertise for sealed proposals for
doing said work, and providing that bids be submitted on the 31
day of August, 1959, 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
\$4,082.80, 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 2
day of September, 1959, by Councilman Adams, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-372

A RESOLUTION ACCEPTING THE BID OF GEORGE REED IN THE SUM OF \$28,606
FOR THE CONSTRUCTION OF SANITARY SEWER LINES

WHEREAS, Resolution No. 59-348, adopted by the Council of
the City of Modesto on August 19, 1959, approved the plans and
specifications for the construction of sanitary sewer facilities to
Unit A-Norwegian Avenue; Unit B-Montgomery Village No. 3; Unit C-
Yorkshire Manor Subdivision
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sanitary sewer
facilities to Unit A-Norwegian Avenue; Unit B-Montgomery Village No. 3;
Unit C-Yorkshire Manor Subdivision
were opened at 3:00 P.M. August 31, 1959 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 in the sum of \$28,606.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of George Reed
in the sum of \$28,606.

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 2 day of September,
1959, by Councilman VanderWall, who moved its adoption, which
motion being duly seconded by Councilman Arata, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-373

A RESOLUTION AUTHORIZING A TRANSFER IN THE AMOUNT OF \$50,000.00 FROM THE SEWER SERVICE FUND TO THE GENERAL FUND FOR SEWER SERVICE EXTENSIONS AND AUTHORIZING THE NECESSARY BUDGET ADJUSTMENTS

WHEREAS, sanitary sewer extensions in an estimated amount of \$68,150.00 have been reviewed and recommended by the City Council, and

WHEREAS, funds have not been previously appropriated for this purpose, and

WHEREAS, sewer service funds are normally transferred to the General Fund for reimbursement for this type of expenditure, and

WHEREAS, it is necessary to increase the budgeted interfund transfer from sewer service to General Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a transfer be authorized in the amount of Fifty Thousand Dollars (\$50,000.00) from the Sewer Service Fund to the General Fund for sanitary sewer extensions.

BE IT FURTHER RESOLVED that the necessary adjustments to the budget be made as follows:

A. Sewer Service Fund

(1) From:	Appropriations - 70	\$50,000.00
	Reserve Account - 600 (212)	
To:	Fund Transfer Appropriations- 71	\$50,000.00
	Interfund Transfers Out - 940	

B. General Fund

(1) To:	Estimated Fund Transfers Receivable - 21	\$50,000.00
	Interfund Transfers In - 941	
To:	Appropriations - 70	\$50,000.00
	Sanitary Sewer Extension - 503 - 52	

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None

ABSENT: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-374

A RESOLUTION TERMINATING LEASE AGREEMENT BETWEEN THE CITY AND BILLIE MADGE ALTSTATT FOR LEASE OF PROPERTY LOCATED AT 428 BRIGGSMORE AVENUE IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease agreement entered into between the City of Modesto and Billie Madge Altstatt dated April 8, 1959, for the leasing of property located at 428 Briggsmore Avenue in the City of Modesto, County of Stanislaus, be terminated in accordance with a written request received from Billie Madge Altstatt dated September 11, 1959.

Termination of said lease agreement shall be effective as of September 23, 1959. Said termination date is in accordance with the provisions of Paragraph 9 of said agreement, a copy of which is on file in the Office of the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-375

A RESOLUTION GRANTING A VARIANCE TO DOUGLAS EVEY TO PERMIT THE
INSTALLATION OF EXIT DRIVEWAYS LOCATED AT 122 N. SANTA CRUZ AVENUE

WHEREAS, a request was filed by Douglas Evey on August 28,
1959, for a variance from the Modesto Municipal Code to permit the
construction of two exit driveways, one 26' and one 16' in width,
a total of 60% of the property frontage to serve a donut drive-in
located at 122 N. Santa Cruz Avenue, and

WHEREAS, Section 7-1.104 (c) of the Municipal Code provides
that not more than 40% of the frontage upon any street of the lots
to be served thereby shall be devoted to driveways, and

WHEREAS, a study indicates two driveways are necessary to
adequately serve this property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City
of Modesto that the request of Douglas Evey for a variance from
the provisions of the Modesto Municipal Code to permit the
construction of two driveways, one 26' and one 16' in width, to
serve a donut drive-in located at 122 N. Santa Cruz Avenue 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 2 day of September,
1959, by Councilman Arata, who moved its adoption, which motion
being duly seconded by Councilman Adams, was upon roll call carried
and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-376

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, FOR INSTALLATION OF FIXED-TIME TRAFFIC SIGNALS AT INTERSECTION OF 12TH & J 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, Department of Public Works, Division of Highways

for installation of fixed-time traffic signals at intersection of 12th and J Streets

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 2 day of September, 1959, by Councilman Spaulding, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-377

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, FOR INTERCONNECTION OF ALL TRAFFIC SIGNALS ALONG J STREET BETWEEN AND INCLUDING 9TH AND 14TH 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, Department of Public Works

for interconnection of all traffic signals along J Street between and including 9th and 14th Streets

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 2 day of September, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO., 59-378

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO RELATING TO
TRAFFIC SIGNALS ON McHENRY AVENUE

WHEREAS, a petition with 445 signatures, was filed with the Council of the City of Modesto on September 10, 1959, a copy of which, marked Exhibit A, is attached hereto and hereby made a part of this resolution, and

WHEREAS, the City of Modesto, through its City Manager, was not able to obtain approval from the State Division of Highways, District X, in 1957, for the installation of an interconnected set of fixed time signals on McHenry Avenue, at the intersections of Roseburg Avenue, Orangeburg Avenue, Granger Avenue and Briggsmore Avenue, and

WHEREAS, the State Division of Highways, District X considered at that time that the traffic on McHenry Avenue warranted only the installation of actuated traffic signals on Orangeburg Avenue, and

WHEREAS, the State of California is now in the process of widening McHenry Avenue, from Needham Avenue to Modesto Irrigation District Lateral No. 3, to four lanes, which will result in increased traffic on this street,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto, that the general nature of the request outlined in the petition be approved and the City of Modesto reaffirms its interest in the installation of additional traffic signals on McHenry Avenue at an early date, and

BE IT FURTHER RESOLVED, that the City of Modesto does earnestly urge the State Division of Highways to proceed promptly with studies which would indicate the proper location of intersections on McHenry Avenue where the traffic signals should be installed, and

BE IT FURTHER RESOLVED, that the City Clerk transmit a copy of this resolution to the State Division of Highway, District X.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September by Councilman Knoles, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

Noes: None Absent: Spaulding

ATTEST


CITY CLERK

Exhibit "A" of Resolution No 59-378

"The undersigned users of McHenry Avenue urgently request the State Division of Highways to install fixed time traffic control signals at the following locations:

Griswold and McHenry

Roseburg and McHenry

Granger and McHenry

Judith and McHenry(Main entrance to
McHenry Village Shopping Center)

Briggsmore and McHenry

Wright and McHenry

With the widening of McHenry now in progress, the expected increase in traffic flow on this main arterial will make it imperative in the interest of public safety that the signals be installed at this time while the widening work is going forward. The undersigned believe this is a most urgent matter, requiring immediate attention toward the end that traffic accidents will be reduced by the installation of such devices "

MODESTO CITY COUNCIL
RESOLUTION NO. 59-379

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN PARK 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 mains in Park 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, 717 10th Street, in the City of Modesto, on September 21, 1959 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 10 day of ~~September~~, 1959, by Councilman Adams, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: Spaulding

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-380

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF EXTENSION OF SANITARY SEWER FACILITIES AT CARVER ROAD FROM PEARL STREET TO EVERGREEN ROAD AND A SEWAGE LIFT STATION FOR PARK MANOR SUBDIVISION.

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

Section 1. The plans and specifications for construction of extension of sanitary sewer facilities at Carver Road from Pearl Street to Evergreen Road and a sewage lift station for Park Manor 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, 717 10th Street, in the City of Modesto, on September 21, 1959 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 10 day of September, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond.
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding.

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 381

A RESOLUTION AUTHORIZING THE CIVIL AIR PATROL, SQUADRON NO. 25, TO OCCUPY SPACE IN THE COMMUNITY SERVICE CENTER FOR ITS HEADQUARTERS IN THE CITY OF MODESTO.

WHEREAS, the Civil Air Patrol is a civilian organization sponsored by the United States Air Force to augment its search and rescue facilities, and

WHEREAS, under Air Force policy Civil Air Patrol Squadrons are authorized to associate with local civil defense organizations as a component unit of such groups, and

WHEREAS, the Council finds that it is in the public interest at this time to provide temporary headquarters for Modesto Squadron No. 25, of the Civil Air Patrol, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby authorize Squadron No. 25, of the Civil Air Patrol, to occupy Room No. 207 of the Community Service Center for headquarter purposes under the following conditions:

1. Occupancy is to be on a temporary basis, pending the establishment of regular headquarters, and subject to termination by either party on thirty (30) days written notice;
2. Provision of the headquarters' facilities shall cease should the City be able to rent the space so designated, unless the Civil Air Patrol wishes to retain the space on a lease basis subject to rental provisions approved by the Council;
3. Provision of the space to the Civil Air Patrol may be terminated if some organization or agency agrees to assume the responsibility for the management of the Community Service Center; and
4. The Civil Air Patrol assume its authorized responsibility as a unit of the Modesto Disaster Corps and that its members register as civil defense volunteers.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of September, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond.

NOES: None.

ABSENT: Spaulding

ATTEST: _____


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-382

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 SAMUEL JACOBS FOR THE EXTENSION OF PARKING INTO THE R-3 ZONE AT 601 McHENRY AVENUE

WHEREAS, the Modesto City Board of Zoning Adjustment held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on September 3, 1959 for the purpose of considering a verbally modified application filed by Samuel Jacobs on May 29, 1959, for a conditional use permit to extend parking in the R-3 zone at 601 McHenry Avenue, and,

WHEREAS, said Board, after hearing evidence, both oral and documentary, adopted Resolution No. 101, denying the request for a conditional use permit to extend parking in the R-3 zone at 601 McHenry Avenue, and

WHEREAS, on September 3, 1959, Samuel Jacobs filed an appeal with the City Clerk on the decision of the Board of Zoning Adjustment denying the request for a conditional use permit, 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 Board denying an application for a conditional use permit.

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 filed by Samuel Jacobs be set for Wednesday, October 7, 1959 at 4:30 P.M., in the Council Chamber 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 10 day of September, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 383

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ALLEN ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO. (UNINHABITED)

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

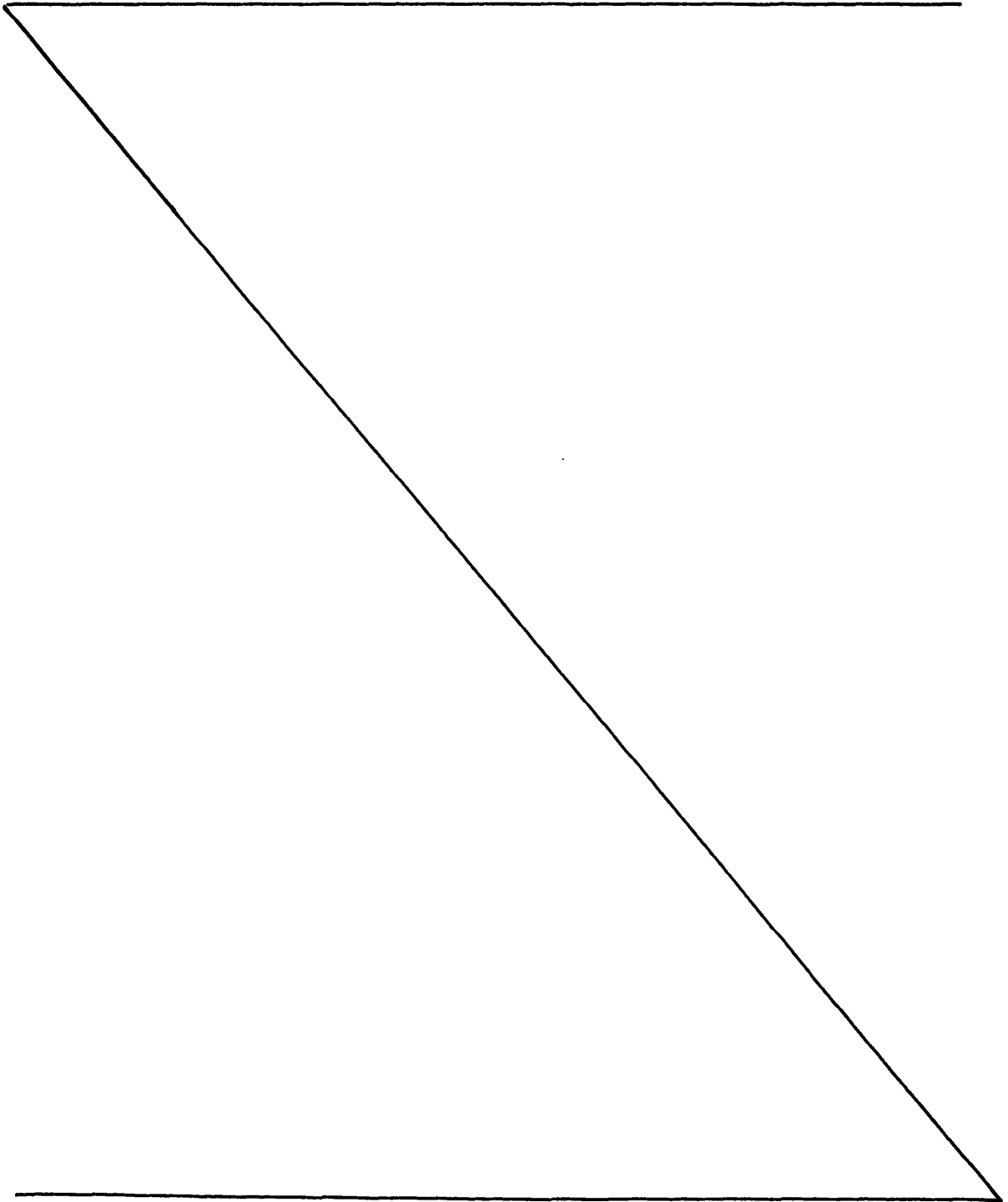
1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on August 18, 1959, 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 ALLEN ADDITION, and described as follows:

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

Beginning at a point on the existing city limits, said point being the Northeastern corner of the Covell Addition as per map filed August 22, 1956, Instrument 22580, Stanislaus County Records, said point also being on the Southern line of Hintze Avenue and the existing City Limits; thence along said City Limits, South 88° 57' West, 263.00 feet to a point which is 25.00 feet West of the center line of McHenry Avenue; thence continuing along the City Limits parallel to and distant 25.00 feet west of the center line of McHenry Avenue North 0° 56' West 163.44 feet; thence North 88° 57' East, 68.00 feet to the Northwestern corner of property conveyed to Charles J. and Harriet T. Allen as per deed recorded February 5, 1945, Stanislaus County Records; thence along the Northern line of said Allen property, North 88° 57' East, 207.00 feet to the Northeastern corner of said Allen property, said corner also being on the Western line of property conveyed to Donald F. and Lillian L. Potter as per deed recorded May 3, 1955, Instrument 12981; thence along the Western line of said Potter property, North 0° 56' West, 21.56 feet to the Northwestern corner of said Potter property; thence along the Northern line of said Potter property North 88° 57' East, 80.00 feet to the Northeastern corner of said Potter property; thence along the Eastern line of said Potter property, South 0° 56' East, 125.00 feet to the Southeastern corner of said Potter property, said corner also being on the Northern line

of Hintze Avenue; thence along the Northern line of Hintze Avenue South $88^{\circ} 57'$ West, 92.00 feet to a point 12.00 feet West of the Southeastern corner and on the Southern line of said Allen property; thence South $0^{\circ} 56'$ East, 60.00 feet to a point on the Southern line of Hintze Avenue, said point also being the Northeastern corner of said Covell Addition and the point of beginning, containing 1.05 acres more or less.



3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on August 4, 1959, consider the proposed annexation boundaries of said ALLEN ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

~~4. That if said territory is annexed it shall become part of the school district of the City of Modesto.~~

5. NOTICE IS HEREBY GIVEN that the ~~28th~~ day of October, 1959, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 10 day of September, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond.

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-384

A RESOLUTION GRANTING THE REQUEST OF LOIS L. LANE, DOING BUSINESS AS RED TOP TAXI, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE ONE ADDITIONAL TAXICAB IN THE CITY OF MODESTO

WHEREAS, Lois L. Lane, doing business as "Red Top Taxi" filed an application, dated August 18, 1959, with the City Clerk requesting the granting of a Certificate of Public Convenience and Necessity to operate one additional taxicab in the City of Modesto, pursuant to Section 4-6.215 of the Modesto Municipal Code, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on August 26, 1959, adopted Resolution No. 59-364 fixing 8:00 P.M. September 10, 1959, at its regular place of meeting, as the time and place for a public hearing on said application, and

WHEREAS, said application was investigated by the Director of Parking and Traffic who has reported his findings in connection therewith, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on this same date, conducted a public hearing upon said application, and

WHEREAS, at said time and place, said City Council found and determined that the public convenience and necessity require the requested additional taxicab service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application of Lois L. Lane for a Certificate of Public Convenience and Necessity to operate one additional taxicab is hereby granted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 10 day of September 1959 by Councilman Arata, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-385

A RESOLUTION ESTABLISHING COUNCIL POLICY ON EXTRA-TERRITORIAL
USE OF MODESTO POLICE OFFICERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby approves the attached memorandum entitled; "REQUEST FOR COUNCIL ACTION ON EXTRA-TERRITORIAL USE OF MODESTO POLICE OFFICERS" and doest fix it as the policy of the City of Modesto except with respect to Item "C", which is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Martin was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

Noes: None Absent: Spaulding

ATTEST:


CITY CLERK

September 8, 1959

TO: City Manager
FROM: Chief of Police
SUBJECT: Request for Council action on extra-territorial use of Modesto police officers

We request the policy outlined be submitted to the City Council for its approval in order to clarify the last remaining question in the use of Modesto police officers outside the city under circumstances not amounting to an area emergency.

1. Although the City of Modesto has a corporate population close to 40,000, it actually is the service center or hub for an urban area of about 80,000 people, and the activities of this large population, whether resident in the City or not, has a marked influence on the community.
2. This is particularly true with relation to criminal and other anti-social activity. Crime does not confine itself to jurisdictional boundaries, and what occurs in an unincorporated area may be the continuation of, or preliminary to, something which did or will occur in the City. For example, burglars operate on both sides of the city line and auto thieves drive stolen automobiles into, through and out of the City.
3. Because of Modesto's geographical location, what occurs outside and contiguous to the city limits, materially affects the citizens of Modesto. We are on the main north-south highway and rail lines, and most of the thieves, burglars, check passers and petty criminals traveling up and down the center of the State pass through Modesto at one time or another.
4. The State recognizes the universality of crime and criminal activity and gives to the peace officer the authority to act anywhere within the State. Senate Bill No. 568, passed at the last session of the legislature, provides the same compensation insurance coverage for an officer operating outside his jurisdiction as he would receive if he were injured while operating within his jurisdiction.
5. Although state law gives the peace officer power to take necessary police action anywhere within the State of California the Police Department is the Police Department of the City of Modesto, and its primary responsibility is to the citizens of the City.
6. However, many cases occur contiguous to or outside of the City limits and because of the influence on the City and the area generally, the best interests of the citizens of the City could be served by taking cognizance of certain of these situations, and, under specified circumstances, take action regardless of jurisdictional limits.
7. Therefore, the Council hereby declares it to be in the best interests of the citizens of the City, and does hereby recognize the need to cooperate with outside jurisdictions in the matter of extra territorial use of Modesto police officers under the conditions shown below:

Officers of the Police Department are authorized and limited to:

- a. Take immediate, necessary action in cases involving danger to life and property which are actually observed by the officer occurring in areas immediately contiguous to the city limits, keeping in mind that such action is only a temporary measure until the regular police authority for the area can be contacted and relieve the Modesto officer from further responsibility.
- b. Respond to requests by the desk officer or other officers of higher rank of the Stanislaus County Sheriff's Office and other police agencies in situations not amounting to an area emergency (such as searches for and assistance in apprehending criminals), when the requesting agency is temporarily unable to handle the situation adequately, to a distance not exceeding approximately five (5) miles from the city limits. (This does not affect the obligations of the City to furnish aid to other jurisdictions even at greater distances in situations amounting to an area emergency when requested through proper authority.)
- c. Respond to citizen calls of an emergency nature where life and property are in immediate danger in areas contiguous to the City and not exceeding approximately one (1) mile. The responsibility of the Modesto police officer so responding will be merely to take emergency action and to stand by until a police officer having regular responsibility in the area arrives to relieve the Modesto officer.

Notwithstanding calls for assistance from other police agencies, it will be the obligation of the Police Department always to maintain sufficient manpower within the City to serve the citizens of the community.

GEORGE C. BOWERS
Chief of Police

GCB:k

MODESTO CITY COUNCIL
RESOLUTION NO. 58-386

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS ASSOCIATION FOR RETARDED CHILDREN, INC., FOR RENTAL OF ROOM 102 IN THE MODESTO COMMUNITY SERVICE CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and STANISLAUS ASSOCIATION FOR RETARDED CHILDREN, INC. for rental of Room 102 of the Modesto Community Service Center for the monthly rental fee of \$60, for the period beginning September 15, 1959 and ending June 15, 1960 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 10 day of September, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was, upon roll call, carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-387

A RESOLUTION COMMENDING THE MODESTO REDS BASEBALL TEAM ON
WINNING THE 1959 CHAMPIONSHIP OF THE CALIFORNIA LEAGUE

WHEREAS, the Modesto Community Athletic Association, sponsors the Modesto Reds Baseball Team, which has returned to Modesto the championship pennant of the California League, and

WHEREAS, the leadership and playing ability of Manager Harold Charnofsky has brought his team successfully through a highly competitive season of baseball, and

WHEREAS, Business Manager Jerry Pepelis has contributed to the success of the team by his careful attention to the administrative functions of the team, and

WHEREAS, outstanding sportsmanship and all-out team play on the part of the members of the team have been major factors in attaining this success, and

WHEREAS, the Modesto Reds have brought honor to themselves, to their team and to the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Modesto, on behalf of the citizens of the community, does hereby congratulate:

Every team member of the Modesto Reds
Charles E. Michael, President and representative of the
Modesto Community Athletic Association
Harold Charnofsky, Team Manager, and
Jerry Pepelis, Business Manager

on a successful baseball season which has brought the 1959 Championship of the California League to the City of Modesto, and

BE, IT FURTHER RESOLVED, that a copy of this resolution be presented to each member of the 1959 Modesto Reds Team; officials of the Modesto Reds Baseball Team, Modesto Community Athletic Association, and the New York Yankees Baseball Team.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1959 by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall
and Mayor Hammond
Noes: None Absent: None


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-388

A RESOLUTION ACCEPTING THE BID OF J. & M., INC. IN THE SUM OF \$94,847.30 FOR THE CONSTRUCTION OF ROSE AVENUE TRUNK SEWER

WHEREAS, Resolution No. 59-356, adopted by the Council of the City of Modesto on August 26, 1959, approved the plans and specifications for the construction of Rose Avenue Trunk Sewer.

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Rose Avenue trunk sewer.

were opened at 2:15 P.M. September 28, 1959 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 J. & M. Inc. in the sum of \$94,847.30

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of \$94,847.30 of J. & M., 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 16 day of September, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-389

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$80,134.00 FROM SPECIAL CAPITAL OUTLAY RESERVE TO SEWER CONSTRUCTION.

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

FROM:	Special Capital Outlay Reserve	\$80,134.00
TO:	Sewer Construction	\$80,134.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16 day of September, 1959, by ~~Councilman~~ 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: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-390


A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$14,330.00 FROM
GENERAL RESERVE TO SANITARY SEWER EXTENSIONS.

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

FROM:	General Reserve	\$14,330.00
TO:	Sanitary Sewer Extensions	\$14,330.00

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 16 day of
September, 1959, by Councilman Arata, who moved its
adoption, which motion being duly seconded by Councilman Adams,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-391

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER MAINS IN DOWNEY PARK SUBDIVISION, STRATHMORE NO. 1 SUBDIVISION AND ROSE AVENUE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-357, on August 26, 1959, approving the plans and specifications for installation of water mains in Downey Park Subdivision, Strathmore No. 1 Subdivision and Rose Avenue

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 8 day of September, 1959, 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 Downer Corporation, in the sum of \$16,225.41, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$11,638.53, thus effecting a savings to the taxpayers of approximately \$4,586.98, 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 16 day of September, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-392

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE FURNISHING OF 1,000 CUBIC YARDS OF SAND FOR DRYDEN PARK MUNICIPAL GOLF COURSE.

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

Section 1. The plans and specifications for furnishing 1,000 cubic yards of sand for Dryden Park Municipal Golf Course.

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, 717 10th Street, in the City of Modesto, on September 28, 1959 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 16 day of September, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-393

A RESOLUTION ACCEPTING ~~GRANT DEED FROM~~ AMENDMENT EASEMENT FROM
THE PACIFIC FRUIT EXPRESS COMPANY RELATING TO THE WIDENING OF
TULLY AVENUE BETWEEN 99 HIGHWAY AND STODDARD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that it does hereby accept a ~~grant deed from~~ amendment easement
from the Pacific Fruit Express Company Relating to the Widening of
Tully Avenue between 99 Highway and Stoddard Avenue.

dated September 16, 1959 for the widening of Tully
Avenue between 99 Highway and Stoddard Avenue

BE IT FURTHER RESOLVED that the City Clerk of the City of
Modesto is hereby authorized to record said Grant Deed with the Recorder
of Stanislaus County.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 16 day of
September, 1959, by Councilman VanderWall, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall and Mayor Hammond

NOES: None ABSENT: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-394

A RESOLUTION APPROVING REQUEST OF MRS. WM. A. HOLLOWAY TO INSTALL BUBBLER TYPE SPRINKLERS IN THE SIDEWALK AREA ON THE SHERWOOD AVENUE SIDE OF HER PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTHWOOD AND SHERWOOD AVENUES IN THE CITY OF MODESTO

WHEREAS, Mrs. Wm. A. Holloway, 321 Northwood Avenue, has filed a request for a variance to permit the installation of bubbler-type sprinklers in the sidewalk area on the Sherwood Avenue side of her property, located at the northeast corner of Northwood and Sherwood Avenues, and

WHEREAS, the Director of Public Works has recommended the approval of the variance on the following conditions:

1. A permit must be obtained from the Inspection office of the City of Modesto;
2. The sprinklers must be so installed as to not present a tripping hazard to users of the street area;
3. The installation must be made in a manner to prohibit drainage of water onto the street area from the park strip to be irrigated, by providing for a lowered section ramped up to the back of the curb and the edge of the sidewalk so that no hazards will be created; and
4. The plans for construction be reviewed with the Inspection Office prior to proceeding in order that the method of construction will be satisfactory.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the request for a variance to permit the installation of bubbler type sprinklers in the sidewalk area on the Sherwood Avenue side of her property, located on the northeast corner of Northwood and Sherwood Avenues filed by Mrs. Wm. A. Holloway be and it is hereby approved on the conditions 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 16th day of September, 1959 by Councilman VanderWall, who moved its adoption, which motion, being duly seconded by Councilman Spaulding, was, upon roll call, carried and the resolution adopted by the following vote:

Ayes: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-395

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. RICHARD NORTHCUTT FOR THE LEASING OF CITY OWNED HOUSE LOCATED AT 428 BRIGGSMORE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Mr. and Mrs. Richard Northcutt

for leasing of City-owned house located at 428 Briggsmore Avenue

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 16 day of September, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-396

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LEE AND WANDA SHEARER FOR THE LEASING OF CITY OWNED HOUSE LOCATED AT 701 FRANKLIN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Lee and Wanda Shearer

for the leasing of City-owned house located at 701 Franklin Avenue

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 16 day of September, 19 , by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-397

A RESOLUTION APPROVING VARIANCE REQUEST OF JIM PRICE TO
CONSTRUCT FORTY FOOT CURB CUT ON LEONARD AVENUE AT
TULLY ROAD IN THE CITY OF MODESTO

WHEREAS, Jim Price has filed a request for a variance to permit the construction of a forty (40) foot curb cut to provide entrance to five garages which are to be constructed in connection with a 13 unit apartment house on the Southwest corner of Tully Road and Leonard Avenue, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, the Director of Public Works has recommended that the variance be granted as it would provide the most satisfactory arrangement to provide off-street parking and the only possible arrangement with the proposed construction of the apartment house units, and

WHEREAS, Section 7-1.104(a) of the Modesto Municipal Code limits the width of a curb cut to thirty (30) feet unless a variance is approved by the Council,

NOW, THEREFORE, BE IT RESOLVED, that the request of Jim Price for a variance to permit the construction of a 40 foot curb cut to provide entrance to his property located at the Southwest corner of Tully Road and Leonard Avenue be approved on the condition that the necessary permit be obtained, the construction be made to city standards and in accordance with the drawings submitted by the applicant with his request for a variance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1959 by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: None


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-398

A RESOLUTION GRANTING PERMISSION TO THE UNITED STATES
NAVY FLEET RESERVE TO USE THE CITY STREETS TO COLLECT
FUNDS IN THE U.S.S. ARIZONA MEMORIAL DRIVE

BE IT HEREBY RESOLVED by the Council of the City
of Modesto that permission be granted to the United States
Navy Fleet Reserve to use the city streets on September 19,
1959 to display an exhibit and receive donations for the
U.S.S. Arizona as an enshrinement of the 1102 persons buried
in Pearl Harbor,

BE IT FURTHER RESOLVED that the Fleet Reserve
clear all necessary arrangements for the location of the
exhibit with the Police and Parking & Traffic Departments
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 16th
day of September, 1959 by Councilman Knoles, who moved its
adoption, which motion being duly seconded by Councilman Spauld-
ing was upon roll call carried and the resolution adopted by
the following vote:

Ayes: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

Noes: None

Absent: None


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-399

A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES
INSTALLATION OF WATER MAINS IN PARK MANOR NO. 1 SUBDIVISION

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-379, on September 10, 1959 approving the plans and specifications for

Installation of water mains in Park 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 21 day of September, 1959, 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 \$4,620.00, 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,

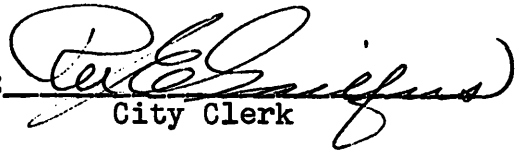
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, the City Manager is hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1959, by Councilman Knoles, who moved

its adoption, which motion being duly seconded by Councilman
Spaulding _____, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: _____


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-400

A RESOLUTION ACCEPTING THE BID OF WM. M. LYLES COMPANY FOR THE
CONSTRUCTION OF EXTENSION OF SANITARY SEWER FACILITIES

WHEREAS, Resolution No. 59-380, adopted by the Council of
the City of Modesto on September 10, 1959, approved the plans and
specifications for the Unit A-Extension of the Carver Road Sanitary Trunk
sewer from Pearl Street to Evergreen Road; Unit B-Sanitary sub-trunk sewer
and sewage lift station for Park Manor Subdivision

and authorized the calling for bids, and

WHEREAS, the bids received for the

construction of extension of sanitary sewer facilities

were opened at 2:00 P.M., September 21, 1959 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 W. M. LYLES COMPANY in the sum of \$14,455.07

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of

WM. M. LYLES COMPANY in the sum of \$14,455.07

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 23 day of September,
1959, by Councilman VanderWall, who moved its adoption, which
motion being duly seconded by Councilman Adams, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-401

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS RELATING TO TRAFFIC CONTROL SIGNAL SYSTEM AT THE INTERSECTION OF 12th STREET WITH STATE HIGHWAY ROUTE X-STA-109-MOD. (J STREET), AND INTERCONNECTING THE TRAFFIC CONTROL SYSTEMS ON STATE HIGHWAY ROUTE X-STA-109-MOD. BETWEEN X-STA-4-MOD. (NINTH STREET) AND 14th STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways

for installation of traffic control signal system at the intersection of 12th Street with State Highway Route X-Sta-109-Mod (J Street), and inter-connecting the traffic control systems on State Highway Route X-Sta-109-Mod between X-Sta-4-Mod (Ninth Street) and 14th Street

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 23 day of September, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall
and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST.


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-402

A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA STATE RETIREMENT SYSTEM.

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

SECTION 1. That an amendment to the Contract between the City Council of the City of Modesto and the Board of Administration, California State Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for and 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 23 day of September, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:


AYES: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
NOES: None
ABSENT: Arata

ATTEST:


City Clerk

(SEAL)

The foregoing is a correct copy of the original on file in this office which has not been revoked and is now in full force and effect.

ATTEST:

REX E. FILIPPUS, City Clerk of the City of Modesto, County of Stanislaus, State of California.

9-28-59

Reso 59-402

Exhibit A – Amendment to Contract

Amendment to Contract within Resolution Book, Volume 20. Unable to scan due to deterioration of ink and paper.

MODESTO CITY COUNCIL
RESOLUTION NO. 59-403

A RESOLUTION ESTABLISHING GREENS FEES FOR THE DRYDEN
PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO

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

SECTION 1. RATES. The greens fees for players on the Dryden Park Municipal Golf Course are hereby established as follows:

Individual weekday greens fees for 18 holes or less of golf	\$ 1.50
Individual weekend and holiday greens fees for 18 holes or less of golf	2.00
Monthly individual ticket, unlimited play, per month	10.00
Monthly family ticket, unlimited play per month	12.50
Monthly student ticket, unlimited weekday play, limited weekend and holiday play	5.00

SECTION 2. TICKETS. (a) Monthly Tickets. Each monthly ticket issued shall terminate on the last day of the month during which it was issued.

(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 for the students of Modesto Schools and Junior College are to be issued only upon the presentation by holder of a current Student Body Card. Monthly student tickets will not be valid during the periods from Saturday noon until Sunday noon of each weekend nor for holidays as defined herein. Students wishing to play during these periods shall be subject to the regular greens fee.

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 greens fees as herein established are to be effective as of the opening of Dryden Park Municipal Golf Course to public play.

SECTION 6. RULES AND REGULATIONS. The Director of Parks and Recreation is hereby delegated the authority to promulgate rules and regulations regarding the operation and management of the Dryden Park Municipal Golf Course subject to the approval of the City Manager.

Tickets issued for play on the Dryden Park Municipal Golf Course shall be honored on the Modesto Municipal Golf Course.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of September, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-404

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM RESERVE TO
DRYDEN PARK MUNICIPAL GOLF COURSE IN THE SUM OF \$34,625.00

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

FROM:	Reserve (600)	\$34,625
TO:	Dryden Park Municipal Golf Course (503)	\$34,625

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 23 day of
September, 1959, by ~~Councilman~~ Mayor Hammond, who moved its
adoption, which motion being duly seconded by Councilman Adams,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-405

A RESOLUTION DESIGNATING OFFICIALS TO PREPARE AND
EXECUTE ANNUAL STREET REPORT TO STATE CONTROLLER

WHEREAS, the instruction to cities for preparation of its Annual Street Report to State Controller requires that the City Council shall designate by formal resolution the city official or officials (by title) responsible for the preparation of the report,

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Council of the City of Modesto, that the Director of Public Works and the Director of Finance of the City of Modesto shall be responsible for the preparation and submission of the said Annual Street Report to State Controller, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the office of the State Controller as provided in the General Instruction on the preparation of the report.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1959 by Councilman Spaulding, 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: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: _____



MODESTO CITY COUNCIL
RESOLUTION NO. 59-406

A RESOLUTION GRANTING A PERMIT TO THE 20-30 CLUB OF MODESTO TO USE DEL WEBB FIELD ON SATURDAY, SEPT. 26, 1959 TO HOLD A DONKEY BASEBALL GAME

WHEREAS, the 20-30 Club of Modesto has filed a request with the Council for permission to use Del Webb Field on Saturday, Sept. 26, 1959 to hold a 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 Field on Sept. 26, 1959 to hold a 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} ~~Three~~ hundred thousand and no/100ths (~~\$300,000~~ ^{\$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 ^{special} ~~regular~~ meeting of the Council of the City of Modesto held on the 26 day of September, 1959, by Councilman Spaulding, 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: Adams, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Knoles, Martin

ATTEST:


CITY CLERK

CITY OF MODESTO
RESOLUTION NO. 59-407

A RESOLUTION ACCEPTING THE GIFT OF A STEAM LOCOMOTIVE FROM THE
ATCHISON TOPEKA AND SANTA FE RAILROAD COMPANY

WHEREAS, through the efforts of Tom K. Beard and the Modesto Exchange Club a steam locomotive has been offered to the City of Modesto for exhibition purposes by the Atchison Topeka and Santa Fe Railroad Company, and

WHEREAS, sufficient ties and rail will be furnished by the Company to place the locomotive at its permanent location, and

WHEREAS, an exhibit of this kind will be of interest to all the citizens of the City of Modesto for many years to come,

NOW, THEREFORE, BE IT RESOLVED that the donation of a locomotive by the Atchison Topeka and Santa Fe Railroad Company to the City of Modesto be accepted with thanks, and

BE IT FURTHER RESOLVED that the City Clerk forward a copy of this resolution to the Atchison Topeka and Santa Fe Railroad Company and to Tom K. Beard.

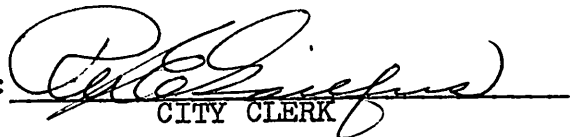
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-408

A RESOLUTION ACCEPTING THE BID OF AMERICAN TRANSIT MIX COMPANY IN THE SUM OF \$3,640 FOR FURNISHING OF SAND FOR SAND TRAPS AT DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 59-392, adopted by the Council of the City of Modesto on September 16, 1959, approved the plans and specifications for the furnishing of sand for sand traps at Dryden Park Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of sand for sand traps at Dryden Park Municipal Golf Course

were opened at 2:00 P.M. Sept. 28, 1959 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 American Transit Mix Company in the sum of \$3,640.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of American Transit Mix Company in the sum of \$3,640.

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 7 day of October, 1959, by Councilman Arata, 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: Adams, Arata, Martin, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-409

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR IMPROVEMENT OF TULLY, "99" HIGHWAY TO STODDARD AVENUE

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

Section 1. The plans and specifications for improvement of Tully, "99" Highway to Stoddard 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, 717 10th Street, in the City of Modesto, on October 19, 1959 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 7 day of October, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-410

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING THE APPLICATION OF SAMUEL JACOBS FOR A CONDITIONAL USE PERMIT TO USE RESIDENTIAL ZONED PROPERTY AT 601 McHENRY AVENUE FOR OFF STREET PARKING PURPOSES

WHEREAS, an application for a conditional use permit to develop a parking area in an R-3 Zone at 601 McHenry Avenue was filed by Samuel Jacobs, and

WHEREAS, the Board of Zoning Adjustment, after hearing evidence both oral and documentary, denied said application for a conditional use permit by Resolution No. 101 adopted on September 3, 1959, and

WHEREAS, on Sept. 3, 1959, Samuel Jacobs filed an appeal with the City Clerk to the decision of the Board of Zoning Adjustment of September 3, 1959, denying his request for a conditional use permit, and

WHEREAS, the Council of the City of Modesto conducted a public hearing on said appeal at its meeting held on October 7, 1959, hearing evidence both oral and documentary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the decision of the Board of Zoning Adjustment denying the application of Samuel Jacobs for a conditional use permit to use residential zoned property at 601 McHenry Avenue for off street parking purposes be affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call failed of adoption by the following vote:

AYES: Councilmen: Adams, Mayor Hammond

NOES: Councilmen: Arata, Knoles, Martin, VanderWall

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-411

A RESOLUTION OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT AND GRANTING A CONDITIONAL USE PERMIT TO SAMUEL JACOBS FOR THE EXTENSION OF PARKING INTO THE R-3 ZONE AT 601 McHENRY AVENUE.

WHEREAS, an application for a conditional use permit to develop a parking area in an R-3 Zone at 601 McHenry Avenue was filed by Samuel Jacobs, and

WHEREAS, the Board of Zoning Adjustment, after hearing evidence both oral and documentary, denied said application for a conditional use permit by Resolution No. 101 adopted on September 3, 1959, and

WHEREAS, on September 3, 1959, Samuel Jacobs filed an appeal with the City Clerk to the decision of the Board of Zoning Adjustment of September 3, 1959, denying his request for a conditional use permit, and

WHEREAS, the Council of the City of Modesto conducted a public hearing on said appeal at its meeting held on October 7, 1959, hearing evidence both oral and documentary, and

WHEREAS, on the basis of evidence taken and introduced at said public hearing, the Council finds and determines that compatibility will be maintained with respect to the particular use on the particular site in consideration of other existing and potential uses within the area in which such use is proposed to be located because adequate protections to adjacent residential properties will be provided by the use as proposed under the plan submitted by applicant and thus will not cause the intrusion of commercial activity into a residential neighborhood.

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

1. The decision of the Board of Zoning Adjustment denying the application of Samuel Jacobs for a conditional use permit to use

R-3 Zoned property at 601 McHenry Avenue for off-street parking purposes is hereby overruled.

2. A conditional use permit is hereby granted to Samuel Jacobs to use R-3 zoned property at 601 McHenry Avenue for off-street parking purposes. Said conditional use permit shall be subject to the following conditions:

(a) The parking area shall be developed in accordance with the Development Plan as revised, entitled "Proposed Landscape Layout at Rear Parking for Mr. Sam Jacobs" with the following modifications:

1. That the wall shown on the drawing be constructed of concrete block six (6') feet high.
2. That the landscaping be installed and permanently maintained as shown on the Development Plan.
3. That the parking area be developed and permanently maintained as required by Section 10-2.1807 of the zoning regulations.

Failure to comply with any of the above conditions shall be grounds for revocation of this permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Arata, Knoles, Martin and VanderWall

NOES: Adams, Mayor Hammond

ABSENT: Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION No. 59-412

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$670 FOR INSTALLATION OF CHAIN LINK FENCE AT THE BEARD BROOK BALL FIELD

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

FROM:	Special Capital Outlay Reserve	\$670
TO:	Special Capital Outlay Ball Field Fence - Beard Brook Park	\$670

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of October, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-413

A RESOLUTION AUTHORIZING THE RELEASE OF SUBDIVISION BOND FILED BY
ARTHUR J. WYLIE AND FLORENCE E. WYLIE

WHEREAS, Arthur J. Wylie and Florence E. Wylie filed a subdivision bond in the sum of \$17,000 to cover the cost of improvements, engineering, inspection fees and incidental expenses in North Park Subdivision, and

WHEREAS, the Director of Public Works has reported that all the work within the subdivision covered by the subdivision agreement is now in and completed, and all fees required by the subdivision agreement have been paid by the subdivider, and

WHEREAS, the Director of Public Works has recommended that the City Council accept this subdivision as complete and order the release of the performance bond posted by the subdivider.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Clerk be authorized to release the subdivision bond filed by Arthur J. Wylie and Florence E. Wylie to cover the costs in North Park Subdivision, 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 7 day of October, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-414

WHEREAS, a majority of the eligible employees of the CITY OF MODESTO, hereinafter referred to as "Public Agency," who are members of and in positions covered by the STATE EMPLOYEES' RETIREMENT SYSTEM and who voted in an election conducted in accordance with the provisions of Part 4, Division 5 of Title 2 of the California Government Code, and regulations promulgated by the Board of Administration of the State Employees' Retirement System, hereinafter referred to as "State", voted in favor of a division of such retirement system for the purposes of coverage under the provisions of the insurance system established by Title II of the Federal Social Security Act; and

WHEREAS, a division of the said retirement system has been conducted in accordance with Federal and State Laws and State regulations for the purposes of coverage under the said insurance system and a deemed retirement system, hereinafter referred to as (Group B) STATE EMPLOYEES' RETIREMENT SYSTEM, has been established thereby as provided in Section 218(d)(6) of the Federal Social Security Act, composed of positions of members of such retirement system who desire coverage under the said insurance system; and

WHEREAS, the Public Agency desires to file an application with the State and to enter into an agreement with the State to extend to services performed by individuals as employees of the Public Agency as members of a coverage group, as defined in Section 218(d)(4) of the Federal Social Security Act, of the said (Group B) STATE EMPLOYEES' RETIREMENT SYSTEM, coverage under the said insurance system on behalf of the Public Agency; and

WHEREAS, official form "Application and Agreement Ret.-OASDI 32D" containing the terms and conditions under which the State will effect such inclusion has been examined by this body:

NOW, THEREFORE, BE IT RESOLVED, that said Application and Agreement on said official form be executed on behalf of the Public Agency and submitted to the State to provide coverage under the California State Social Security Agreement of March 9, 1951, of all services performed by individuals as employees of the Public Agency as members of a coverage group (as defined in Section 218(d)(4) of the Social Security Act) of the said (Group B) STATE EMPLOYEES' RETIREMENT SYSTEM, except the following:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Applicant as indicated in Resolution No. 59-87 adopted at a meeting of the City Council the 11th day of March, 1959:

No Exclusions

Effective date of coverage of services under said agreement to be: January 1, 1956; and

BE IT FURTHER RESOLVED, that ROSS MILLER,
(Name)

CITY MANAGER, 717 10th Street,
(Title of Position) (Address of Public Agency)

be and he is hereby authorized and directed to execute said Application and Agreement on behalf of and as Authorized Agent of the Public Agency and to forward same to the State for acceptance and further action; and

BE IT FURTHER RESOLVED, that authority hereafter to act as Authorized Agent, and so to conduct all negotiations, conclude all arrangements, submit all reports, and sign all agreements and instruments which may be necessary to carry out the letter and intent of the aforesaid application and agreement, in conformity with all

applicable Federal and State laws, rules and regulations, is vested in the position of CITY MANAGER.
(Title of Position)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of October, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-415

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
ANDREW J. SILVA FOR GOLF COURSE PROFESSIONAL SERVICES

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Andrew J. Silva

for golf course professional services at the Municipal Golf Course
and Dryden Park Municipal Golf Course

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 7 day
of October, 1959, by Councilman VanderWall, who moved
its adoption, which motion being duly seconded by Councilman
Knoles, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-416

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS MORAN 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,

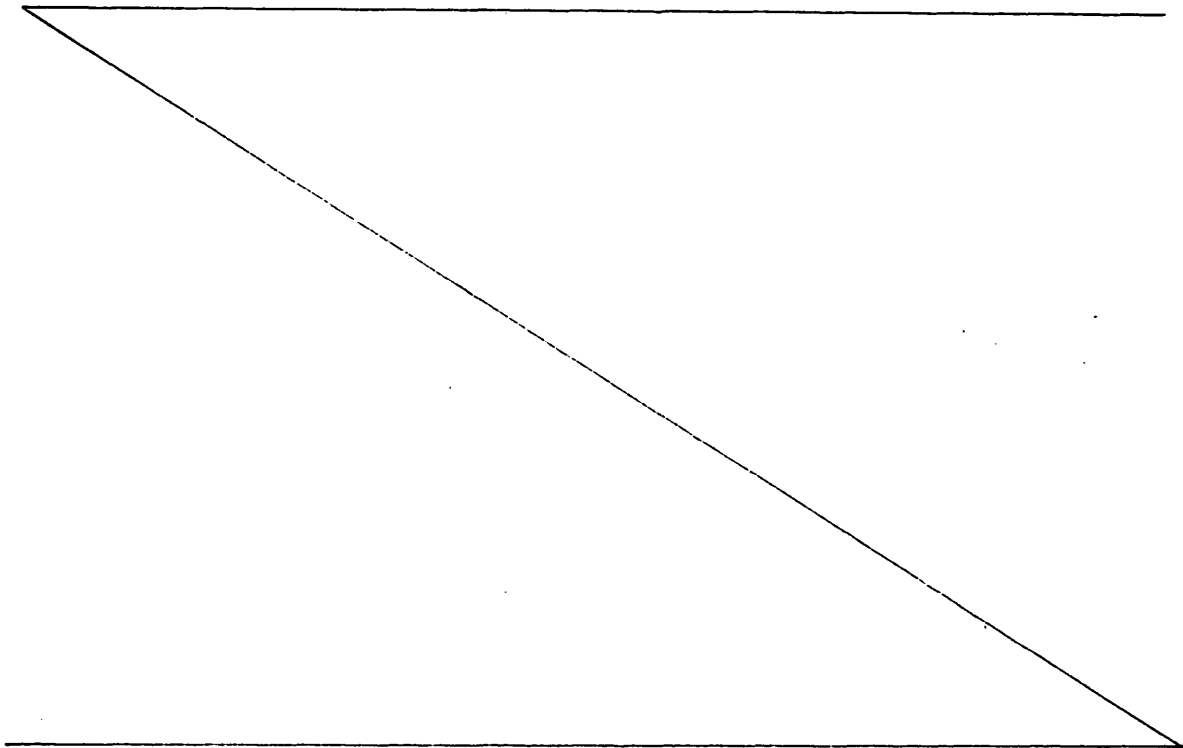
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeastern corner of the existing corporate city limits as established by the La Loma-Yosemite Addition, filed December 4, 1953 as Instrument 30045, Stanislaus County Records, said point being at the intersection of the Southern line of the Modesto Irrigation District Lateral No. 2 and the Northerly extension of the Eastern line of the alley in Block 2258, as per map of the Alta Vista Tract No. 2, filed May 15, 1947 as Instrument 13379, Stanislaus County Records; thence Westerly along said city limits line and said Southern line of the Modesto Irrigation District Lateral No. 2 to the Southerly extension across said Modesto Irrigation District Lateral No. 2 of the Western line of Lot 9 of the Beard Tract, filed November 18, 1907 in Volume 3 of Maps, Page 19, Stanislaus County Records; thence Northerly along said Southerly extension and the Western line of said Lot 9 to the Northwestern corner of said Lot 9; thence Easterly along the Northern line of said Lot 9 to the Western line of El Vista Avenue as per deed recorded April 9, 1956 as Instrument 9835, and deed recorded June 13, 1956 as Instrument 16405, Stanislaus County Records, said Western line being 50 feet West of the

section line common to Sections 27 and 26, said section line being the center line of El Vista Avenue; thence Southerly along said Western line of El Vista Avenue to the Northern line of said Modesto Irrigation District Lateral No. 2; thence Westerly along said Northern line of said Modesto Irrigation District Lateral No. 2 to the intersection with the Northerly extension of said Eastern line of alley in Block 2258; thence Southerly along said Northerly extension of the Eastern line of alley in Block 2258 to the Southern line of said Modesto Irrigation District Lateral No. 2 and the point of beginning, containing 20.13 acres, more or less.



The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7 day of October, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST: *Paula [Signature]*
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-417

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR ALLOCATION OF COUNTY FUNDS FOR RECREATION PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and County of Stanislaus

for allocation of County funds for recreation program

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 7 day of October, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-418

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
MODESTO CITY SCHOOL DISTRICT FOR OPERATION OF AN 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 Modesto City
School District

for operation of an after school recreation program

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 14 day
of October, 1959, by Councilman Spaulding, 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: Adams, Arata, Martin, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-419

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL TO CONSIDER THE APPLICATION OF NEIL M. CECIL FOR A FRANCHISE TO OPERATE A WATER SYSTEM WITHIN THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR A HEARING ON SAID APPLICATION

WHEREAS, Neil M. Cecil, doing business as College Gardens Water Company, has filed, pursuant to Section 11-2.02 of the Modesto Municipal Code, a verified application for a franchise for a fixed term to operate a water company within the territorial limits of the City of Modesto, and

WHEREAS, the applicant has agreed to pay a sum equivalent to two (2%) per cent of the gross annual receipts of the utility derived from operations within the City of Modesto, and

WHEREAS, the City Manager has submitted his recommendation and report recommending that said franchise be granted for a term of twenty (20) years,

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

SECTION 1. Notice is hereby given that the 12th day of November, 1959, at the hour of 8:00 P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets in the City of Modesto, is hereby fixed as the time and place for considering the application of Neil M. Cecil, doing business as College Gardens Water Company, for a franchise to operate a water company within the territorial limits of the City of Modesto, at which time and place any and all persons may appear before the Council and be heard thereon.

SECTION 2. A general statement of the major provisions of the proposed franchise are as follows:

(a) A franchise to operate a water company within the territorial limits of the City of Modesto for a term of twenty (20) years.

(b) The Grantee shall pay two (2%) per cent of the gross annual receipts derived from operations within the City, provided that the minimum annual payment shall be not less than One Hundred and no/100ths (\$100.00) Dollars.

(c) Grantee shall remove and relocate its facilities at its own expense when required to do so when made necessary by reason of the exercise of governmental functions.

(d) City shall have the right to acquire the lands, property and rights of any character whatsoever of the Grantee to the extent that such acquisition is authorized or permitted by law.

SECTION 3. A copy of the proposed franchise may be obtained by any and all interested persons at the office of the City Clerk.

SECTION 4. The City Clerk is hereby directed to publish this resolution in the official newspaper of the City at least once within ten (10) days after the passage of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


REX E. GALLFUS, CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-420

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROY E. FREDRICKSEN TO ASSIST WITH COMPLETION OF PLANS AND SPECIFICATIONS FOR A STORM DRAINAGE SYSTEM IN THE NORTHEAST DRAINAGE DISTRICT AND RELATED MATTERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Roy E. Fredricksen

for completion of plans and specifications for a storm drainage system in the Northeast Drainage District and related matters

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 14 day of October, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,500 FROM GENERAL RESERVE TO ENGINEERING & ADMINISTRATION FOR SERVICES OF A PROFESSIONAL ENGINEER FOR DESIGN WORK ON THE NORTH EAST DRAINAGE DISTRICT

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

FROM: General Reserve \$2,500.

TO: Engineering & Administration \$2,500.
235-41 Services professional
and Other

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14 day of October, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-422

A RESOLUTION APPROVING VARIANCE REQUEST OF CHARLES T. CHADWICK TO CONSTRUCT TWO THIRTY-SIX FOOT CURB CUTS ON TULLY ROAD AND ONE THIRTY FOOT CURB CUT ON GRANGER AVENUE IN THE CITY OF MODESTO

WHEREAS, Charles T. Chadwick has filed a request for a variance to permit the construction of two thirty-six (36') foot curb cuts on Tully Road and one thirty-six (36') foot curb cut on Granger Avenue to provide entrance to a service station to be located at the southwest corner of the intersection of Tully Road and Granger Avenue, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, Section 7-1.104(c) provides that driveways are 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 unless a variance is approved by the Council, and

WHEREAS, the Director of Public Works has recommended that the request be granted with the exception that the curb cut on the Granger Avenue side of the property be reduced to 30', which would make a total of 102 lineal feet of curb cut as this section of Granger Avenue is a dead-end, short street and is not a major street, subject to very light traffic,

NOW, THEREFORE, BE IT RESOLVED that Charles T. Chadwick be granted a variance to permit the construction of two thirty-six (36') foot curb cuts on Tully Road and one thirty (30') foot curb cut on Granger Avenue to provide adequate access to a service station to be located at the Southwest corner of the intersection of Tully Road and Granger Avenue on the condition that the necessary permit be obtained and that construction be made according to city standards.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-423

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
L. B. HERRIN FOR LEASE OF RIGGS BUILDING LOCATED AT 907 EYE STREET
IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and L. B. Herrin

for lease of ~~Riggs~~ Riggs Building located at 907 Eye Street, Modesto

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 14 day
of October, 1959, by Councilman Adams, 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: Adams, Arata, Knowles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-424

A RESOLUTION ESTABLISHING POLICY ON GRANTING OF PERMITS TO DISPLAY BANNERS AND DECORATIONS OVER AND ACROSS STREETS IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-50

WHEREAS, many requests are made to the Council of the City of Modesto for permission to display banners and decorations over and above the streets, and

WHEREAS, the Council believes that the hanging of such banners and decorations should be reduced to a minimum, keeping in mind that there are several occasions or events hereinafter enumerated which in the opinion of the Council are of a greater and more widespread community nature than others,

NOW, THEREFORE, the Council of the City of Modesto does resolve as follows:

1. Permits for the placing of banners and decorations over and above the streets of the City of Modesto may be granted for the following occasions and by the following groups:

United Crusade
California Relays
Fourth of July Celebration
Christmas Celebration
Fryer Festival
Annual Stanislaus County Horsemen's
Association Rodeo
Modesto Community Athletic Association
(Modesto Reds)
Future Farmers of America, Modesto and
Downey Chapters
Modesto Retail Merchants, Downtown
Division

2. Except as provided herein and in Resolution No. 10,013-N.S. no banners or decorations shall be permitted over and across the streets of the City of Modesto.

3. Before any such banner or decoration may be placed over and across any street in the City, a permit therefore shall first be obtained from the City Manager. All such banners and decoration shall be of a type approved by, 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.

4. Prior to the granting of a permit to display any banner or decoration over the city streets, the applicant shall furnish to the city 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.

5. Resolution No. 59-50 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of October, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST: 
Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-425

A RESOLUTION REJECTING ALL BIDS FOR THE IMPROVEMENT OF TULLY ROAD
IN THE CITY OF MODESTO

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-409, on October 7, 1959, approving the plans and specifications for the improvement of Tully Road 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 October, 1959, 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 lowest responsible bid was submitted by George Reed, in the sum of \$12,637.30, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$10,204.70, which estimate is approximately 24% lower than the lowest bid received,

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.

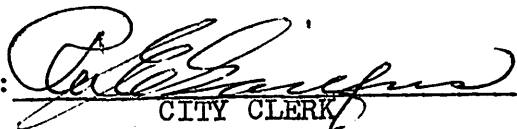
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of October, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST:


CITY CLERK

RESOLUTION NO. 59-426

A RESOLUTION APPROVING THE FINAL MAP OF THE
MONTGOMERY VILLAGE NO. 3 SUBDIVISION
OF THE CITY OF MODESTO.

WHEREAS, FRANK J. FRANCEK and MARY J. FRANCEK

are possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 15.9 acres, known as the
MONTGOMERY VILLAGE NO. 3 SUBDIVISION,

and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 7th day of April, 1959,
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 MONTGOMERY VILLAGE 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
MONTGOMERY VILLAGE NO. 3 SUBDIVISION

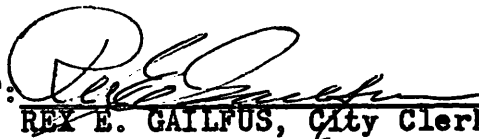
be approved; that the streets, alleys, and easements as shown thereon
within the boundaries of said tract be accepted on behalf of the
public for public use; and that the City Clerk be authorized to certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of One Thousand Five Hundred Two and 70/100ths
(\$1,502.70) 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-Eight
Thousand and no/100ths (\$48,000.00) 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 21 day of October, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-427

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR INSTALLATION OF WATER MAINS IN MONTGOMERY VILLAGE NO. 3

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 Montgomery Village No. 3

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, 717 10th Street, in the City of Modesto, on November 2, 1959 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 21 day of October, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-428

A RESOLUTION APPROVING RELEASE OF PERFORMANCE BOND FILED BY FRANK FRANCEK TO GUARANTEE IMPROVEMENTS IN THE MONTGOMERY VILLAGE NO. 2 SUBDIVISION

WHEREAS, the Director of Public Works has reported that the improvements in Montgomery Village No. 2 Subdivision have been completed by Frank Francek with the exception of

1. Seal coat on Sunrise Avenue.
2. Installation of Reflectors in the street light heads.

and,

WHEREAS, Mr. Francek has filed a \$1,000. cash bond with the City Clerk to guarantee the remaining improvements in this subdivision,

NOW, THEREFORE, BE IT RESOLVED that Subdivision Bond of the United Pacific Insurance Company in the amount of \$22,000.00, Bond No. B-17395, filed by Mr. Francek to guarantee the improvements in Montgomery Village 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 21 day of October, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-429

A RESOLUTION ESTABLISHING GREENS FEES FOR THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 59-403.

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

SECTION 1. RATES. The greens fees for players on the Dryden Park Municipal Golf Course are hereby established as follows:

Individual weekday greens fees for 18 holes or less of golf	\$ 1.50
Individual weekend and holiday greens fees for 18 holes or less of golf	2.00
Monthly individual ticket, unlimited play, per month	10.00
Monthly family ticket, unlimited play per month	12.50
Monthly student ticket, unlimited weekday play, limited weekend and holiday play	5.00

SECTION 2. TICKETS. (a) Monthly Tickets. Each monthly ticket issued shall terminate on the last day of the month during which it was issued.

(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 for the students of Modesto Schools and Junior College are to be issued only upon the presentation by holder of a current Student Body Card. Monthly student tickets will not be valid during the periods from Saturday noon until Sunday noon of each week-end nor before noon on holidays as defined herein. Students wishing to play during these periods shall be subject to the regular greens fee.

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 greens fees as herein established are to be effective as of the opening of Dryden Park Municipal Golf Course to public play.

SECTION 6. RULES AND REGULATIONS. The Director of Parks and Recreation is hereby delegated the authority to promulgate rules and regulations regarding the operation and management of the Dryden Park Municipal Golf Course subject to the approval of the City Manager.

Tickets issued for play on the Dryden Park Municipal Golf Course shall be honored on the Modesto Municipal Golf Course.

SECTION 7. REPEALS. Resolution No. 59-403 adopted on September 23, 1959, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of October, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-430

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FURNISHING DEEP WELL PUMP AT PUMP STATION #22 IN GARRISON PARK BY FAIRBANKS, MORSE & COMPANY; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of deep well pump at Pump Station #22 in the Garrison Park

has been completed by Fairbanks, Morse & Company

in accordance with the contract agreement dated May 28, 1959


NOW, THEREFORE, BE IT RESOLVED that the construction of deep well pump at Pump Station #22 in Garrison Park

be accepted from said contractor Fairbanks, Morse & 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 21 day of October, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-431

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS CHRISTIAN 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 follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the Northern line of a Public Road known as Maze Boulevard and the Eastern line of the Modesto Irrigation District Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Mark Twain Addition as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records; thence along the City Limits, North $89^{\circ} 45' 30''$ West, 424.02 feet to the Southwestern corner of the property conveyed to the Church of Christ of Modesto, by deed recorded June 8, 1956, as Instrument 16016, Stanislaus County Records; thence along the Western line of said Church of Christ of Modesto property, North $0^{\circ} 01' 47''$ East, 571.97 feet to the Northwestern corner of said Church of Christ of Modesto property, said corner also being on the Southern line of Modesto Irrigation District Lateral Number 4; thence along the Southern line of said Lateral Number 4, South $73^{\circ} 11' 30''$ East, 508.17 feet; thence continuing along the Southern line of said Lateral Number 4, North $64^{\circ} 18' 30''$ East, 48.03 feet to a point of intersection of the Southern line of said Lateral Number 4 and the Eastern line of said Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Maze Court Addition as per description recorded October 13, 1951, as Instrument 23639, in Volume 1051, Page 454, Stanislaus County Records; thence along the Eastern line of said Lateral Number 5 and the City Limits, South $4^{\circ} 47' 30''$ West, 283.35 feet; thence continuing along the Eastern Line of Lateral Number 5 and the City Limits, South $26^{\circ} 29' 30''$ West, 184.65 feet to the point of beginning, containing 5.692 acres more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of October, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-432

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY AND COUNTY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO AND AUTHORIZING THE COUNTY ASSESSOR TO CANCEL THE 1959-60 ASSESSMENT AGAINST THE PROPERTY (SEWER FARM).

WHEREAS, the following parcels of real property owned by the City of Modesto were annexed to the City of Modesto on July 10, 1959, and

WHEREAS, Sections 4886(e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes by a public agency upon written consent of the City Attorney and the District Attorney, respectively, on property acquired after the lien date, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be, and it is hereby requested to cancel the unpaid 1959-60 City-County taxes and all prior delinquent taxes, if any, and the 1959-60 County Assessments against the property as follows:

1959-60 Tax Bill No. 40294	
80/10 63366	
Riverview Tract Block 9155 - The S 95' of the	
N 200' of Lots 1, 2, 3 & 4 East of Park	
Assessed Valuation Land	\$480.
No Improvements	
1959-60 Taxes	\$ 34.70

1959-60 Tax Bill No. 40296	
80/10 63368	
Riverview Tract Block 9155, Lots 7 & 8 - The	
S 95' of the N 209.58'	
Assessed Valuation Land	\$200.
No Improvements	
1959-60 Tax	\$ 14.46

1959-60 Tax Bill No. 40299	
80/10 63372	
Riverview Tract Block 9155, Lots 9 & 10 - The	
S 95' of the N 200'	
Assessed Valuation Land	\$200.
No Improvements	
1959-60 Tax	\$ 14.46

1959-60 Tax Bill No. 40301
80/10 63374
Riverview Tract Block 9155, Lots 5 & 6 - The
S 95' of the N 200'
Assessed Valuation Land \$200.
No Improvements
1959-60 Tax \$ 14.46

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit to duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-433

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY AND COUNTY TAXES ON PROPERTY OWNED BY THE CITY OF MODESTO AND AUTHORIZING THE COUNTY ASSESSOR TO CANCEL THE 1959-60 ASSESSMENT AGAINST THE PROPERTY (DRYDEN PARK MUNICIPAL GOLF COURSE)

WHEREAS, the following parcel of real property owned by the City of Modesto was annexed to the City of Modesto on July 10, 1959, and

WHEREAS, Sections 4886(e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes on property acquired after the lien date by a public agency upon written consent of the City Attorney and the District Attorney, respectively, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be and it is hereby requested to cancel the unpaid 1959-60 City-County taxes and all prior delinquent taxes, if any, and the 1959-60 County assessment against the property as follows:

All that certain real property situate 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 Lot 10 of the Rouse Colony as per map filed in Volume 5 of Maps, Page 24, Stanislaus County Records, described as follows:

Commencing at the Northeastern corner of Lot 15 of said Rouse Colony, said point being on the center line of Sunset Avenue shown as a 40 foot Avenue on the map of said Rouse Colony; thence along said center line of Sunset Avenue, South $00^{\circ} 00' 30''$ East 1050.30 feet, to the Northeastern corner of the property conveyed to the City of Modesto by deed recorded December 29, 1955, as Instrument Number 37501, and the true point of beginning; thence along the Northern line of said City of Modesto property, South $89^{\circ} 59' 30''$ West, 325.00 feet; thence continuing along said City of Modesto property, South $00^{\circ} 00' 30''$ East, 264.22 feet; thence South $89^{\circ} 59' 30''$ West, 309.65 feet; thence North $00^{\circ} 00' 30''$ West, 264.22 feet; thence North $89^{\circ} 59' 30''$ East 210.00 feet; thence North $00^{\circ} 00' 30''$ West, 36.00 feet; thence North $89^{\circ} 59' 30''$ East, 424.65 feet, to a point on the center line of said Sunset Avenue; thence along the center line of said Sunset Avenue, South $00^{\circ} 00' 30''$ East, 36.00 feet, to the true point of beginning, containing 2.23 acres more or less.

Reserving an easement for utilities, said easement being five (5') foot strip of land the southern line of which is described as follows:

Beginning at the true point of beginning of first above described parcel; thence South $89^{\circ} 59' 30''$ West, 424.65 feet, to end of said southern line.

Also a five (5') foot strip of land the northern line of which is described as follows:

Commencing at the true point of beginning of first above described parcel; thence South $89^{\circ} 59' 30''$ West 325.00 feet, to the true point of this description; thence continuing South $89^{\circ} 59' 30''$ West, 309.65 feet, to end of said northern line.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-434

A RESOLUTION SETTING TIME AND PLACE FOR AN INFORMAL PUBLIC HEARING ON THE REQUEST FOR TAXICAB RATE INCREASE FILED BY JOSEPH SEQUEIRA OPERATING JOE'S TAXICAB COMPANY

WHEREAS, Joseph Sequeira, operating Joe's Taxi Company, has filed a request for a taxicab rate increase of 50¢ for the first one-quarter mile or fraction thereof, in place of the present rate of 50¢ for the first one-half mile or fraction thereof,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an informal public hearing on the request of Joseph Sequeira for a taxicab rate increase be held on November 12, 1959, at 8:15 P.M. in the Council Chambers located in the McHenry Public Library, 14th and I Streets, in the City of Modesto.

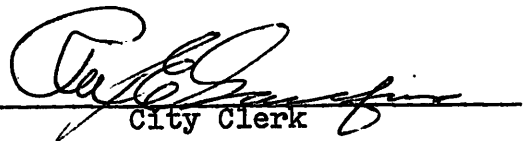
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of October, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-435

A RESOLUTION AMENDING SECTION 10 OF RESOLUTION NO. 59-305 ENTITLED "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 that Section 10 of Resolution No. 59-305 entitled "A Resolution Establishing Salary Schedules and Fixing the Compensation for Positions in the City Service" is hereby amended to read as follows:

SECTION 10. 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 parttime 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 foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of October, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 436

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

WHEREAS, a Position Classification Plan was adopted by Resolution No. 54-229 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 abolition of certain classes of positions from the Position Classification Plan, and the revision of certain classification specifications, 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 abolish certain classes of positions and revise certain classification specifications as follows:

CLASSIFICATIONS
ABOLISHED

Alarm Operator
Equipment Mechanic II
Senior Sewage Plant
Operator

CLASSIFICATION SPECIFICATIONS
REVISED

Fire Engineer

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

SECTION 3. This resolution shall become effective immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of October, 1959, by Councilman VanderWall, who

moved its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the
resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST: _____


City Clerk

(SEAL)

FIRE ENGINEER

Definition

Under direction, to drive and operate fire trucks and other automotive equipment in responding to fire and other emergency calls; to assist in the suppression of fires; to operate fire alarm communications system and to do related work as required.

Typical Tasks

Responds to fire and other emergency alarms by driving assigned automotive equipment to required spot; operates equipment and otherwise assists in the suppression of fires and in the protection of life and property; operates resuscitators and administers first aid; assumes primary responsibility for the servicing and maintenance of assigned fire equipment; assists in maintenance of fire station and surrounding grounds; participates in continuing training and instruction program by individual study of technical material and attendance at scheduled drills and classes; instructs other fire personnel in operation and care of fire equipment; assists in making residential, commercial, and industrial inspections to discover and eliminate potential fire hazards, to educate the public in fire prevention, and to be prepared for fire suppression; may serve as operator of fire alarm communications system; may train or assist in training auxiliary firemen; may serve as a relief Lieutenant or Captain; responds to alarms while off duty.

Employment Standards

Any combination of training and experience equivalent to completion of the twelfth grade, and one year of fire fighting experience in an organized fire department.

Possession of a valid Chauffeur's license issued by the State Department of Motor Vehicles.

Desirable Qualifications

Knowledge of modern fire prevention and suppression methods; knowledge of technical fire fighting techniques and principles of hydraulics applied to fire suppression; knowledge of the use and maintenance of fire fighting equipment; and apparatus and ability to operate such equipment and apparatus safely and effectively; knowledge of fire alarm system, telephonic and 1, 2, and 3-way radio communications systems and with Federal Communications Commission regulations regarding radio-telephone operation; knowledge of departmental rules and regulations; knowledge of first aid; physical endurance and agility.

Exhibit A

City of Modesto
Revised October 1959

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 437

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS MORAN ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

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

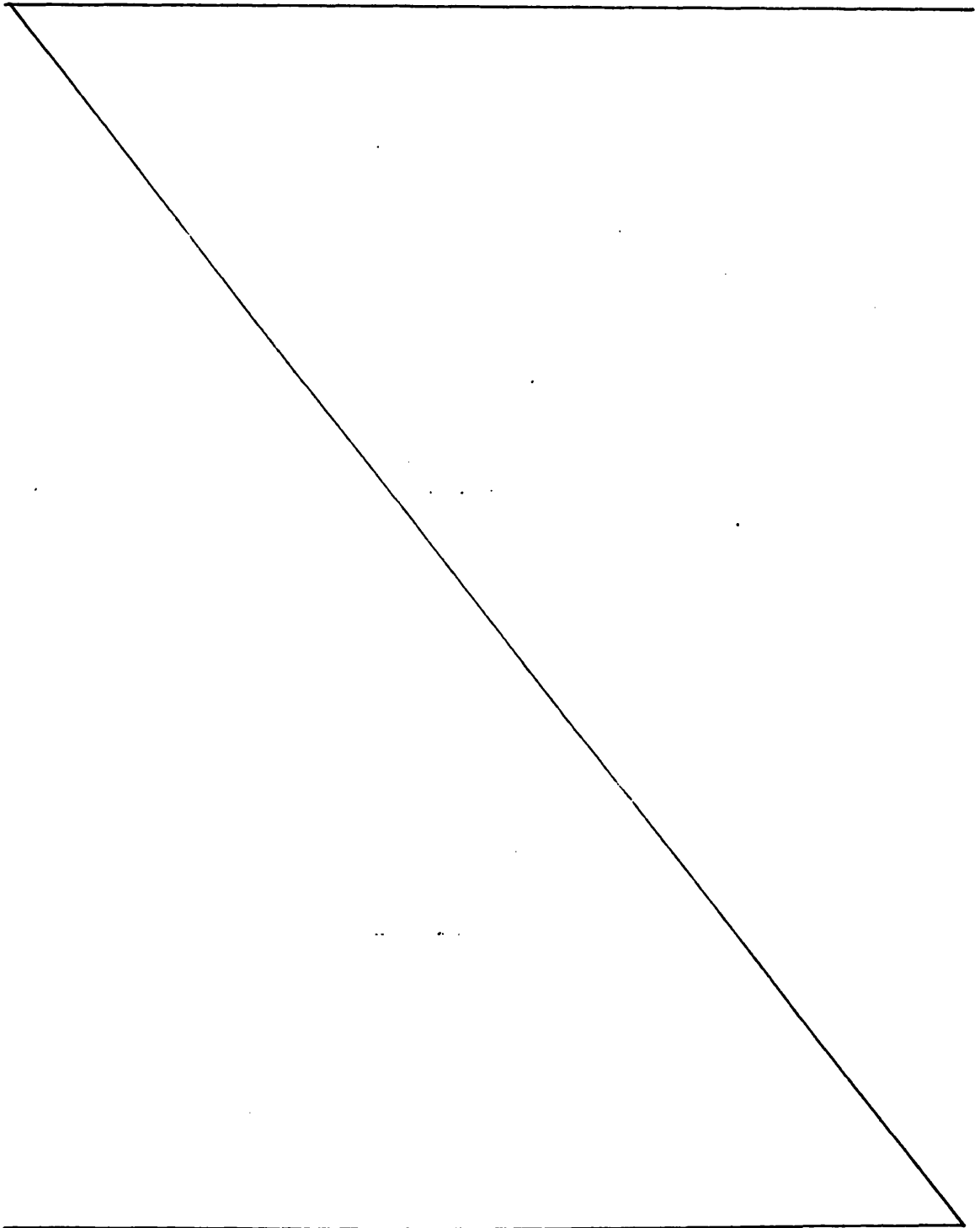
1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on September 23, 1959, 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 MORAN ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the northeastern corner of the existing corporate city limits as established by the La Loma-Yosemite Addition, filed December 4, 1953 as Instrument 30045, Stanislaus County Records, said point being at the intersection of the southern line of the Modesto Irrigation District Lateral No. 2 and the northerly extension of the eastern line of the alley in Block 2258, as per map of the Alta Vista Tract No. 2, filed May 15, 1947 as Instrument 13379, Stanislaus County Records; thence Westerly along said city limits line and said southern line of the Modesto Irrigation District Lateral No. 2 to the southerly extension across said Modesto Irrigation District Lateral No. 2 of the western line of Lot 9 of the Beard Tract, filed November 18, 1907 in Volume 3 of Maps, page 19, Stanislaus County Records; thence northerly along said southerly extension and the western line of said Lot 9 to the northwestern corner of said Lot 9; thence easterly along the northern line of said Lot 9 to the western line of El Vista Avenue as per deed recorded April 9, 1956 as Instrument 9835, and deed recorded June 13, 1956 as Instrument 16405, Stanislaus County Records, said western line being 50 feet west of the section line common to Sections 27 and 26, said section line being the center line of El Vista Avenue; thence

southerly along said western line of El Vista Avenue to the northern line of said Modesto Irrigation District Lateral No. 2; thence westerly along said northern line of said Modesto Irrigation District Lateral No. 2 to the intersection with the northerly extension of said eastern line of alley in Block 2258; thence southerly along said northerly extension of the eastern line of alley in Block 2258 to the southern line of said Modesto Irrigation District Lateral No. 2 and the point of beginning, containing 20.13 acres, more or less.



3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on August 4, 1959, consider the proposed annexation boundaries of said MORAN ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. ~~That the said territory is assessed to said school district as part of the school district of the City of Modesto.~~

5. NOTICE IS HEREBY GIVEN that the 9th day of December, 1959, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 28 day of October, 1959, by Councilman Spaulding, 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: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-438

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 (C. LELAND RICHMOND)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 20, 1959, in the Council Chamber for the purpose of considering an amendment to Section 28 of the Zoning Map to reclassify from Two-Family Zone, R-2, to Multiple-Family Zone, R-3

the following described property:

Lots 24 to 41 inclusive in Block 570 and lots 1 to 5 inclusive in Block 569, being located on the east side of Johnson Street north of Jones Street and on the south side of Jones Street between Johnson and Semple Streets, respectively;

and

WHEREAS, the said Commission, after hearing evidence both oral and documentary, on the proposed amendment, adopted Resolution No. 551 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., Wednesday, November 18, 1959, 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 28 day of October, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor: Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-439

A RESOLUTION ACCEPTING A DONATION IN THE SUM OF \$150 FROM PERCY M. PIKE FOR A SIGN TO BE CONSTRUCTED IN THE J. M. PIKE PARK

WHEREAS, Percy M. Pike has offered to donate the sum of \$150 to the City of Modesto for the construction of a sign to be installed in the J. M. Pike Park in the memory of his father, and

WHEREAS, a sign of this type is needed in this park and will be appreciated by the citizens of the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED that this donation be gratefully accepted in behalf of the citizens 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 28 day of October, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-440

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$150. FROM GENERAL RESERVE
TO PARKS FOR SIGN - J. M. PIKE PARK

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

FROM: General Reserve - 600 \$150.

TO: Parks \$150.
Sign--J. M. Pike Park
503-35

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 28 day of
October, 1959, by Councilman Spaulding, who moved its
adoption, which motion being duly seconded by Councilman Knoles,
was upon roll call carried and the resolution adopted by the
following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


Rex E. Gailfus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-441

A RESOLUTION APPROVING VARIANCE REQUEST OF R. R. SANDERS TO CONSTRUCT FORTY (40) FOOT CURB CUT ON CLARADELL AVENUE IN THE CITY OF MODESTO

WHEREAS, R. R. Sanders has filed a request for a variance to permit the construction of a forty (40') foot curb cut on Claradell Avenue to provide access to his property located on the northwest corner of Claradell and McHenry Avenues, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, Section 7-1.104 (c) of the Municipal Code provides that driveways are not to exceed thirty (30') feet in length unless a variance is approved by the Council, and

WHEREAS, the Director of Public Works has recommended that the request be granted on the basis that the property development plan requires these additional curb cuts for access to the property.

NOW, THEREFORE, BE IT RESOLVED, that R. R. Sanders be granted a variance to permit the construction of a forty (40') foot curb cut on West Claradell Avenue to provide access to his property located at 1431 McHenry Avenue on the condition that the necessary permit be obtained and that construction be made according to the plan on file in the Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1959 by Councilman VanderWall, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Knoles, VanderWall, Spaulding, Mayor Hammond

Noes: None Absent: Adams, Arata, Martin


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-442

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.

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, The Council, did, on June 24, 1959, adopt its Resolution No. 59-274, 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, October 28, 1959, at 8:30 P.M. in the Council Chambers, located in the McHenry Public Library at the corner of Fourteenth and I Streets, 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 being determined in the total amount of Three Hundred Thirty Six and 04/100ths (\$336.04) 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 Three Hundred Thirty Six and 04/100ths (\$336.04) Dollars,

bē assessed as a lien against the parcel of property fronting upon the work so constructed, to wit, the South half of Lot 9 and all of Lot 10, Block 628, John Muir Park Tract, as filed on June 9, 1940, in Volume 14 of Maps, Page 1, 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 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 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 28th day of October, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Knoles, Spaulding, VanderWall and Mayor Hammond

NOES: None

ABSENT: Adams, Arata, Martin

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-443

A RESOLUTION APPROVING VARIANCE REQUEST OF MRS. M. F. SILVEIRA
FOR CURB CUT AND AUTHORIZING REMOVAL OF THREE WALNUT TREES ON
GRISWOLD AVENUE

WHEREAS, Mrs. M. F. Silveira has filed a request for a variance to permit the construction of two driveways on the Hackberry Avenue side of her property located at 701 Griswold Avenue to provide access to a three car garage and to remove three walnut trees on the Griswold Avenue side of her property to permit the construction of curb, gutter and sidewalk, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, the Director of Public Works has recommended that the request be granted for the construction of one 30 foot driveway and one 16 foot driveway, separated by a 6 foot full curbed section on the basis that the property development plan requires these additional curb cuts for access to the garage, and

WHEREAS, the Director of Parks and Recreation has recommended the removal of the trees by the city on the basis that they were in poor condition and that this type of tree is not suitable for street tree purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that Mrs. M. F. Silveira be granted a variance to permit the construction of two driveways on the Hackberry Avenue side of her property, as recommended by the Director of Public Works on the condition that the necessary permit be obtained and construction be made according to the plan on file in the Public Works Department, and

BE IT FURTHER RESOLVED that the removal of the three walnut trees on the Griswold Avenue side of her property be and it is hereby approved.

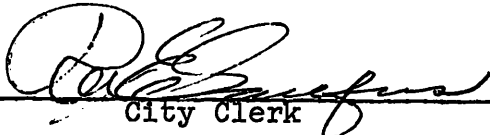
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1959 by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Knoles

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

Ayes: Knoles, Spaulding, VanderWall, Mayor Hammond

Noes: None Absent: Councilmen: Adams, Arata, Martin

ATTEST


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-444

A RESOLUTION ACCEPTING RENEWAL POLICY ON THE CITY'S AUTOMOTIVE
FLEET

BE IT HEREBY RESOLVED that the policy from the Springfield
Fire & Marine Liability Company for the city's automotive fleet for
the period of October 13, 1959 to October 13, 1960, 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 28 day
of October, 1959, by Councilman Knoles, who moved its adoption, which
motion being duly seconded by Councilman Spaulding, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO.59-445

A RESOLUTION ACCEPTING THE CONSTRUCTION OF COMFORT STATION AT DRYDEN PARK MUNICIPAL GOLF COURSE BY EDWARD A. TOMLINSON; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of comfort station at Dryden Park Municipal Golf Course

has been completed by Edward A. Tomlinson

in accordance with the contract agreement dated September 2, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of comfort station at Dryden Park Municipal Golf Course

be accepted from said contractor Edward A. Tomlinson

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 28 day of October, 1959, by ~~Councilman~~ 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: Knoles, Spaulding, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Arata, Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-446

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER MAINS IN MONTGOMERY VILLAGE NO. 3

WHEREAS, the Council of the City of Modesto adopted Resolution No. 59-427, on October 21, 1959, approving the plans and specifications for installation of water mains in Montgomery Village No. 3

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on the 2 day of November, 1959, 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 Bay Industries Inc., in the sum of \$10,685.00, and

WHEREAS, the Director of Public Works estimates that the cost of such work to be performed by city forces for the sum of \$3,136.25, thus effecting a savings to the taxpayers of approximately \$7,548.75, 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 4 day of November, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-447

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SPORTSMEN OF STANISLAUS CLUB FOR SEWER SERVICE AT CLUBHOUSE LOCATED ON SUNSET BLVD.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Sportsmen of Stanislaus Club

for sewer service at clubhouse located on Sunset Blvd.

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 4 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 448

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS EAST FLOYD 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 follows:

All that certain real property situate 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 on the Eastern line of the existing Corporate City Limits as established by the Montgomery Village Addition, as per description filed August 3, 1959 as Instrument 22312, Stanislaus County Records, said point being the intersection of the Eastern line of said Montgomery Village Addition and the Southern line of a 40 foot public road known as Floyd Avenue as shown on the Coffee Colony map filed January 13, 1906, in Volume 2 of maps at page 22, Stanislaus County Records; thence Easterly along said Southern line of Floyd Avenue, 1002.65 feet to the Eastern line of the property conveyed to Robert P. Bomberger,

et al, by deed recorded December 11, 1958, as Instrument 31627, Stanislaus County Records; thence Southerly along said Eastern line of the Bomberger property to the Southeastern corner thereof, said point being on the East-West quarter section line of Section 16 and the Southern line of said Coffee Colony; thence Westerly along said quarter section line and said Southern line of the Coffee Colony to its intersection with the Eastern line of Montgomery Village Addition and the existing City Limits; thence Northerly along said Eastern line of Montgomery Village Addition to the point of beginning, containing 29.94 acres, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-449

A RESOLUTION APPROVING VARIANCE REQUEST OF AGNES N. COIL TO CONSTRUCT TWO DRIVEWAYS AT 422 MENSINGER (ONE FOR 30 FEET AND THE OTHER FOR 25 FEET) AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS

WHEREAS, Agnes N. Coil has filed a request for a variance to permit the construction of two thirty (30') foot curb cuts on Mensinger Avenue to provide access to her property located at 422 Mensinger Avenue between Sycamore and Brady Avenues, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, Section 7-1.104(c) of the Municipal Code provides that driveways are 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 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 with the exception that one curb cut be reduced to twenty-five (25') feet be granted,

NOW, THEREFORE, BE IT RESOLVED that Agnes N. Coil be granted a variance to permit the construction of one thirty (30') foot curb cut and one twenty-five (25') foot curb cut on Mensinger Avenue to provide access to her property located at 422 Mensinger Avenue on the condition that the necessary permit be obtained and that construction be made according to the plan on file in the Public Works Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1959, by Councilman Knoles, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro
Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-450

A RESOLUTION AUTHORIZING THE SALE OF ALL THE LEAVES COLLECTED BY THE CITY CREWS AND STOCKPILED AT THE MODESTO CITY SEWER FARM FOR THE BALANCE OF THE FISCAL YEAR 1959-60 TO THE ORGANIC COMPANY OF TURLOCK FOR THE SUM OF \$250

WHEREAS, the Organic Company of Turlock has offered to buy all the leaves harvested from the City streets by the City of Modesto and stockpiled at the City of Modesto Sewer Farm for the balance of the fiscal year 1959-60 for the sum of \$250, payable in advance, and

WHEREAS, this company has offered to remove all of the leaves from the Sewer Farm by June 1, 1960,

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

SECTION 1. The sale of all the leaves harvested from the city streets for the balance of the fiscal year 1959-60 to the Organic Company of Turlock for the sum of \$250.00 is hereby authorized and approved, and the City Manager is authorized to implement said sale.

SECTION 2. Resolution No. 57-166 adopted by the Council of the City of Modesto on April 17, 1957, establishing the policy and price for the sale of leaves shall continue in effect, except insofar as it is superseded by the provisions of this resolution for the fiscal year 1959-60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4 day of November, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-451

A RESOLUTION GRANTING THE VARIANCE REQUEST FILED BY MODESTO BUILDING AND LOAN COMPANY FOR TWO THIRTY SIX FOOT CURB CUTS FOR ITS NEW BUILDING ON THE SOUTHWEST CORNER OF COOLIDGE AVENUE AND McHENRY AVENUE IN THE CITY OF MODESTO

WHEREAS, the Modesto Building and Loan Company has filed a request for a variance to permit the construction of one thirty-six (36') foot curb cut on McHenry Avenue and one thirty-six (36') foot curb cut on Coolidge Avenue to provide entrance to its new building under construction on the southwest corner of Coolidge and McHenry Avenues, and

WHEREAS, said applicant has waived the five day written notice of the hearing required by the Modesto Municipal Code, and

WHEREAS, Section 7-1.104(a) of the Municipal Code provides that driveways are not to exceed thirty (30') feet in length 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 cuts for access to the property.

NOW, THEREFORE, BE IT RESOLVED that the Modesto Building and Loan Company be granted a variance to permit the construction of a thirty-six (36') foot curb cut on McHenry Avenue and a thirty-six (36') foot curb cut on Coolidge Avenue to provide access to its property located on the southwest corner of McHenry and Coolidge Avenue on the condition that the necessary permit be obtained and that construction be made according to the plan on file in the Public Works Department.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1959, by Councilman Knoles, 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: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-452

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING OF ONE NEW TRUCK CRANE

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

Section 1. The plans and specifications for furnishing of one new truck crane

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, 717 10th Street, in the City of Modesto, on November 30, 1959 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 12 day of November, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-453

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES JEFFERS ET AL, FOR SHARE OF COST OF PERIMETER AND SUB-TRUNK SEWERS IN STRATHMORE SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Charles Jeffers, et al, subdivider

for share of cost of perimeter and sub-trunk sewers in Strathmore 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 12 day of November, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-454

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SUBTRUNK AND PERIMETER SEWER IN STRATHMORE SUBDIVISION

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

Section 1. The plans and specifications for construction of subtrunk and perimeter sewer in Strathmore 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, 717 10th Street, in the City of Modesto, on November 23, 1959 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 12 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-455

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF SUNSET AVENUE SUBTRUNK SEWER

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

Section 1. The plans and specifications for construction of Sunset Avenue subtrunk sewer

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, 717 10th Street, in the City of Modesto, on November 23, 1959 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 12 day of November, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor

Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-456

A RESOLUTION OF POLICY OF THE CITY COUNCIL RELATING TO SALARIES FOR
CITY EMPLOYEES

WHEREAS, the City Council Public Relations Committee has recommended the City Council review its policy on the procedures to be followed in establishing city salaries for the guidance of the Personnel Commission and the staff, and

WHEREAS, the City Council has adopted the following policy statement as a principle to guide the Personnel Commission and the staff in establishing salaries for City employees:

"It is not the responsibility of tax supported organizations, such as the City, to set the wage scale for the community in which they exist. It is the duty of the City for its wage scale to be comparable with those paid in the community, with due consideration for fringe benefits and stability of employment, but it is not the duty of the City to set a wage standard that private employers have to compete with. Those people who perform the same activities should enjoy the same hours, working conditions and pay scale as that paid by private industry."

and

WHEREAS, it is considered desirable to make major salary adjustments at a time other than at budget time in order to avoid the impressions and pressures arising when salary decisions are made concurrently with fiscal budget and tax rate determinations,

NOW, THEREFORE, BE IT RESOLVED that the following "Suggested Guides for Implementing Council Policy on Establishing Salaries" be used to guide the staff and the Personnel Commission in assembling information and in making recommendations for Council consideration in establishing salaries:

1. Compare the ratio of salary expenditures to total operating expenditures.
2. Compare the value of fringe benefits for city employees and for others in the community (e.g. holidays, vacation, retirement plan, sick leave, insurance, etc.)
3. Consider cost of living.
4. Continue the local salary survey comparisons.

- x
5. Recognize that the City is in wider competition for professional and technical help than for certain other classes, and make appropriate comparisons.
 6. In considering major salary changes take action in time so that if any change is made it would be effective as of January 1 of each year.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Personnel Commission by the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-457

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CHRISTIAN CHURCH 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 October 15, 1959, 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 the CHRISTIAN CHURCH ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the Northern line of a Public Road known as Maze Boulevard and the Eastern line of the Modesto Irrigation District Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Mark Twain Addition as per description filed June 22, 1956 as Instrument 17230, Stanislaus County Records; thence along the City Limits, North 89° 45' 30" West, 424.02 feet to the Southwestern corner of the property conveyed to the Church of Christ of Modesto, by deed recorded June 8, 1956, as Instrument 16016, Stanislaus County Records; thence along the Western line of said Church of Christ of Modesto property, North 0° 01' 47" East, 571.97 feet to the Northwestern corner of said Church of Christ of Modesto property, said corner also being on the Southern line of Modesto Irrigation District Lateral Number 4; thence along the Southern line of said Lateral Number 4 South 73° 11' 30" East, 508.17 feet; thence continuing along the southern line of said Lateral Number 4, North 64° 18' 30" East, 48.03 feet to a point of intersection of the Southern line of said Lateral Number 4 and the Eastern line of said Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Maze Court Addition as per description recorded October 13, 1951, as Instrument 23639, in Volume 1051, Page 454, Stanislaus County Records; thence along the Eastern line of said Lateral Number 5 and the City Limits, South 4° 47' 30" West, 283.35 feet; thence continuing along the Eastern Line of Lateral Number 5 and the City Limits, South 26° 29' 30" West, 184.65 feet to the point of beginning, containing 5.692 acres more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 6, 1959, consider the proposed annexation boundaries of said CHRISTIAN CHURCH ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

~~And that the proposed lots to be assessed do not shall become a part of the school district of the City of Modesto.~~

5. NOTICE IS HEREBY GIVEN that the 23rd day of December, 1959, at the hour of 8:00 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 12 day of November, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-458

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS O'SHEA 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,

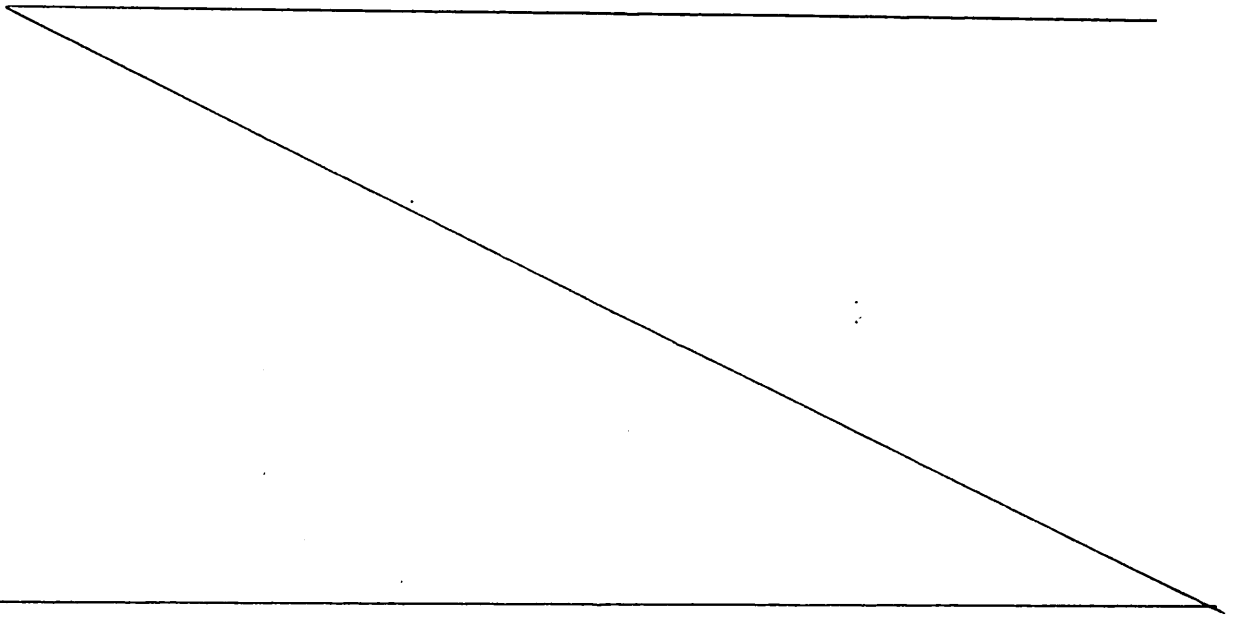
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

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

All that certain real property situate 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 said point being the intersection of the center line of Ila Way and the Northern line of the LESLIEHUGH TRACT as shown in the Amended Map thereof, filed June 11, 1931, in Volume 11 of Maps at Page 20, Stanislaus County Records; thence Southerly along the existing City Limits and the center line of Ila Way to a point which is 125 feet Northerly from the Northern line of Helen Avenue as shown on said Lesliehugh Tract; thence Westerly along the existing City Limits, which is parallel with and 125 feet at right angles Northerly from said Northern line of Helen Avenue, to the Western line of said LESLIEHUGH TRACT; thence

Northerly along said western line of the LESLIEHUGH TRACT and the Western line of Lot 18 of the HIGH HOMES TRACT, filed January 28, 1920 in Volume 9 of Maps at Page 24, Stanislaus County Records, to the Northwestern corner of said Lot 18 of the High Homes Tract; thence Easterly along the Northern line of said Lot 18 of the High Homes Tract and the Easterly extension thereof, to the center line of Ila Way and the point of beginning, containing 1.547 acres, more or less.



The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-459

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY E. A. WILKEN TO REQUIREMENT FOR DEDICATION OF A 20 FOOT STRIP OF RIGHT OF WAY ALONG ORANGEBURG AVENUE FRONTAGE AT FLORIDA AVENUE IN CONNECTION WITH A LOT SPLIT

WHEREAS, the Modesto City Planning Commission at a regular meeting in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on November 3, 1959 considered an application for a lot split of property located on the northwest corner of Orangeburg and Florida Avenues, and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 560, approving the permit for a lot split on the northwest corner of Florida and Orangeburg Avenue with the provision that E. A. Wilken dedicate the 20 feet of land facing upon Orangeburg for street widening purposes, and

WHEREAS, on November 5, 1959, E. A. Wilken filed an appeal with the City Clerk on the decision of the Planning Commission in refusing to grant the lot split without the dedication of 20 feet of property facing on Orangeburg Avenue, and


WHEREAS, Section 11552 of the Business and Professions Code of the State of California 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 Planning Commission approving the lot split with the requirement of dedication of property on Orangeburg Avenue.

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 Wednesday, November 18, 1959, at 4:35 P.M. in the Council Chamber 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 12 day of November, 1959, by Councilman Spaulding, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-460

A RESOLUTION WAIVING THE CIRCUS LICENSE FEE AND APPLYING THE CARNIVAL ACTIVITY SECTION OF THE MUNICIPAL CODE TO THE PAUL MILLER CIRCUS APPEARING IN THE McHENRY VILLAGE SHOPPING CENTER FROM NOVEMBER 9, 1959 TO NOVEMBER 15, 1959

BE IT HEREBY RESOLVED that the circus license fee of \$300 per day required by Section 6-1.213 of the Municipal Code be and it is hereby waived for the Paul Miller Circus appearing in the McHenry Village Shopping Center from November 9 to November 15, 1959, on the basis that the circus is presented without charge to the public, and

BE IT FURTHER RESOLVED that Section 6-1.212 (Carnival Activity) of the Municipal Code requiring a fee of \$3 per day per concession be applied on the Paul Miller Circus appearing in the McHenry Village Shopping Center during the period from November 9 to November 15, 1959.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of November, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-461

A RESOLUTION APPROVING THE OPERATION OF A SHOOTING GALLERY
IN McHENRY VILLAGE PARKING LOT BY THE PAUL A. MILLER CIRCUS
FOR THE PERIOD NOVEMBER 13, 1959 TO NOVEMBER 15, 1959

WHEREAS, an oral request has been received from the Paul A. Miller Circus to operate a shooting gallery in connection with a circus located in the McHenry Village parking lot during the period of November 13, 1959 to November 15, 1959, and

WHEREAS, Section 4-2.07(c) of the Modesto Municipal Code provides that written permission must be obtained from the City Council to conduct or maintain shooting ranges or galleries within the city limits for rifle or pistol target practice where cartridges of the character and calibre commonly known as "22 calibre" are used, and

WHEREAS, after investigation of the premises the Police Department has recommended that permission be granted for the operation of this shooting gallery,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that permission be granted for the Paul A. Miller Circus to operate a shooting gallery in the McHenry Village parking lot during the period from November 13, 1959 to November 15, 1959.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1959 by Mayor Hammond who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Adams, Arata, Knoles, Martin, Spaulding, VanderWall and
Mayor Hammond
Noes: None Absent: None

ATTEST


City Clerk

RESOLUTION NO. 59-462

Not Used

MODESTO CITY COUNCIL
RESOLUTION NO. 59-463

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
PETROLEUM PRODUCTS COMPANY FOR AMENDMENT TO RIGHT OF WAY CONTRACT
(McHENRY AVENUE) DATED DECEMBER 16, 1958

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Petroleum Products
Company, a corporation

for amendment to Right of Way Contract (McHenry Avenue) dated
December 16, 1958

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 12 day
of November, 1959, by Councilman Arata, who moved
its adoption, which motion being duly seconded by Councilman
Martin, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-464

A RESOLUTION RELATING TO THE TERMS AND CONDITIONS OF EMPLOYMENT OF
CITY ATTORNEY ALLEN GRIMES

WHEREAS, at the time of his original employment by the City as City Attorney on November 15, 1951, City Attorney Allen Grimes was orally employed by the City Council then in office on the basis that he would be permitted to continue his work as Consultant and Draftsman for City Charters and codification of city ordinances provided that it did not interfere with the proper performance of his duties of City Attorney, and

WHEREAS, the Council desires to formalize said authorization in writing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that City Attorney Allen Grimes be and he is hereby permitted to continue with his work as Consultant and Draftsman for City Charters and codification of city ordinances provided that this work does not interfere with the proper performance of his duties as City Attorney and that he report his activities of this nature to the City Council in open meeting so that it is kept advised at all times of his activities in this field.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: _____


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-465

A RESOLUTION RELATING TO THE ESTABLISHMENT OF SALARY SCHEDULES AND
FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE

WHEREAS, Resolution No. 59-305 entitled "A Resolution Establishing Salary Schedules and Fixing the Compensation for Positions in the City Service" was adopted by the City Council on July 22, 1959, effective July 1, 1959, and

WHEREAS, said resolution, in general, provided for a two and one half ($2\frac{1}{2}\%$) per cent salary increase for all officers and employees in the City service, including the officers appointed by the City Council, and

WHEREAS, a misunderstanding existed in the minds of the Council members as to whether Resolution No. 59-305 was intended to include officers appointed by the Council, and

WHEREAS, the Council desires to clarify said ambiguity, and to ratify and confirm the provisions of Resolution No. 59-305, as written, including a two and one ($2\frac{1}{2}\%$) per cent increase for the three (3) officials appointed by the City Council as set forth in Resolution No. 59-305.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all the terms and provisions of said Resolution No. 59-305, as originally written and adopted, are hereby ratified and confirmed, including the granting of a two and one half ($2\frac{1}{2}\%$) per cent salary increase to the three (3) officials appointed by the City Council as provided 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, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-466

A RESOLUTION SETTING THE TIME AND PLACE FOR THE HEARING ON THE APPEAL TO THE DECISION OF THE MODESTO CITY PLANNING COMMISSION FILED BY RAY S. GADA ON THE REZONING OF PROPERTY LOCATED IN BLOCK 6060

WHEREAS, the Modesto City Planning Commission held a public hearing in the Council Chamber located in the McHenry Public Library, 14th and I Streets, in the City of Modesto, on October 20, 1959 at 2:00 P.M. and on November 3, 1959, for the purpose of considering an application for an amendment to Section 20 of the Zoning Map, filed by Ray S. Gada, 1501 McHenry Avenue, on September 29, 1959, to re-classify from Single-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1, the following described property:

Lot 9, excepting the west ten feet thereof, in Block 6060, City of Modesto, located on the north side of West Coolidge Avenue between McHenry and Florida Avenues, and the extension of said lot to the center line of West Coolidge Avenue,

and

WHEREAS, said Commission, after hearing evidence, both oral and documentary, adopted Resolution No. 558, denying the request for the amendment to Section 20 of the Zoning Map, and

WHEREAS, on November 9, 1959, Ray S. Gada 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 Wednesday, December 16, 1959 at 4:30 P.M. in the Council Chamber 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 18 day of November, 1959, by Councilman VanderWall, who moved its adoption, which

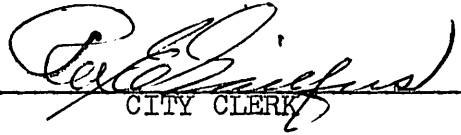
motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-467

A RESOLUTION APPROVING THE PAYMENT OF \$3,000 TO THE MODESTO RETAIL MERCHANTS ASSOCIATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that a payment of \$3,000 to the Modesto Retail Merchants Association be and it is hereby approved on the basis of Sec. 200 of the Charter providing for music, publicity and promotion.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of November, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL,
RESOLUTION NO. 59-468

A RESOLUTION APPROVING THE REQUEST OF MONTGOMERY WARD AND CO. FOR
WAIVER OF PENALTY AND INTEREST CHARGES ON BUSINESS LICENSE TAX

WHEREAS, the Montgomery Ward Company has filed a request for
waiver of the penalty and interest charge in the sum of \$44.11 required
under the business license ordinance for delinquent payments for the
period July 1, 1959 to September 30, 1959, and

WHEREAS, the Director of Finance has investigated this
request and has recommended that, due to the circumstances involved,
favorable consideration be given to the request by the Council, and

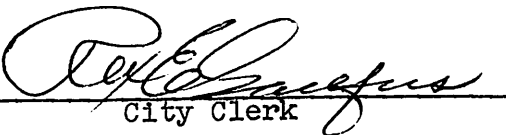
WHEREAS, Section 6-1.129 of the Municipal Code provides that
the Council may waive the penalty and interest charge on the basis
that the delinquency was not intentional or by reason of carelessness,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Modesto that the request of Montgomery Ward Company for the waiving of
the penalty and interest charge in the sum of \$44.11 for the period
July 1, 1959 to September 30, 1959 be and it is hereby waived.

The foregoing resolution was introduced at a regular meeting
of the Council of the City of Modesto held on the 18 day of November,
1959, by Councilman Arata, 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: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-469

A RESOLUTION ACCEPTING THE CONSTRUCTION OF COLLEGE AVENUE BY STANDARD MATERIALS, INC.; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of College Avenue between Cecil Way and Briggsmore Avenue

has been completed by Standard Materials, Inc.

in accordance with the contract agreement dated August 12, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of College Avenue between Cecil Way and Briggsmore Avenue

be accepted from said contractor Standard Materials, 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 18 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-470

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT P. AND MURIEL F. BOMBERGER TO PROVIDE SEWER SERVICES TO SHERWOOD MANOR SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Robert P. and Muriel F. Bomberger

for providing sewer service to Sherwood Manor Subdivision by constructing a sub-trunk sewer through Montgomery Village 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 18 day of November, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-471

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRANK FRANCEK FOR SUB-TRUNK AND PERIMETER SEWER TO PROVIDE SERVICE TO MONTGOMERY VILLAGE 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 Francek

for subtrunk and perimeter sewer to provide service to Montgomery Village 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 18 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-472

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR CONSTRUCTION OF MONTGOMERY VILLAGE NO. 3 SUBTRUNK AND PERIMETER SEWER

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

Section 1. The plans and specifications for construction of Montgomery Village No. 3 Subtrunk and Perimeter sewer

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, 717 10th Street, in the City of Modesto, on November 30, 1959 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 18 day of November, 1959, by Councilman Spaulding, 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: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-473

A RESOLUTION AUTHORIZING THE PLACING OF THE ORDER FOR FURNITURE FOR THE CITY HALL AS PROPOSED UNDER PROVISIONS OF THE CONTRACT WITH THE FURNITURE CONSULTANTS

WHEREAS, the office equipment dealers of the City under contract as consultants have prepared a master furniture plan for the furnishing of the new city hall, and

WHEREAS, the City Council has adopted the plan and approved a policy to furnish the new city hall in accordance with the plan, and

WHEREAS, the Furniture Consultants and city staff have reviewed the requirements for seating and office furniture in the following rooms in the new city hall:

Council Chamber
Office of the Mayor
Office of the Mayor's Secretary
Central File Room
Work Reference Room
Office of the Assistant City Manager
City Administrative Stenographic and Reception Room
Office of the City Manager
Law Library and Conference Room
Office of the City Attorney
Office of the City Attorney's Stenographic Department
Office of the Assistant City Attorney (partial)

and recommended items for purchase, and

WHEREAS, the Furniture Consultants and city staff have recommended colors and upholstery materials for the furniture in these rooms, and

WHEREAS, the estimated cost to the city, in accordance with the provisions of the contract with the Furniture Consultants, is estimated to be \$33,883.45,

NOW, THEREFORE, BE IT RESOLVED by the City Council that the recommendation of the staff and the Furniture Consultants be and it is hereby approved.

BE IT FURTHER RESOLVED that the issuance of purchase orders for the purchase of the specific items of furniture so included, be approved and 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, 1959, by Councilman VanderWall, who moved its adoption, which motion

being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


CITY CLERK

A RESOLUTION REJECTING THE APPEAL OF E. A. WILKEN AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION AS PROVIDED IN ITS RESOLUTION NO. 560 RELATING TO THE LOT SPLIT INVOLVING THE NORTHWEST CORNER OF FLORIDA AND ORANGEBURG AVENUES

WHEREAS, the Modesto City Planning Commission adopted Resolution No. 560, on November 3, 1959, approving the request of E. A. Wilken that the sketch map for a lot split on the northwest corner of Florida and Orangeburg Avenues, being a portion of Lot 6 of Block 6061 subject to the following conditions:

1. That the subdivider dedicate the 20 feet for the right of way on Orangeburg Avenue;
2. That the subdivider install curb, gutter and sidewalk on the Florida Avenue frontage of his property;
3. That the subdivider install sidewalks on the Orangeburg Avenue frontage of his property;
4. That the subdivider shall install the improvements listed in 2 and 3 above within 60 days after installation of storm drains in the North Central Drainage District, or within 60 days after the City has installed curb and gutter on the Orangeburg Avenue frontage of this property, whichever time is the earlier.

WHEREAS, E. A. Wilken filed an appeal with the City Clerk on November 5, 1959 to the decision of the Modesto City Planning Commission, and

WHEREAS, the Modesto City Council adopted Resolution No. 59-459 on November 12, 1959, setting the time and place for the hearing on the appeal, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, after hearing evidence both oral and documentary, that the decision of the Modesto City Planning Commission, as set forth in its Resolution No. 560, adopted on November 3, 1959, be reaffirmed, and

BE IT FURTHER RESOLVED that the appeal filed by E. A. Wilken be and it is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of November, 1959

by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 475

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO, KNOWN AS SARATOGA MANOR 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,

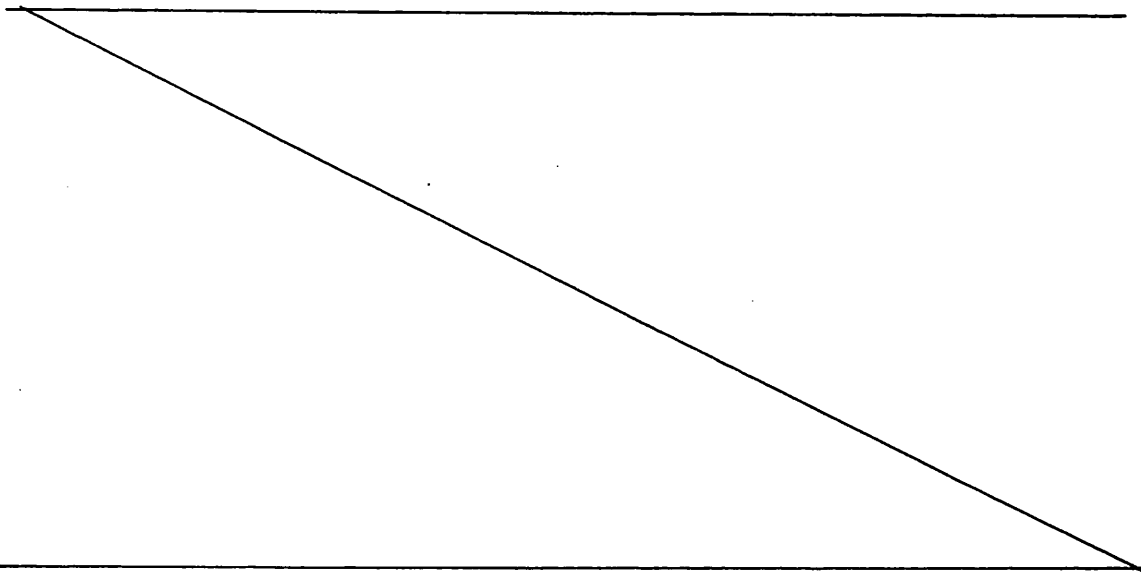
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said petition for the annexation of the following described uninhabited territory be referred to the Planning Commission for its report and recommendation.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Carverwood Addition, as per description filed March 11, 1959, as Instrument 6960, Stanislaus County Records, said point also being the Southwestern corner of North Park Addition as per description filed September 8, 1958, Instrument 22252, Stanislaus County Records; thence Westerly along the Northern line of said Carverwood Addition to a point on the Western line of a 40.00 foot County Road known as Carver Road, said point also being the Southeastern corner of property conveyed to Dessa J. Driver as per deed recorded May 23, 1958, as Instrument 12820, Stanislaus County Records; thence Northerly along the Western line of said Carver Road and the Eastern line of said Driver property to the point of intersection of the Westerly extension of the Northern line of property conveyed to Nellie Winn as per deed recorded February 16, 1943, as Instrument 2325, Stanislaus County Records which is also the Southern line of the property conveyed to Wallace E. and Anne E. Blomdahl as per deed recorded April 12, 1946, as Instrument 9133, Stanislaus County Records; thence Easterly along the Northern line and

its Westerly extension of said Winn property to the North-eastern corner of said Winn property, said corner also being on the existing City Limits as established by the Gregory Gardens No. 2 Addition as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence Southerly along the existing City Limits and the Western line of said Gregory Gardens No. 2 Addition to the Southwestern corner of said Gregory No. 2 Addition; thence Easterly along the existing City Limits and the Southern line of said Gregory Gardens No. 2 Addition to the Northwestern corner of said North Park Addition; thence Southerly along the existing City Limits and the Western line of said North Park Addition to the point of beginning, containing 24.88 acres more or less.



The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST.


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 476

A RESOLUTION AMENDING SECTION 1 OF 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", RELATING TO PARKING METER ZONES.

BE IT RESOLVED by the Council of the City of Modesto that Section 1 of 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" be amended to read as follows:

SECTION 1. PARKING METER ZONES. Parking meter zones are hereby established at the following locations:

- 9th Street, between H and K Streets (northeast side)
- 10th Street, between F and Needham Streets (both sides)
- 11th Street, between G and L Streets (both sides)
- 12th Street, between G and L Streets (both sides)
- 13th Street, from two hundred (200') feet southeast of the southeasterly property line of H Street to L Street (both sides)
- G Street, between 9th and 12th Streets (both sides)
- H Street, between 6th and 8th Streets (both sides)
- H Street, between 8th and 9th Streets (northwest side)
- H Street, between 9th and 13th Streets (both sides)
- I Street, between 9th and 14th Streets (both sides)
- J Street, between 9th and 15th Streets (both sides)
- K Street, between 9th and 14th Streets (both sides)
- L Street, between 9th and 11th Streets (both sides)
- Needham Street, between College Avenue and Nellie Avenue (north side)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18 day of November, 1959, by Councilman Knoles, who moved

its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolu-
tion adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-477

A RESOLUTION GRANTING A VARIANCE TO J. A. MENGELT TO PERMIT THE INSTALLATION OF BLACKTOP DRIVEWAY ON LUCERNE AVENUE AT THE REAR OF 608 DUNCAN AVENUE

WHEREAS, a request was filed by J. A. Mengelt on November 13, 1959, for a variance from the Modesto Municipal Code to permit the construction of a blacktop driveway approximately 21 feet in length 5 feet from the property line on Lucerne Avenue at the rear of 608 Duncan Avenue, and

WHEREAS, said applicant has agreed to waive the 5 day written notice of the hearing as required by the Municipal Code, and

WHEREAS, Section 7-1.203 of the Municipal Code relating to sidewalk and driveway construction provides that no sidewalk, driveway, driveway approach, curb or curb and gutter, shall be constructed other than of concrete unless special permission therefore has first been obtained from the Council, and

WHEREAS, the Director of Public Works has studied and investigated the matter and recommends that the request be granted on the following basis:

(a) On a temporary basis and requiring the removal of the blacktop in the event that at a future date the street cross section calls for concrete curb and gutter and driveways on the north side of the street.

(b) In view of the uncertainty involved that no bond or cash deposit be required in connection with this permit as required by Resolution No. 58-235 adopted by the City Council on July 23, 1958.


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of J. A. Mengelt for a variance from the provisions of the Modesto Municipal Code to permit the construction of a blacktop driveway approximately 21 feet in length 5 feet from the property line on Lucerne Avenue at the rear of 608 Duncan Avenue, 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 18 day of November, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-478

A RESOLUTION GRANTING A PERMIT TO THE SALVATION ARMY TO PLACE A KETTLE HOUSE IN FRONT OF THE S. H. KRESS & COMPANY STORE, 944 TENTH STREET, IN THE CITY OF MODESTO DURING THE CHRISTMAS SEASON

WHEREAS, the Salvation Army has filed a request with the City Council for permission to install one kettle house in parking space No. 24 in front of S. H. Kress & Company, 944 Tenth Street, during the Christmas season, beginning November 27 through December 24, 1959,

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 place a (8' x 6' x 4') kettle house in front of S. H. Kress & Company store, 944 Tenth Street, during the Christmas season, beginning November 27, 1959, and ending December 24, 1959, 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 is permitted to operate the kettle house on a 24 hour basis providing it works out arrangements with the Police and Traffic Departments for properly marking the house at night and arrange to remove the debris from the street area around the house since it would be impossible for the street sweeper to sweep the street.

SECTION 3. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have on file a 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 25th day of November, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-479

A RESOLUTION APPROVING THE TRANSFER OF PLANNING CONSULTANT CONTRACT TO EBASCO SERVICES, INC.

WHEREAS, the City of Modesto entered into Agreement LPO-P/15-CS-3 on January 19, 1959, with the State of California, Department of Finance, for planning consultant work, and

WHEREAS, a part of such work was to be done under contract by the State of California and Pacific Planning & Research, and

WHEREAS, Pacific Planning & Research has now been acquired by the Ebasco Services, Inc., and

WHEREAS, Pacific Planning & Research has requested that the Department of Finance of the State of California transfer the current planning consultant contract with the City of Modesto to Ebasco Services, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the transfer of the planning consultant contract to Ebasco Services, Inc.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-480

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR FURNISHING DOMESTIC PIPE FITTINGS

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

Section 1. The plans and specifications for the furnishing
of domestic pipe 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, 717 10th Street, in the City
of Modesto, on Monday, December 14, 1959 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 25 day of
November, 1959, by Councilman VanderWall, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:



REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-481

A RESOLUTION ACCEPTING THE BID OF \$16,537.59 FROM W. M. LYLES COMPANY
FOR CONSTRUCTION OF SUBTRUNK AND PERIMETER SEWER IN STRATHMORE SUBDIVISION

WHEREAS, Resolution No. 59-454, adopted by the Council of
the City of Modesto on November 12, 1959, approved the plans and
specifications for the construction of subtrunk and perimeter sewer in
Strathmore Subdivision

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of subtrunk and
perimeter sewer in Strathmore Subdivision

were opened at 2:00 P.M. November 23, 1959 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 W. M. Lyles Company in the sum of \$16,537.59

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of W. M. Lyles
Company in the sum of \$16,537.59

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 25 day of November,
1959, by Councilman VanderWall, who moved its adoption, which
motion being duly seconded by Councilman Knoles, was upon roll
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-482

A RESOLUTION APPROVING ~~PLANS-AND-SPECIFICATIONS~~ AND AUTHORIZING THE
CALLING FOR BIDS FOR FURNISH BACKHOE FOR INDUSTRIAL TRACTOR

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

Section 1. The ~~plans-and~~ specifications for furnishing
backhoe for industrial tractor.

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, 717 10th Street, in the City
of Modesto, on Monday, December 7, 1959 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 25 day of
November, 1959, by Councilman Adams, who moved its
adoption, which motion being duly seconded by Councilman Arata,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL

RESOLUTION NO. 59-483

A RESOLUTION RELATING TO THE INSTALLATION OF CHRISTMAS DECORATIONS ON THE STREET LIGHTING STANDARDS IN DOWNTOWN MODESTO BY THE MODESTO MERCHANTS ASSOCIATION.

WHEREAS, the City and the Modesto Merchants Association entered into an agreement dated November 26, 1958, relating to the installation of Christmas decorations on street lighting standards along certain streets within the City, and

WHEREAS, said agreement does not authorize the installation of electric lights in said Christmas decorations, and

WHEREAS, the Association desires to install lights in said Christmas decorations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the provisions of the aforesaid agreement be and they are hereby amended to authorize the installation of electric lights in the Christmas decorations provided that said lighting facilities and the decorations are installed, maintained and operated in compliance with all laws, rules and regulations of any governmental agency applicable thereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

Noes: None Absent: None

ATTEST


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-484

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS EAST FLOYD 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 October 14, 1959, 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 EAST FLOYD ADDITION, and described as follows:

All that certain real property situate 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 on the Eastern line of the existing Corporate City Limits as established by the Montgomery Village Addition, as per description filed August 3, 1959 as Instrument 22312, Stanislaus County Records, said point being the intersection of the Eastern line of said Montgomery Village Addition and the Southern line of a 40 foot public road known as Floyd Avenue as shown on the Coffee Colony map filed January 13, 1906, in Volume 2 of maps at page 22, Stanislaus County Records; thence Easterly along said Southern line of Floyd Avenue, 1002.65 feet to the Eastern line of the property conveyed to Robert P. Bomberger, et al, by deed recorded December 11, 1958, as Instrument 31627, Stanislaus County Records; thence Southerly along said Eastern line of the Bomberger property to the Southeastern corner thereof, said point being on the East-West quarter section line of Section 16 and the Southern line of said Coffee Colony; thence Westerly along said quarter section line and said Southern line of the Coffee Colony to its intersection with the Eastern line of Montgomery Village Addition and the existing City Limits; thence Northerly along said Eastern line of Montgomery Village Addition to the point of beginning, containing 29.94 acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 6, 1959, consider the proposed annexation boundaries of said EAST FLOYD ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. That if said territory is annexed it shall not become part of the school district of the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 6th day of January, 1960, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 25 day of November, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-485

A RESOLUTION AUTHORIZING PAYMENT OF \$1,500 TO WILLIAM F. BELL, ARCHITECT FOR DRYDEN PARK MUNICIPAL GOLF COURSE

WHEREAS, the City of Modesto entered into a contract agreement on May 11, 1959 with William F. Bell, Architect for the Dryden Park Municipal Golf Course, and

WHEREAS, the work is now complete and payment of the balance under the contract of \$1,500 is now due and payable,

NOW, THEREFORE, BE IT RESOLVED that the payment of \$1,500 to William F. Bell, Architect, 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 25th day of November, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 486

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS O'SHEA 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 2, 1959, 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 O'SHEA ADDITION, and described as follows:

All that certain real property situate 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 said point being the intersection of the center line of Ila Way and the Northern line of the LESLIEHUGH TRACT as shown in the Amended Map thereof, filed June 11, 1931 in Volume 11 of Maps at Page 20, Stanislaus County Records; thence Southerly along the existing City Limits and the center line of Ila Way to a point which is 125 feet Northerly from the Northern line of Helen Avenue as shown on said Leslielugh Tract; thence Westerly along the existing City Limits, which is parallel with and 125 feet at right angles Northerly from said Northern line of Helen Avenue, to the Western line of said LESLIEHUGH TRACT; thence Northerly along said western line of the LESLIEHUGH TRACT and the Western line of Lot 18 of the HIGH HOMES TRACT, filed January 28, 1920 in Volume 9 of Maps at Page 24, Stanislaus County Records, to the Northwestern corner of said Lot 18 of the High Homes Tract; thence Easterly along the Northern line of said Lot 18 of the High Homes Tract and the Easterly extension thereof, to the center line of Ila Way and the point of beginning, containing 1.547 acres, more or less.

3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 6, 1959, consider the proposed annexation boundaries of said O'SHEA ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. ~~That if said territory is annexed it shall become part of the school district of the City of Modesto~~

5. NOTICE IS HEREBY GIVEN that the 6th day of January, 1960, at the hour of 4:35 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 25 day of November, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-487

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HUGH E. GALLAGHER AND MADELINE FAY GALLAGHER FOR AMENDMENT TO RIGHT OF WAY CONTRACT (No. M-83) McHENRY AVENUE WIDENING PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Hugh E. Gallagher and Madeline Fay Gallagher

for amendment to Right of Way Contract No. M-83 dated November 6, 1957, which contract set forth the terms and conditions under which Grantors dedicated to the State of California for highway purposes certain real property, (McHenry Avenue widening project) 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 25 day of November, 1959, by Councilman Spaulding, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-488

A RESOLUTION AUTHORIZING THE RELEASE OF \$1,000. PERFORMANCE BOND FILED BY FRANK FRANCEK TO GUARANTEE IMPROVEMENTS IN MONTGOMERY VILLAGE #2

WHEREAS, Frank Francek, Subdivider of Montgomery Village No. 2, has 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,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the performance bond in the sum of \$1,000. filed by Frank Francek to guarantee the improvements in the Montgomery Village 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 25th day of November, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-489

A RESOLUTION AUTHORIZING THE RELEASE OF \$2,642.10 CASH BOND FILED BY PHIL HUMPHREYS TO GUARANTEE IMPROVEMENTS IN HACIENDAS DEL OESTE SUBDIVISION

WHEREAS, Phil Humphreys, Subdivider of Haciendas del Oeste Subdivision, has filed with the City of Modesto a cash bond in the sum of \$3,029.20 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, with the exception of the payment of \$387.10 inspection fees, and has recommended that the cash bond of \$3,029.20, less inspection fees of \$387.10, be released.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cash bond filed by Phil Humphreys to guarantee the improvements in the Haciendas del Oeste Subdivision, in the sum of \$3,029.20, less inspection fees of \$387.10, a total of \$2,642.10, 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 25th day of November, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-490

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
PACIFIC TELEPHONE & TELEGRAPH COMPANY RELATING TO INSTALLATION OF
TELEPHONE FACILITIES IN THE NEW CITY HALL

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Pacific Telephone &
Telegraph Company

for installation of telephone facilities in the new city hall

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 25 day
of November, 1959, by ~~Councilman~~ Mayor Hammond, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-491

A RESOLUTION APPROVING APPROPRIATION TRANSFERS RELATING TO THE CAPITAL IMPROVEMENT PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following appropriation transfers be approved:

FROM: #66 College Avenue from Coldwell to Briggsmore - 503 Reserve - 600	\$18,679.00 8,093.00
TO: #60 Tully Avenue from 9th to Coldwell - 503 #68 Roseburg Avenue from Tully to McHenry - 503 Improvement of G St. to 5th & 6th to 7th - 503 Reconstruction of 14th St. H to J St. - 503	\$ 3,000.00 2,772.00 9,500.00 11,500.00
FROM: Present Lot Development - 503 (209)	\$ 3,200.00
TO: 11th Street Garage - 502 (209)	\$ 3,200.00
FROM: Parking Reserve - 600	\$ 5,000.00
TO: 11th Street Garage - 502 (209)	\$ 5,000.00
FROM: McHenry Library Capital Outlay Reserve - 600	\$20,000.00
TO: Land Acquisition, Present Site McHenry Library - 501 (301)	\$20,000.00
FROM: Park & Recreation Facilities Fund Reserve - 600	\$42,000.00
TO: Park Site Acquisition New Sylvan School Area - 501 (325) Park Site Acquisition LaLoma Area - 501 (325) Improvements, Roosevelt Park - 503 (325) Development Garrison School Park - 503 (325) Continued Development Whitmore Park - 503 (325)	\$17,500.00 6,500.00 10,000.00 1,200.00 6,800.00
FROM: Special Capital Outlay Reserve - 600	\$330,110.00
TO: Fire Station Site, Kearney & Coldwell - 501 Fire Station, McHenry Village - 502 Police Station, Preliminary Study - 502 City Hall & Parking Garage - 502 Communication Center - 502 Parks Improvements, Various Irrigation System, Enslin Park - 503 Playground Equipment - 503 Curb & Gutter, Brookway Park - 503 Ball Park Fence, Beardbrook (addl.) - 503 Resurface, refence Tennis Courts, Graceada - 503 Reconstruction of Dennett Dam - 503 Chain link fence, Sewer Farm - 503 Traffic Signal Interconnection, 10th & 11th, G & L - 503 Traffic Signals, 9th at Needham, Kansas, Tully-503 Traffic Signals, Yosemite at LaLoma, Santa Cruz-503 Traffic Signal, 14th & D - 503	\$ 5,000.00 35,000.00 10,000.00 53,000.00 45,590.00 3,100.00 1,500.00 2,500.00 80.00 3,000.00 84,000.00 16,900.00 1,875.00 8,500.00 7,900.00 3,000.00

Traffic Signal, 12th & J - 503	\$ 3,300.00
Traffic Signal, Paradise & Sutter - 503	3,570.00
Traffic Signal, 16th & J - 503	3,500.00
Co-op. Street Paving Program - 503	10,000.00
Fire Engine - 1250 CPM - 504	26,000.00
McHenry Avenue Widening - 503	2,500.00
Chicago Avenue Improvement - 503	210.00
Beardbrook Park Restroom - 503	25.00
Westside Park Restroom - 503	60.00
	<u>330,110.00</u>

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959, by Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-492

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
M & M AUTO PARKS, INC. FOR LEASE OF THE FIFTEENTH STREET PARKING LOT

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and M & M AUTO PARKS,
INC.

for lease of the Fifteenth Street parking lot

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 25 day
of November, 1959, by ~~Councilman~~ Mayor Hammond, who moved
its adoption, which motion being duly seconded by Councilman
Spaulding, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-493

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CLIFFORD C. AND FLORETTA DEAN FOR THE RENTAL OF HOUSE AT 701 FRANKLIN STREET, CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Clifford C. and Floretta Dean

for rental of house at 701 Franklin Street, City of Modesto

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 25 day of November, 1959, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-494

A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF MODESTO

WHEREAS, the State Employees' Retirement Law permits the participation of public agencies and their employees in the State Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said law; and

WHEREAS, one step in said procedure is the adoption by the legislative body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the changes proposed in said contract; and

WHEREAS, the following is a summary of the proposed change:

1. A monthly allowance shall be paid in lieu of the basic death benefit to certain survivors of a member who dies in employment after qualifying for voluntary service retirement.

2. A monthly allowance shall be paid to certain eligible survivors of a member who dies before retirement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto gives, and it does hereby give notice of intention to approve an amendment to contract between said City Council and the Board of Administration of the State Employees' Retirement System, a summary of the major provisions of the proposed change and a copy of said amendment being attached hereto, marked Exhibit "A" and by this reference made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959, by Councilman Adams, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall
Mayor Hammond
NOES: Councilmen: None ABESENT: Councilmen: None

ATTEST:



CITY CLERK

EXHIBIT A

Benefits to Employees Under
SERS SURVIVOR BENEFITS
(Benefits provided by Sections 21380-21386 of the Retirement Law)

BENEFITS

Survivors of members who elect coverage under the SERS Survivor program and whose death occurs before retirement will receive a monthly life income as follows:

Widow and two or more dependent children or Three or more dependent children, alone	\$250
Widow and one dependent child or Two dependent children, alone	\$180
Widow, alone, age 62 (widower age 65) or One dependent child, alone	\$90
If there is no widow or dependent child, then to each dependent parent (mother 62, father 65)	\$90

Conditions:

1. A dependent child is one under the age of 18 and unmarried, or a disabled child of any age who has been continuously disabled since age 18.
2. A widow ceases to be eligible for a benefit upon her remarriage.
3. A widower will be eligible for a benefit the same as a widow provided he was dependent upon the deceased member for at least one-half of his support.
4. The basic death benefit currently included in your retirement program provides that should a member die prior to his retirement, his beneficiary would be paid the member's accumulated contributions plus an additional amount equal to one-month's salary for each year of service, up to a maximum of six months. The above survivors benefits will be payable in addition to any basic death benefit the survivor may be entitled to receive.
5. If a member is covered under both the SERS survivor benefit described above and the survivor benefits as provided in Section 21365.5 of the Retirement Law, (Section 21337 for safety members) the survivor would receive the greater of the two allowances, but not both.
6. The special death benefit provides the widow of a safety member whose death is "in line of duty" is a monthly allowance equal to one-half of the member's "final compensation". If the widow is also eligible for a benefit under the survivor program herein described she will not receive both benefits, rather she will receive the larger of the two.

COST TO THE EMPLOYEE

Each employee will contribute \$2.00 a month in addition to his normal retirement contributions. He will continue to pay this additional amount until either termination of employment or retirement and under no circumstances will they be refundable.

EFFECTIVE DATE

On _____ date, all present members of the System will be given the opportunity by written ballot to select this survivor coverage. Persons who choose coverage will remain covered until they terminate their employment or retire. IT IS NOT NOW PROVIDED that persons, who do not choose coverage will be allowed to choose coverage at a later date.

For agencies not covered under OASDI all future employees would be mandatorily covered under this program. For agencies who are covered under OASDI all future employees are mandatorily covered under OASDI and, therefore, are not eligible for the SERS survivor benefits.

EXAMPLE

Under the SERS survivor program, if a member passes away before retirement leaving a widow and four children, the widow would receive a monthly income of \$250 until such time as the three oldest children have passed age 18 (so that she now only has one child under the age of 18) at which time her benefit would be reduced to \$180. The \$180 would continue to be paid until the last child passes the age of 18 at which time the payment would cease until the widow reaches the age of 62 at which time she would begin to receive \$90 for the remainder of her lifetime. The widow ceases to be eligible for a benefit should she remarry although the benefit would continue to any remaining children under the age of 18.

AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM
AND THE

CITY COUNCIL

OF THE

CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF MODESTO, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective December 1, 1950, and July 1, 1956 and November 1, 1959, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

1. The following paragraphs shall be added to said Contract:

5.(c)(8). Article 6, Chapter 9 Section 21380-6 (providing for allowance for survivors of members upon death before retirement).

5.(c)(9).and 6.(g)(6).

Section 21365.5 (providing a monthly allowance in lieu of the basic death benefit for certain survivors of a member who dies in employment after qualifying for voluntary service retirement).

7.(e). \$5.00 per month for each employee covered under the provisions of Section 21380-6 (SERS Survivors program).

2. This amendment shall be attached to said contract and shall become effective on the _____ day of _____.

Witness our hands this _____ day of _____.

BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE
CITY OF MODESTO

BY _____
William E. Payne,
Executive Officer

BY _____
Presiding Officer

Attest;

Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-495

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
COATES, HERFURTH AND ENGLAND, CONSULTING ACTUARIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Coates, Herfurth &
England, Consulting Actuaries

for determining the approximate contribution by the City of Modesto for
amending its contract with the State Employees' Retirement System
to include Section 21365.5 (death while eligible)--providing a monthly
allowance shall be paid in lieu of the basic death benefit to certain
survivors of a member who dies in employment after qualifying for
voluntary service retirement,
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 25 day
of November, 1959, by Councilman Spaulding, who moved
its adoption, which motion being duly seconded by Councilman
Adams, was upon roll call carried and the resolution
adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-496

A RESOLUTION COMMENDING THE MODESTO HIGH SCHOOL FOOTBALL TEAM

WHEREAS, the Modesto High School Football Team has, during the recently completed season, demonstrated high levels of sportsmanship on and off the field of play, and

WHEREAS, by virtue of outstanding individual effort and fine team play, the accomplishments of this team have far surpassed the pre-season expectations, and

WHEREAS, on November 20, 1959, the Modesto High School Panthers, in a close fought final game, overcame the Turlock High School Bulldogs and won the Central California Conference football championship,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does hereby extend congratulations to the team, its members, the coaching staff and the student body of Modesto High School for a good season, well played and for a championship deservedly won by clean hard play throughout the 1959 football season.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959, by Councilman Knoles, 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: Adams, Arata, Knoles, Martin, Spaulding, Vander-
Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-497

A RESOLUTION COMMENDING THE TURLOCK HIGH SCHOOL FOOTBALL
TEAM

WHEREAS, the Turlock High School Football Team has completed a successful football season playing and winning as good sportsmen and gentlemen, and

WHEREAS, the Turlock Hi Bulldogs played the Modesto Hi Panthers for the Central California Conference championship on November 20, 1959, and

WHEREAS, as the Bulldog Team by its hard clean play reflected honor upon the team, its members, the coaching staff and the Turlock High School student body,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Modesto that it does hereby extend its congratulations to the Turlock Bulldogs, a fine team, representing a fine school, for its good football season well played.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1959, 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: Adams, Arata, Knoles, Martin, Spaulding, Vander-
Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-498

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO EXPRESSING ITS SYMPATHY AND CONDOLENCE TO THE FAMILY OF DR. TULLY C. KNOLES

WHEREAS, Dr. Tully C. Knoles has devoted a lifetime of service to his family, his church, his fellow scholars, and his students, and

WHEREAS, Dr. Knoles has contributed greatly to the welfare of mankind by the humanitarian example he has set, the goodness he has instilled in others, and his staunch support of truth throughout his life of serving others, and

WHEREAS, Dr. Tully Knoles has been beloved in the hearts of his family and by all those who knew him, especially those who have been strengthened by his teachings, many of whom are responsible citizens in our community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto does, in the passing of Dr. Tully C. Knoles, express its condolence to his wife and to his family, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby directed to send this expression of sympathy and condolence to Mrs. Edith Knoles, and

BE IT FURTHER RESOLVED that this meeting of the City Council of the City of Modesto be and it is hereby adjourned in the memory of Dr. Tully C. Knoles.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1959, by Councilman Vanderwall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: **Adams, Arata, Martin, Vanderwall, Mayor Hammond**

NOES: Councilmen: **None**

ABSENT: Councilmen: **Knoles, Spaulding**

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-499

A RESOLUTION ACCEPTING THE BID OF \$2,399.28 FROM INDUSTRIAL TRACTOR SALES FOR FURNISHING ONE NEW TRUCK CRANE.

WHEREAS, Resolution No. 59-452, adopted by the Council of the City of Modesto on November 12, 1959, approved the plans and specifications for the furnishing of one new truck crane

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one new truck crane

were opened at 2:00 P.M. November 30, 1959 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 Tractor Sales in the sum of \$2,399.28

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of Industrial Tractor Sales in the sum of \$2,399.28

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 2 day of December, 1959, by Councilman Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Spaulding

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-500

A RESOLUTION ACCEPTING THE BID OF \$2,973.20 FROM W. M. LYLES COMPANY
FOR CONSTRUCTION OF SUNSET SUBTRUNK SEWER

WHEREAS, Resolution No. 59-455, adopted by the Council of
the City of Modesto on November 12, 1959, approved the plans and
specifications for the construction of Sunset subtrunk sewer

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Sunset
subtrunk sewer

were opened at November 23, 1959 at 2:15 P.M. 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 W. M. Lyles Company in the sum of \$2,973.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of W. M. Lyles
Company in the sum of \$2,973.20

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 2 day of December,
1959, by Councilman Adams, 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: Adams, Arata, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-501

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$571 FROM GENERAL RESERVE TO MISCELLANEOUS UNCLASSIFIED FOR AUTOMOTIVE INSURANCE

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

FROM: General Reserve - 600 \$571.

TO: Miscellaneous Unclassified \$571.
Insurance, Automotive 412-65

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2 day of December, 1959, by Councilman Arata, 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: Adams, Arata, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Spaulding

ATTEST:


Rex E. Gallifus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-502

A RESOLUTION ACCEPTING THE BID OF \$7,268.68 FROM W. M. LYLES COMPANY FOR CONSTRUCTION OF SUBTRUNK AND PERIMETER SEWER IN MONTGOMERY VILLAGE NO. 3 SUBDIVISION

WHEREAS, Resolution No. 59-472, adopted by the Council of the City of Modesto on November 18, 1959, approved the plans and specifications for the construction of Montgomery Village No. 3 subtrunk and perimeter sewer

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Montgomery Village No. 3 subtrunk and perimeter sewer

were opened at 2:15 P.M. November 30, 1959 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 W. M. Lyles Company in the sum of \$7,268.68

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED that the bid of W. M. Lyles Company in the sum of \$7,268.68

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 9 day of December, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: 

CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-503

A RESOLUTION APPROVING ~~PLANS AND~~ SPECIFICATIONS AND AUTHORIZING THE
CALLING FOR BIDS FOR ONE RUBBER-TIRED TRACTOR

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

Section 1. The ~~plans and~~ specifications for one rubber-tired
tractor

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, 717 10th Street, in the City
of Modesto, on December 28, 1959 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 9 day of
December, 1959, by Councilman VanderWall, who moved its
adoption, which motion being duly seconded by Councilman Knoles,
was upon roll call carried and the resolution adopted by the following
vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-504

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION AGENCY FOR FEDERAL AID PARTICIPATION AT MODESTO CITY-COUNTY AIRPORT (AIRPORT CONTROL TOWER)

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 to assist in the construction of an airport control tower 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 9th day of December, 1959, by Councilman Knoles, 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:Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen:None
ABSENT: Councilmen:Arata

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-505

A RESOLUTION APPROVING RIGHT OF WAY CONTRACT BETWEEN THE CITY OF MODESTO AND ISABEL N. LOPEZ FOR WIDENING OF McHENRY AVENUE AND AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City of Modesto has entered into an agreement with the American Right of Way and Appraisal Contractors for procuring certain rights of way and properties within the City and along McHenry Avenue, and

WHEREAS, the following right of way contract is now complete as follows:

<u>Document No.</u>	<u>Name</u>
M-72	Isabel N. Lopez

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Modesto approve this Right of Way Contract as presented and the City Manager be authorized to sign on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 9th day of December, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-506

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRED M. JOHNSON, CONSULTING ENGINEER, FOR ENGINEERING SERVICES TO ANALYZE AND REPORT ON THE EFFECT OF STORM DRAINAGE WATERS ON WATER LEVEL IN BEARD BROOK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Fred M. Johnson, Consulting Engineer

for engineering services to analyze and report on the effect of storm drainage waters on water level in Beard Brook

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 9th day of December, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 507

A RESOLUTION AUTHORIZING RENEWAL OF PERMIT
TO OPERATE BUS LINE TO WILLIS KLEINENBROICH
D. B. A. MODESTO MOTOR BUS SERVICE IN THE CITY
OF MODESTO.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the permit heretofore granted to Willis Kleinenbroich to operate the Modesto Motor Bus Service in the City of Modesto be renewed for a period beginning December 14, 1959, and ending December 13, 1964. Said renewal is granted subject to the same terms and conditions as are applicable to the existing 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, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Adams, Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond
NOES: None
ABSENT: Arata

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 508

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SARATOGA MANOR ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

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

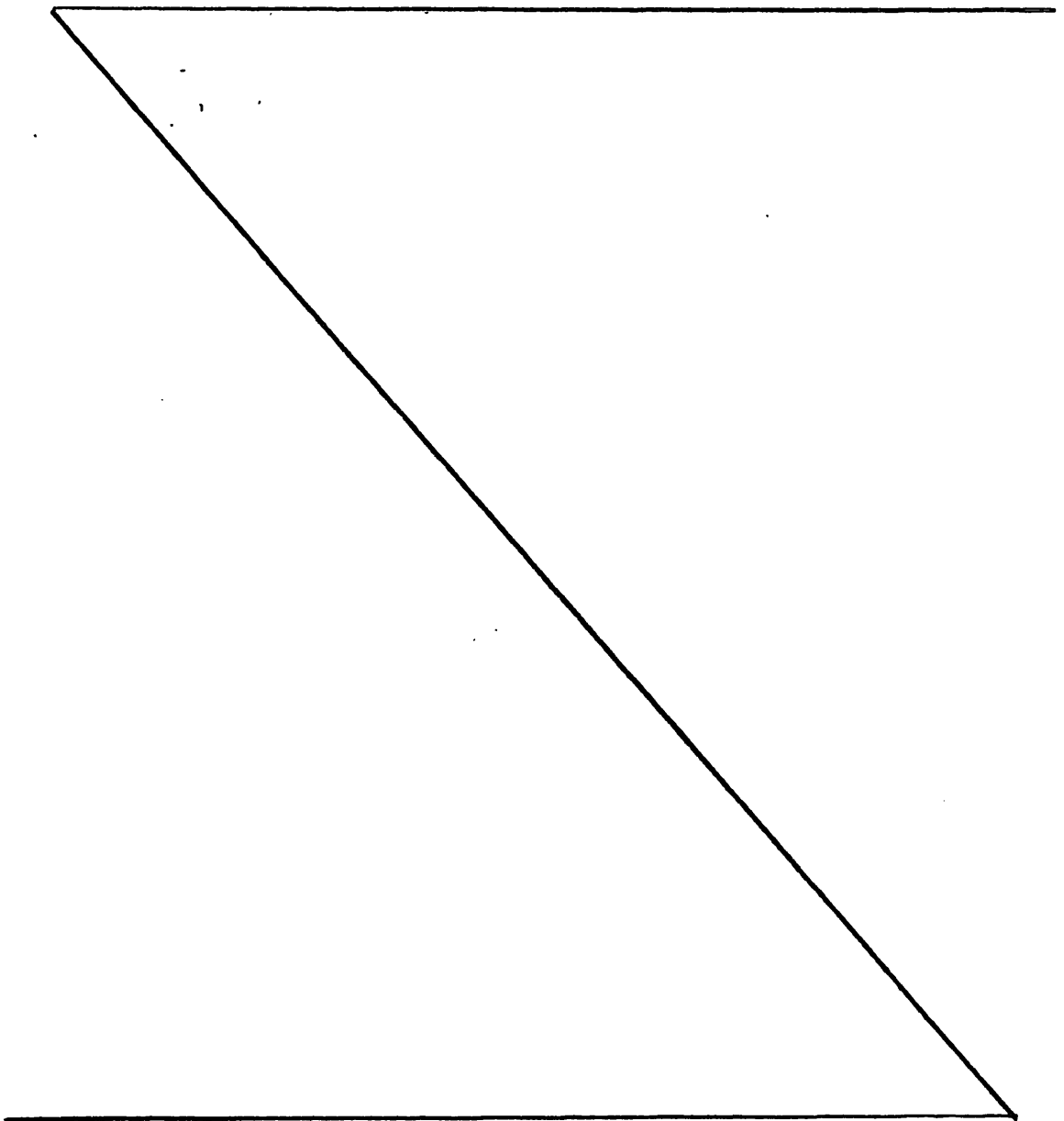
1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, a petition signed by owners of not less than one fourth of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus, was filed with the Council of the City of Modesto on October 22, 1959, 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 SARATOGA MANOR ADDITION, and described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Carverwood Addition, as per description filed March 11, 1959, as Instrument 6960, Stanislaus County Records, said point also being the Southwestern corner of North Park Addition as per description filed September 8, 1958, Instrument 22252, Stanislaus County Records; thence Westerly along the Northern line of said Carver wood Addition to a point on the Western line of a 40.00 foot County Road known as Carver Road, said point also being the Southeastern corner of property conveyed to Dessa J. Driver as per deed recorded May 23, 1958, as Instrument 12820, Stanislaus County Records; thence Northerly along the Western line of said Carver Road and the Eastern line of said Driver property to the point of intersection of the Westerly extension of the Northern line of property conveyed to Nellie Winn as per deed recorded February 16, 1943, as Instrument 2325, Stanislaus County Records which is also the Southern line of the property conveyed to Wallace E. and Anne E. Blomdahl as per deed recorded

April 12, 1946, as Instrument 9133, Stanislaus County Records; thence Easterly along the Northern line and its Westerly extension of said Winn property to the Northern eastern corner of said Winn property, said corner also being on the existing City Limits as established by the Gregory Gardens No. 2 Addition as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence Southerly along the existing City Limits and the Western line of said Gregory Gardens No. 2 Addition to the Southwestern corner of said Gregory No. 2 Addition; thence Easterly along the existing City Limits and the Southern Line of said Gregory Gardens No. 2 Addition to the Northwestern corner of said North Park Addition; thence Southerly along the existing City Limits and the Western line of said North Park Addition to the point of beginning, containing 24.88 acres more or less.



3. That the County Boundary Commission of Stanislaus County, California, did in session duly assembled on October 6, 1959, consider the proposed annexation boundaries of said SARATOGA MANOR ADDITION, as above described, and as submitted to said Commission by the proponents of said annexation.

4. ~~That if said territory is annexed it shall not become part of the school district of the City of Modesto.~~

5. NOTICE IS HEREBY GIVEN that the 20th day of January, 1960, at the hour of 4:30 o'clock P.M. of said day, in the Council Chambers at the McHenry Public Library, located at Fourteenth and I Streets 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 Bee, 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 9 day of December, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:



City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-509

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$53,500 FROM GENERAL RESERVE TO WATER FOR WATER LINES & HYDRANT EXTS.

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

FROM: General Reserve \$53,500.

TO: Water 503-50 \$53,500.
Water Lines & Hydrant Exts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of December, 1959, by Councilman Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST:


Rex E. Gallus, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-510

A RESOLUTION ACCEPTING THE RESIGNATION OF DON L. MEYERS FROM THE
MODESTO CITY PLANNING COMMISSION

WHEREAS, Don L. Meyers has served as a member of the Modesto City Planning Commission since February 13, 1958, and

WHEREAS, Mr. Meyers has tendered his resignation as a member of this Commission, effective December 16, 1959,

NOW, THEREFORE, BE IT RESOLVED that the resignation of Don L. Meyers from the Modesto City Planning Commission be accepted with regrets and Mayor Hammond be authorized to write a letter of appreciation to Mr. Meyers for his faithful service to the City while serving on this Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1959, by Councilman Arata, 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: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-511

A RESOLUTION ACCEPTING BIDS FOR PIPE FITTINGS FOR THE YEAR 1960

WHEREAS, Resolution No. 59-480, adopted by the Council of the City of Modesto on November 25, 1959, approved the plans and specifications for the furnishing of pipe fittings for the year 1960, and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of pipe fittings for the year 1960 were opened at 10:00 A.M. December 14, 1959, and later tabulated by the Purchasing Department for the consideration of the Council, and

WHEREAS, the City Manager has recommended that the following bids be accepted as the lowest responsible bids:

J. Greenberg & Co. for Items 1-4 of the specifications in the sum of \$1,659.06;

R. H. Baker Co. Inc. for Items 5-9 of the specifications in the sum of \$243.25;

Heieck & Moran for Items 10-59 of the specifications in the sum of \$469.89.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the recommendation of the City Manager for the purchase of pipe fittings for the year 1960 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 16th day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST: _____


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-512

A RESOLUTION ACCEPTING THE BID OF FARM EQUIPMENT CENTER INC. IN THE SUM OF \$3,428.88 FOR THE FURNISHING OF ONE NEW BACKHOE

WHEREAS, Resolution No. 59-482, adopted by the Council of the City of Modesto on November 25, 1959, approved the specifications for the furnishing of one new backhoe, and

WHEREAS, the bids received for the furnishing of one new backhoe were opened at 2:00 P.M. December 7, 1959, and later tabulated by the Public Works Department for the consideration of the Council, and

WHEREAS, the Director of Public Works has reported that the bid of Farm Equipment Center Inc. in the sum of \$3,428.88 for a Davis Model 220 meets the specifications with the following minor exceptions:

1. Specifications require reach from the swing post 14 feet minimum. This model is 13 ft. 10 inches.
2. Specifications provide for a dumping height of 8 feet 6 inches. This model is 8 feet.

and recommended that this bid be accepted subject to the requirement that approved assembly and installation must be made on the city's tractor, and

WHEREAS, the Council finds and determines that the bid of Farm Equipment Center Inc. is the lowest responsible bid and substantially meets the specifications and that minor variations from the specifications be waived.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Farm Equipment Center in the sum of \$3,428.88 for a Davis Model 220 be accepted and its purchase authorized subject to the requirement that approved assembly and installation must be made on the city's tractor.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, by Mayor Hammond, who moved its adoption, which motion

being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-513

A RESOLUTION APPROVING ~~PLANS-AND-SPECIFICATIONS~~ AND AUTHORIZING THE CALLING FOR BIDS FOR FURNISHING GASOLINE AND DIESEL FUEL FOR THE YEAR 1960

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

Section 1. The ~~plans-and-specifications~~ for furnishing of gasoline and diesel fuel for the year 1960

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, 717 10th Street, in the City of Modesto, on January 4, 1960 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 16 day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST: 
REX E. GAILFUS, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 514

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT PROVIDING FOR THE PARTICIPATION OF THE CITY OF MODESTO IN THE STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING ITS EMPLOYEES MEMBERS OF SAID SYSTEM.

WHEREAS, the Board of Administration of the State Employees' Retirement System and the City Council of the City of Modesto entered into a contract effective August 1, 1946, providing for the participation of said City of Modesto in the State Employees' Retirement System, and

WHEREAS, it is now desirable to take advantage of certain benefits provided under said Retirement System, and not included in said contract,

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

That said City Council authorize, and it does hereby authorize, an amendment to said Contract, a copy of said amendment being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

That the presiding officer of the City Council be, and he is hereby authorized, empowered and directed to execute said amendment for and on behalf of said City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Mayor Hammond, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM
AND THE

CITY COUNCIL

OF THE

CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF MODESTO, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective December 1, 1950, and July 1, 1956 and November 1, 1959, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

1. The following paragraphs shall be added to said Contract:

5.(c)(8). Article 6, Chapter 9 Section 21380-6
(providing for allowance for survivors
of members upon death before retirement.

5.(c)(9). and 6.(g)(6).

Section 21365.5 (providing a monthly allowance in lieu of the basic death benefit for certain survivors of a member who dies in employment after qualifying for voluntary service retirement).

7.(e). \$5.00 per month for each employee covered under the provisions of Section 21380-6 (SERS Survivor program).

2. This amendment shall be attached to said contract and shall become effective on the 1 day of Jan., 1960.

WITNESS our hands this 23 day of December.

CITY COUNCIL OF THE CITY OF MODESTO

By Don D. Hammond
DON D. HAMMOND, Mayor

BOARD OF ADMINISTRATION
STATE EMPLOYEES' RETIREMENT SYSTEM

ATTEST:

By REX E. GAILFUS, City Clerk

By WILLIAM E. PAYNE, Executive Officer

"EXHIBIT A"

MODESTO CITY COUNCIL
RESOLUTION NO. 59-515

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF MODESTO. (MODESTO INDUSTRIAL PARK ADDITION)

WHEREAS, a portion of the Industrial Fire Protection District was annexed to the City of Modesto by Ordinance No. 284-C.S., adopted on February 18, 1959, and

WHEREAS, said territory officially became a part of the City on February 25, 1959, 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 following described territory be withdrawn from the boundaries of the Industrial Fire Protection District:

All that real property situate in the State of California, County of Stanislaus, Sections 5, 8 and 9 Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, said point being at the intersection of the center line of the Tuolumne River and the Northerly extension of the Eastern line of Lot 1 of the Rio Grande Colony as shown on the map filed July 5, 1912, in Volume 6, Page 47, Stanislaus County Records; thence Southerly along the Eastern line of said Lot 1 and its Northerly extension, to the Northeastern corner of the property described in decree to Mabel Marie Nutter recorded September 17, 1956, as Instrument Number 25500, Stanislaus County Records; thence

Westerly along the Northern line of said Nutter property and its Westerly extension, to the North-western corner of the property described in the deed to H. A. Thompson, et al, and John Cole, ^{recorded April 21,} 1956, as Instrument Number 10352, Stanislaus County Records, thence Southerly along the Western line of said Thompson and Cole property to the Southwestern corner thereof, said corner being on the North-western line of a 40 foot Public Road known as Hatch Road; thence Southeasterly at right angles to the Northwestern line of said Hatch Road to a point on the Southeastern line of said Hatch Road, said point being also on the Northwestern Right of Way line of the Turlock Irrigation District Lateral Number 1; thence Northeasterly along the Southeastern line of said Hatch Road to its intersection with the Westerly extension of the Southern Right of Way line of said Lateral Number 1; thence Easterly along the Southern Right of Way line of said Lateral Number 1 and its Westerly extension, to a point which is the intersection of the Northern line of First Avenue and the Northerly extension of the Western line of the 20 foot alley in Block 9008 as shown on the map of the South Modesto Acres Tract Number 3, filed in Volume 14 of Maps, Page 7, Stanislaus County Records; thence Southerly along the Western line of the 20 foot Alley in said Block 9008 and its Northern extension to a point on the Northern line of Second Avenue as shown on said map of South Modesto Acres Tract Number 3; thence Easterly along the Northern line of said Second Avenue and its Easterly extension to a point on the Eastern line of a 60 foot Public Road known as Crows Landing Road, as said road is shown on the map of the South Modesto Acres Subdivision filed in Volume 11 of Maps, Page 27, Stanislaus County Records; thence Southerly along the Eastern line of said Crows Landing Road to the Northwestern corner of Lot 6 of said South Modesto Acres Subdivision; thence Easterly along the Northern line of said Lot 6 to the Northeastern corner thereof; thence parallel to the Eastern line of Crows Landing Road, Southerly along the Eastern line of said Lot 6 and its Southerly extension to a point on the Northern line of the property described in the deed to Tidewater Southern Railroad Company recorded August 19, 1952, as Instrument Number 19402, Stanislaus County Records; thence Easterly along the Northern line of said Railroad property to a point on the Western line of the Tidewater Southern Railroad Right of Way said point being 25 feet at right angles Westerly from the North-South quarter section line of said Section 9; thence Northerly along the Western line of said Railroad Right of Way to its intersection with the Westerly extension of the Southern line of the Olympic Tract as shown on the map filed in Volume 14 of Maps, Page 55 Stanislaus County Records; thence Easterly along the Southern line of the Olympic Tract and its Westerly extension to the Southeast corner of said Olympic Tract, said point being on the Western line of a 40 foot Public Road known as Morgan Road as shown on the map of the Midway Tract, filed in Volume 5 of Maps,

Page 46, Stanislaus County Records; thence Southerly along the Western line of said Morgan Road to the Southeastern corner of Lot 12 of said Midway Tract; thence Westerly along the Southern line of Lots 12 and 13 of said Midway Tract to the Southwestern corner of said Lot 13, said point being the Northeastern corner of the Southwest quarter of the Southeast quarter of said Section 9; thence Southerly along the Eastern line of the Southwest quarter of the Southeast quarter of said Section 9 to a point on the Northern line of a 40 foot Public Road known as Whitmore Road; thence Westerly along the Northern line of said Whitmore Road to the point of intersection with the Western line of said Tidewater Southern Railroad Right of Way said point being 25 feet at right angles Westerly from the North-South quarter section line of said Section 9; thence Northerly along the Western line of said Railroad Right of Way to a point on the Southern line of the Northwest quarter of said Section 9; thence Westerly along the Southern line of the Northwest quarter of said Section 9 to its intersection with the Eastern line of said Crows Landing Road; thence Northerly along the Eastern line of said Crows Landing Road to the Southwestern corner of Lot 6 of said South Modesto Acres Subdivision; thence Westerly along the Westerly extension of the Southern line of Lot 6 of said South Modesto Acres Subdivision to a point on the Western line of said Crows Landing Road; thence Northerly along the Western line of said Crows Landing Road to the Northeastern corner of Block 9001 of said South Modesto Acres Tract Number 3; thence Westerly along the Southern line of Second Avenue as shown on the map of said South Modesto Acres Tract Number 3, to the Northwestern corner of Block 9009 of said South Modesto Acres Tract Number 3; thence Northerly along the Northerly extension of the Western line of said Block 9009, to a point on the Northern line of Second Avenue; thence Westerly along the Northern line of Second Avenue and its Westerly extension, to a point on the Eastern line of the 20 foot Alley in Block 9019 of said South Modesto Acres Tract Number 3; thence Northerly along the Eastern line of said 20 foot Alley to its intersection with the Easterly extension of the Southern line of Lots 4 and 5 of said Rio Grande Colony, said line being also the Northern line of said Hatch Road; thence Westerly along the Southern line of Lots 4 and 5 and its Easterly extension to the Southwestern corner of said Lot 5; thence Northerly along the Western line of said Lot 5 and its Northerly extension to a point on the existing City Limits which is on the center line of the Tuolumne River; thence Northeasterly along the existing City Limits and the center line of said Tuolumne River, to the point of beginning, containing 270 Acres more or less.

BE IT FURTHER RESOLVED that such withdrawal shall be effective January 1, 1960.

BE IT FURTHER RESOLVED that the City Clerk be, and he is directed to file a certified copy of this resolution with the State Board of Equalization, the governing body of said Fire Protection District, the County Clerk of Stanislaus County, 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 16 day of December, 1959, by Councilman Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-516

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

WHEREAS, a portion of the McHenry- Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 286 -C.S., adopted on February 18, 1959, and

WHEREAS, said territory officially became a part of the City on February 25, 1959, 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 following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 8 of the Coolidge Colony, as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records, described as follows:

Commencing at the Northeastern corner of said Lot 8; thence along the Eastern line of said Lot 8, South $00^{\circ} 10'$ East, 150.00 feet, to the true point of beginning; thence continuing along said Eastern Line of Lot 8, South $00^{\circ} 10'$ East, 155.00 feet, to the Northern Line of a 50 foot public road known as Orangeburg Avenue, as shown on the map of said Coolidge Colony; thence along said Northern line of Orangeburg Avenue, North $89^{\circ} 00'$ West, 110.00 feet; thence North $00^{\circ} 10'$ West, 155.00 feet; thence South $89^{\circ} 00'$ East, 110.00 feet, to the true point of beginning, containing 0.391 Acre 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 16 day of December, 19 59, by Councilman Arata, 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: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST: 
City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-517

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

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 289 -C.S., adopted on ^{the} 18th day of February, 19 59, and

WHEREAS, said territory officially became a part of the City on February 25, 19 59, 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 following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

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

Beginning at a point on the existing City Limits line said point being the Southwestern corner of the Zlab Addition to the City of Modesto, according to the boundary description filed January 18, 1956 as Instrument No. 1481, Stanislaus County Records, said point also being the Southeastern corner of the West half of Lot 11 of Rice Colony, as per map filed in Volume 1 of Maps, Page 54, Stanislaus County Records, and a Record of Survey Map filed March 19, 1957 in Volume 7, Page 7, Record of Surveys, Stanislaus County Records; thence along the existing City Limits and the Eastern

line of said West half of Lot 11 of the Rice Colony, North 0° 24' 10" West, 658.18 feet, to the Northern line of said Lot 11 of Rice Colony and the Northwestern corner of the Zlab Subdivision No. 2 Addition, according to the boundary description filed October 20, 1958, as Instrument 26117, Stanislaus County Records; thence along the Northern line of said Lot 11 of Rice Colony as shown in said Record of Survey Map, North 89° 32' 40" West, 641.36 feet, to the Eastern line of a 40 foot public road known as El Vecino Avenue; thence along said Eastern line of El Vecino Avenue, South 0° 32' 40" East, 659.91 feet, to the Southern line of said Lot 11 of Rice Colony, which is also the Northern line of the Loconte Subdivision, as per map filed in Volume 17 of Maps, Page 65, Stanislaus County Records; thence along said Northern line of the Loconte Subdivision and the Southern line of said Lot 11 of Rice Colony, South 89° 41' 42" East, 639.71 feet, to the Northeastern corner of said Loconte Subdivision and the point of beginning, containing 9.69 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 16 day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST: 

City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 518

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

WHEREAS, a portion of the McHenry - Dry Creek Fire
Protection District was annexed to the City of Modesto by Ordinance
No. 317 -C.S., adopted on July 1, 1959, and

WHEREAS, said territory officially became a part of the
City on July 3, 1959, and

WHEREAS, the Health and Safety Code of the State of Calif-
ornia provides that whenever any portion of such a District is in-
cluded 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 following described territory be withdrawn from
the boundaries of the Mc Henry - Dry Creek Fire Protection
District:

All that certain real property situate in the State of
California, County of Stanislaus, Section 16, Township
3 South, Range 9 East, Mount Diablo Base and Meridian,
being portions of Lots 2, 3, 18 and 19 of the Coffee
Colony as per map filed January 13, 1906 in Volume 2 of
Maps, Page 22, Stanislaus County Records, described
as follows:

Beginning at the Northeastern corner of the existing
Corporate City Limits as established by the Northeast
Addition, filed January 31, 1958 as Instrument 2427,
Stanislaus County Records, said point being on the
Southern line of a 40 foot public right-of-way
known as Floyd Avenue and the Eastern line of a 40 foot
public right of way known as Sunrise Avenue as per map
of Montgomery Village No. 2 Subdivision, filed May 14,
1957 in Volume 18 of Maps, Page 68, as Instrument 12680,
Stanislaus County Records, said point also being on the

Western line of Lot 19 of said Coffee Colony and bearing South $0^{\circ} 38'$ East, 20.00 feet from the Northwestern corner of said Lot 19; thence along the existing City Limits and the Southern line of said Floyd Avenue, North $89^{\circ} 30' 30''$ West, 495.00 feet, to the intersection with the Southerly extension across Floyd Avenue of the Western line of property conveyed to Robert P. Bomberger by deed recorded January 14, 1959, Instrument 1085, Stanislaus County Records; thence along said Southerly extension and the Western line of said Bomberger property, North $0^{\circ} 39'$ West, 365.00 feet, to the Southern line of property conveyed to Robert P. Bomberger by deed recorded March 27, 1959, Instrument 8950, Stanislaus County Records; thence along the Southern line of last mentioned Bomberger property, North $89^{\circ} 30' 30''$ West, 6.00 feet, to the Southwest corner thereof; thence along the Western line of last mentioned Bomberger property, North $1^{\circ} 55' 40''$ West, 358.71 feet to the Northwestern corner thereof; thence along the Northern line of last mentioned Bomberger property, South $89^{\circ} 29' 50''$ East, 14.00 feet to the Northeastern corner thereof; thence along the Western line of said Bomberger property as mentioned in Instrument 1085, North $0^{\circ} 39'$ West, 616.60 feet to the Northwestern corner of said Bomberger property said point being on the Northern line of Lot 3 of said Coffee Colony; thence along the Northern line of said Bomberger property and the Northern line of said Lot 3, South $89^{\circ} 30'$ East, 495.00 feet to the Northeastern corner thereof; thence along the Northern line of Lot 2 of said Coffee Colony and the Northern line of property conveyed to Robert P. Bomberger by deed recorded December 2, 1958 as Instrument 30582, Stanislaus County Records, South $89^{\circ} 30'$ East, 661.22 feet to the Northeastern corner thereof; thence along the Eastern line of said Lot 2 and the Eastern line of said Bomberger property, South $0^{\circ} 36' 30''$ East, 1117.36 feet to the Southern line of property conveyed to John E. Hirleman by deed recorded April 13, 1959 as Instrument 10562, Stanislaus County Records; thence along said Southern line of Hirleman property, North $89^{\circ} 30' 30''$ West, 100.00 feet to the Western line of property conveyed to James H. Wilson, et ux, by deed recorded December 17, 1953 as Instrument 31388, Stanislaus County Records; thence along said Western line of Wilson property and its Southerly extension across Floyd Avenue, South $0^{\circ} 36' 30''$ East, 222.50 feet to the Southern line of said Floyd Avenue; thence along said Southern line of Floyd Avenue, North $89^{\circ} 30' 30''$ West, 560.00 feet to the point of beginning containing 35.116 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 16 day of December, 19 59, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-519

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

WHEREAS, a portion of the McHenry - Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 328 -C.S., adopted on July 22, 1959, and

WHEREAS, said territory officially became a part of the City on July 24, 1959, 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 following described territory be withdrawn from the boundaries of the McHenry - Dry Creek Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 2 and 19 of the COFFEE COLONY, as per map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at the Northeastern corner of the existing Corporate City Limits as established by the Northeast Addition, filed January 31, 1958 as Instrument 2427, Stanislaus County Records, said point being on the Southern line of a 40 foot public right-of-way known as Floyd Avenue and the Eastern line of a 40 foot public right-of-way known as Sunrise Avenue as per map of Montgomery Village No. 2 Subdivision, filed May 14, 1957 in Volume 18 of Maps, as Instrument 12680, Stanislaus County Records, said point also being on the Western line of Lot 19 of said Coffee Colony and bearing Southerly 20.00 feet from the Northwestern corner of said Lot 19; thence along the Southern line of said Floyd Avenue, South 89° 30' 30" East, 560.26 feet

to the Southerly extension across Floyd Avenue of the Western line of property conveyed to James H. Wilson, et ux, by deed recorded December 17, 1953 as Instrument 31388, Stanislaus County Records; thence along said Southerly extension and the Western line of said Wilson property, North $0^{\circ} 36' 30''$ West, 222.50 feet to the Southwestern corner of property conveyed to John E. Hirleman by deed recorded April 13, 1959 as Instrument 10562, Stanislaus County Records; thence along the Southern line of said Hirleman property, South $89^{\circ} 30' 30''$ East, 100.00 feet to the Southeastern corner thereof and the Eastern line of said Wilson property, said line also being the Eastern line of said Lot 2 of Coffee Colony; thence along said Eastern line of Lot 2, South $0^{\circ} 36' 30''$ East, 202.50 feet to the Southeastern corner of said Lot 2 and the Northeastern corner of said Lot 19; thence along the Eastern line of said Lot 19, South $0^{\circ} 49' 45''$ East, 1319.95 feet to the Southeastern corner of said Lot 19; thence along the Southern line of said Lot 19, North $89^{\circ} 31' 45''$ West, 660.84 feet to the Southwestern corner of said Lot 19 and the existing City Limits; thence along the existing City Limits and the Western line of said Lot 19, North $0^{\circ} 48' 15''$ West, 1300.18 feet to the point of beginning, containing 20.22 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 16 day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 520

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

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District was annexed to the City of Modesto by Ordinance No. 337 -C.S., adopted on October 28, 1959, and

WHEREAS, said territory officially became a part of the City on October 30, 1959, 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 following described territory be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District:

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

Beginning at a point on the existing city limits, said point being the Northeastern corner of the Covell Addition as per map filed August 22, 1956, Instrument 22580, Stanislaus County Records, said point also being on the Southern line of Hintze Avenue and the existing City limits; thence along said city limits, South 88° 57' West, 263.00 feet to a point which is 25.00 feet West of the center line of McHenry Avenue; thence continuing along the city limits parallel to and distant 25.00 feet west of the center line of McHenry Avenue North 0° 56' West 163.44 feet; thence North 88° 57' East, 68.00 feet to the Northwestern corner of property conveyed to Charles J. and Harriet T. Allen as per deed recorded

February 5, 1945, Stanislaus County Records; thence along the Northern line of said Allen property, North 88° 57' East, 207.00 feet to the Northeastern corner of said Allen property, said corner also being on the Western line of property conveyed to Donald F. and Lillian L. Potter as per deed recorded May 3, 1955, Instrument 12981; thence along the Western line of said Potter property, North 0° 56' West, 21.56 feet to the Northwestern corner of said Potter property; thence along the Northern line of said Potter property North 88° 57' East, 80.00 feet to the Northeastern corner of said Potter property; thence along the Eastern line of said Potter property, South 0° 56' East, 125.00 feet to the Southeastern corner of said Potter property, said corner also being on the Northern line of Hintze Avenue; thence along the Northern line of Hintze Avenue South 88° 57' West, 92.00 feet to a point 12.00 feet West of the Southeastern corner and on the Southern line of said Allen property; thence South 0° 56' East, 60.00 feet to a point on the Southern line of Hintze Avenue, said point also being the Northeastern corner of said Covell Addition and the point of beginning, containing 1.05 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 16 day of December, 1959, by Councilman Arata, 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: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO 59-521

A RESOLUTION THAT THE MATTER OF APPEAL TO THE COUNCIL FROM THE DECISION OF THE PLANNING COMMISSION NOT TO REZONE THE RAY GADA PROPERTY IN BLOCK 6060 BE CONTINUED AND THAT THE PLANNING COMMISSION BE ASKED FOR A FURTHER REPORT IN ACCORDANCE WITH PROVISIONS OF SECTION 10-2.2114 OF THE MUNICIPAL CODE AND THAT THE DECISION OF THE COUNCIL BE WITHHELD UNTIL THIS FURTHER REPORT IS RECEIVED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the matter of appeal to the Council from the decision of the Planning Commission not to rezone the Ray Gada property in Block 6060 be continued, and

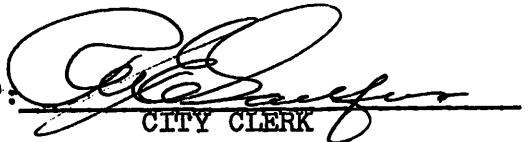
BE IT FURTHER RESOLVED that the Planning Commission be asked for a further report in accordance with provisions of Section 10-2.2114 of the Municipal Code and that the decision of the Council be withheld until this further report is received.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1959 by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman VanderWall, failed of adoption because it did not receive four affirmative votes as required by the Charter.

Ayes: Arata, VanderWall, Mayor Hammond

Noes: Knoles Absent: Adams, Martin, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-522

A RESOLUTION DENYING REQUEST OF JACK M. WHERRY TO PERMIT RAISED CURBING TO REMAIN ON HIS PROPERTY AT 417 MENSINGER AVENUE IN THE CITY OF MODESTO

WHEREAS, Jack M. Wherry, 417 Mensinger Avenue, has filed a request for a variance from the following provision of the Modesto Municipal Code:

Sec. 7-1.104(g) All work shall be done under the supervision of the Director of Public Works and in accordance with City specifications in effect at the time of such work.

WHEREAS, the Director of Public Works has reported that the construction of two driveway approaches with raised curbing extending into the sidewalk area to a height of 3 inches would not be in conformity with city standards and would create tripping hazards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Jack M. Wherry for a variance to permit the construction of two driveway approaches with raised curbing extending into the sidewalk area to a height of 3 inches at 417 Mensinger Avenue be and it is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1959, 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: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


CITY CLERK

RESOLUTION NO. 59-523

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

WHEREAS, FRESNO GUARANTEE SAVINGS AND LOAN ASSOCIATION,
a corporation
is ~~are~~ possessed of a tract of land situate in the City of Modesto,
County of Stanislaus, consisting of 9.06 acres, known as the
MORAN ESTATES UNIT NO. 1,
_____ ,
and

WHEREAS, a tentative map of said tract was approved by the
City Planning Commission on the 21st day of July, 1959,
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 MORAN ESTATES UNIT NO. 1
_____ 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
MORAN ESTATES UNIT NO. 1
_____ 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 certi-
fy the map of said tract on behalf of the City of Modesto after the
fees in the amount of Nine hundred fifty and no/100ths (\$950.00)
_____ 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 Four
Thousand, Five Hundred and no/100ths (\$34,500.00) 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.

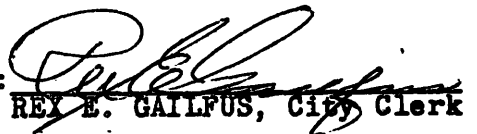
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 524

A RESOLUTION CONSENTING TO THE GRANTING OF A LICENSE BY THE NAVAL RESERVE ELECTRONICS FACILITY TO THE FLEET RESERVE ASSOCIATION TO USE THE ELECTRONICS FACILITY.

WHEREAS, the City of Modesto leased to the United States of America a portion of the Modesto City-County Airport by agreement designated NOy(R)-48717 for the establishment of a Naval Reserve Electronics Facility, and

WHEREAS, said agreement prohibits the use of said leased premises by others, and

WHEREAS, the Twelfth Naval District has requested consent in granting a license to the Fleet Reserve Association, Branch 197, to meet at the Naval Reserve Electronics Facility one night per month,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that consent is hereby granted to the Twelfth Naval District and to the Naval Reserve Electronics Facility to permit the Fleet Reserve Association, Branch 197, to meet at the Facility one night per month.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-525

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRESNO GUARANTEE SAVINGS AND LOAN ASSOCIATION FOR SHARING COST OF SANITARY SEWER CONSTRUCTION IN MORAN ESTATES SUBDIVISION NO. 1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Agreement between the City of Modesto and Fresno Guarantee Savings and Loan Association, a Corporation

for sharing cost of sanitary sewer construction in Moran Estates Subdivision No. 1

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 16 day of December, 19 59, by Councilman Arata, 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: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-526

A RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION AS INDICATED IN ITS RESOLUTION NO. 558 BASED ON THE FINDINGS SET FORTH THEREIN DENYING THE APPEAL OF RAY GADA FOR THE REZONING OF PORTION OF BLOCK 6060

WHEREAS, an application for an amendment to Section 20 of the Zoning Map for rezoning from R-1 to C-1, a portion of lot 9 in Block 6060, on the north side of Coolidge Avenue west of McHenry Avenue to develop a parking area between two commercial buildings was filed by Ray Gada with the Planning Commission, and

WHEREAS, the Planning Commission, after hearing evidence both oral and documentary, denied said application for rezoning of the area by Resolution No. 558, adopted on November 3, 1959, and

WHEREAS, on November 9, 1959, Ray Gada filed an appeal with the City Clerk to the decision of the Planning Commission on November 3, 1959, denying his request for rezoning the area, and

WHEREAS, the Council of the City of Modesto conducted a public hearing on said appeal at its meeting held on December 23, 1959, hearing evidence both oral and documentary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the decision of the Planning Commission denying the application of Ray Gada for an amendment to Section 20 of the Zoning Map to reclassify from Single-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1, a portion of lot 9 in Block 6060, on the north side of Coolidge Avenue west of McHenry Avenue be reaffirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding

NOES: Councilmen: Arata, VanderWall, Mayor Hammond

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-527

A RESOLUTION ACCEPTING THE CONSTRUCTION OF EXTENSION OF SANITARY SEWER FACILITIES IN CARVER ROAD FROM PEARL TO EVERGREEN ROAD AND A SEWAGE LIFT STATION FOR PARK MANOR SUBDIVISION BY W. M. LYLES COMPANY; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of extension of sanitary sewer facilities in Carver Road from Pearl to Evergreen Road and a sewage lift station for Park Manor Subdivision has been completed by W. M. Lyles Company

in accordance with the contract agreement dated September 23, 1959,


NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer facilities in Carver Road from Pearl to Evergreen Road and a sewage lift station for Park Manor Subdivision be accepted from said contractor W. M. Lyles 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 23 day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-528

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY
FROM THE **EMPIRE** FIRE PROTECTION
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF
MODESTO. (MORAN ADDITION)

WHEREAS, a portion of the **Empire** Fire
Protection District was annexed to the City of Modesto by Ordinance
No. 349 -C.S., adopted on December 9, 1959, and

WHEREAS, said territory officially became a part of the
City on December 11, 1959, and

WHEREAS, the Health and Safety Code of the State of Calif-
ornia provides that whenever any portion of such a District is in-
cluded 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 following described territory be withdrawn from
the boundaries of the Empire Fire Protection
District:

**All that certain real property situate in the State of
California, County of Stanislaus, Section 27, Township 3
South, Range 9 East, Mount Diablo Base and Meridian,
described as follows:**

**Beginning at the Northeastern corner of the existing
corporate city limits as established by the La Loma-
Yosemite Addition, filed December 4, 1953 as Instrument
30045, Stanislaus County Records, said point being at the
intersection of the Southern line of the Modesto Irrigation
District Lateral No. 2 and the Northerly extension of the
Eastern line of the alley in Block 2258, as per map of the
Alta Vista Tract No. 2, filed May 15, 1947 as Instrument
13379, Stanislaus County Records; thence Westerly along
said city limits line and said Southern line of the
Modesto Irrigation District Lateral No. 2 to the Southerly
extension across said Modesto Irrigation District
Lateral No. 2 of the Western line of Lot 9 of the Beard**

Tract, filed November 18, 1907 in Volume 3 of Maps, Page 19, Stanislaus County Records; thence Northerly along said Southerly extension and the Western line of said Lot 9 to the Northwestern corner of said Lot 9; thence Easterly along the Northern line of said Lot 9 to the Western line of El Vista Avenue as per deed recorded April 9, 1956 as Instrument 9835, and deed recorded June 13, 1956 as Instrument 16405, Stanislaus County Records, said Western line being 50 feet West of the section line common to Sections 27 and 26, said section line being the center line of El Vista Avenue; thence Southerly along said Western line of El Vista Avenue to the Northern line of said Modesto Irrigation District Lateral No. 2; thence Westerly along said Northern line of said Modesto Irrigation District Lateral No. 2 to the intersection with the Northerly extension of said Eastern line of alley in Block 2258; thence Southerly along said Northerly extension of the Eastern line of alley in Block 2258 to the Southern line of said Modesto Irrigation District Lateral No. 2 and the point of beginning, containing 20.13 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 23 day of December, 1959, by Councilman 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-529

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

WHEREAS, a portion of the Burbank-Paradise Fire Protection District was annexed to the City of Modesto by Ordinance No. 285 -C.S., adopted on February 18, 1959, and

WHEREAS, said territory officially became a part of the City on February 25, 1959, 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 following described territory be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District:

All that certain real property situate 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 A and B of the Durand Tract, as per map filed January 21, 1947, in Volume 16 of Maps, Page 19, Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of Lot A of said Durand Tract, said corner being a point on the existing corporate City Limits established by the Sewage Disposal Plant Addition as per boundary description filed March 7, 1950, as Instrument 5120, Stanislaus County Records;

thence along said City Limits and the Northern line of said Lot A, East, 466.43 feet, to the Northeastern corner of said Lot A; thence continuing along said City Limits and the Eastern line of said Lots A and B, South 00° 48' East, 940.81 feet, to the Northeastern corner of the Dryden-Durand Addition according to the boundary description filed June 23, 1955, as Instrument 18187, Stanislaus County Records; thence along the boundary of said Dryden-Durand Addition and existing City Limits, South 77° 48' 25" West, 999.22 feet; thence North 63° 02' 00" West, 72.77 feet; thence North 00° 15' 00" East, 231.12 feet to a point on the Northwestern line of said Lot A of the Durand Tract; thence along the Northwestern line of said Lot A, North 30° 46' 30" East, 849.64 feet; thence continuing along the Northwestern line of said Lot A, North 38° 41' East, 201.96 feet to the point of beginning, containing 19.54 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 23 day of December, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-530

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY
FROM THE BURBANK-PARADISE FIRE PROTECTION
DISTRICT BY REASON OF ITS ANNEXATION TO THE CITY OF
MODESTO. (PARADISE CENTER NO. 2 ADDITION)

WHEREAS, a portion of the BURBANK-PARADISE Fire
Protection District was annexed to the City of Modesto by Ordinance
No. 299 -C.S., adopted on April 1, 1959, and

WHEREAS, said territory officially became a part of the
City on April 3, 1959, and

WHEREAS, the Health and Safety Code of the State of Calif-
ornia provides that whenever any portion of such a District is in-
cluded 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
with drawn, 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 following described territory be withdrawn from
the boundaries of the BURBANK-PARADISE Fire Protection
District:

All that certain real property situate in the State of
California, County of Stanislaus, Section 31, Township 3
South, Range 9 East, Mount Diablo Base and Meridian,
being a portion of Lot 5 of the Resurvey of Brichman's
Addition to the City of Modesto, filed October 15, 1904
in Volume 2 of Maps, Page 1, Stanislaus County Records,
described as follows:

Beginning at a point on the existing City Limits line at
the intersection of the center line of Sutter Avenue
and the Northern line of the Marshall Park Addition, as
per description filed December 3, 1957, Instrument No.
30118, Stanislaus County Records; thence Westerly along
said Northern line of the Marshall Park Addition to the
Northwestern corner thereof; thence Northerly along the
Northern extension of the Western line of said Marshall
Park Addition to the Southeastern line of Paradise Road
as shown on the map of said Brichman's Addition; thence
Northeasterly along said Southeastern line of Paradise
Road to the Southwestern corner of the property conveyed
to Harold A. Knowles, et ux, by deed recorded November 21,

1956, Instrument No. 31490, Stanislaus County Records; thence Southeasterly along the Southern line of said Knowles property to a point on the Western line of Sutter Avenue, which is 170 feet Southerly from the intersection of the Southeastern line of Paradise Road and the Western line of Sutter Avenue as these streets are shown on the map of said Brichman's Addition; thence Easterly at right angles to said Western line of Sutter Avenue 30 feet to the center line of Sutter Avenue and the existing City Limits line; thence Southerly along said center line of Sutter Avenue and the existing City Limits line to the point of beginning, containing 3.75 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 23 day of December, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 531

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

WHEREAS, a portion of the **Burbank-Paradise** Fire Protection District was annexed to the City of Modesto by Ordinance No. 320 -C.S., adopted on July 8, 1959, and

WHEREAS, said territory officially became a part of the City on July 10, 1959, 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 following described territory be withdrawn from the boundaries of the **BURBANK-PARADISE** Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Sections 6 and 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 1, 2, 3 and 4, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point

also being on the Eastern line of Robertson Park Playground, as per map of said River View Tract, and bearing South 0° 06' 37" West, 200.00 feet from the intersection of the Eastern line of said Robertson Park Playground and the Southern line of Fairfield Road as per map of said River View Tract; thence along said City Limits, North 89° 40' East, 1581.21 feet to the Eastern line of Lot 1; thence along the Eastern line of said Lot 1, North, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from said Southern line of Fairfield Road, South 89° 40' West, 1581.03 feet to the Eastern line of said Robertson Park Playground; thence along said Eastern line of Robertson Park Playground, South 0° 06' 37" West, 95.00 feet to the point of beginning, containing 3.448 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 23 day of December, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

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

WHEREAS, a portion of the **Burbank-Paradise** Fire Protection District was annexed to the City of Modesto by Ordinance No. 321-C.S., adopted on July 8, 1959, and

WHEREAS, said territory officially became a part of the City on July 10, 1959, 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

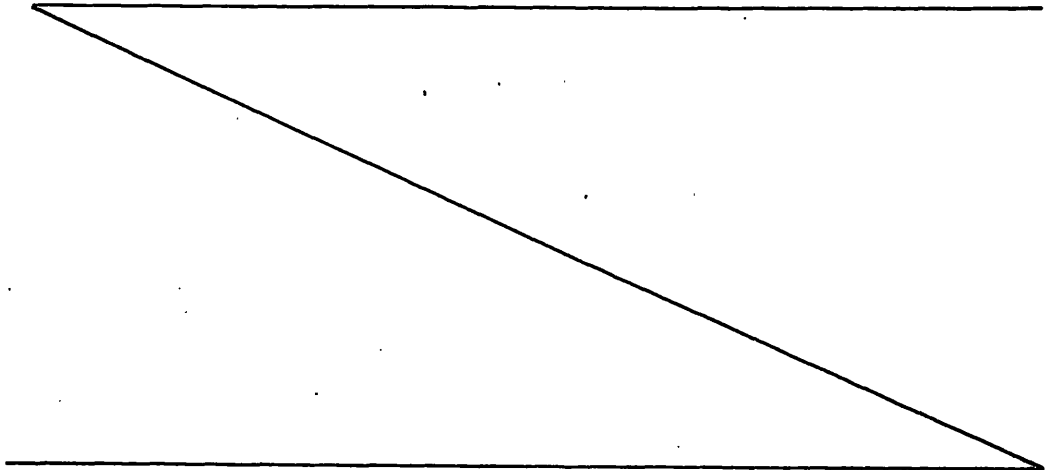
WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described territory be withdrawn from the boundaries of the **BURBANK-PARADISE** Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 5 and 6, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of Robertson Park Playground, as per map of said River View Tract, and bearing South 0° 12' West,

200.00 feet from the Southern line of John Street as per map of said River View Tract; thence along said City Limits, South 89° 40' West, 611.10 feet to the Western line of said Lot 6; thence continuing along said City Limits, North 0° 17' 30" East, 95.00 feet; thence North 89° 40' East, 610.95 feet to the Western line of said Robertson Park Playground; thence along the Western line of said Robertson Park Playground, South 0° 12' West, 95.00 feet to the point of beginning, containing 1.333 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 23 day of December, 19 59, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-533

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

WHEREAS, a portion of the **Burbank-Paradise** Fire Protection District was annexed to the City of Modesto by Ordinance No. 322 -C.S., adopted on July 8, 1959, and

WHEREAS, said territory officially became a part of the City on July 10, 1959, 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 following described territory be withdrawn from the boundaries of the **BURBANK-PARADISE** Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 7 and 8, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on

the Western line of said Lot 8 and bearing South 0° 01' 20" West, 209.58 feet from the Southern line of Donald Street as per map of said River View Tract; thence along said City Limits line and the Western line of said Lot 8, North 0° 01' 20" East, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from the Southern line of said Donald Street, North 89° 47' 30" East, 657.90 feet to its intersection with the Western line of Marlow Street as per map of said River View Tract; thence along the Western line of said Marlow Street, South 0° 17' 30" West, 0.42 feet; thence continuing along the Western line of said Marlow Street on a tangent curve concave to the Northeast, having a radius of 163.21 feet, a central angle of 35° 17' 50", a distance of 100.55 feet to a point on the existing City Limits; thence along said City Limits, South 89° 47' 30" West, 687.48 feet, to the point of beginning, containing 1.468 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 23 day of December, 19 59, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-534

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

WHEREAS, a portion of the **Burbank-Paradise** Fire Protection District was annexed to the City of Modesto by Ordinance No. 323 -C.S., adopted on July 8, 1959, and

WHEREAS, said territory officially became a part of the City on July 10, 1959, 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 following described territory be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District:

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 9 and 10, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of Vernon Avenue as per map of River View Tract and bearing South 0° 01' 20" West, 200.01 feet from the Southern line of Kenneth Street as per map of said River View Tract; thence along said City

Limits, South 89° 49' 10" West, 659.72 feet to the Western line of said Lot 10; thence along the Western line of said Lot 10, North 0° 14' 50" West, 95.00 feet; thence along the line parallel with and 105.00 feet at right angles Southerly from the point on the Southern line of said Kenneth Street, North 89° 49' 10" East, 660.16 feet to the Western line of said Vernon Avenue; thence along the Western line of said Vernon Avenue, South 0° 01' 20" West, 95.00 feet to the point of beginning, containing 1.439 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 23 day of December, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-535

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

WHEREAS, a portion of the Burbank-Paradise Fire Protection District was annexed to the City of Modesto by Ordinance No. 324--C.S., adopted on July 8, 1959, and

WHEREAS, said territory officially became a part of the City on July 10, 1959, 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

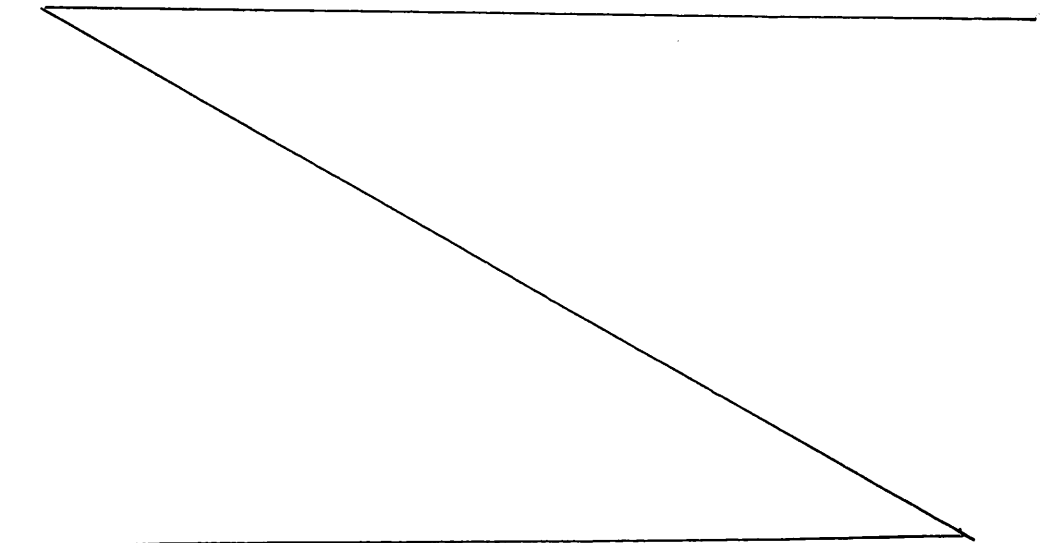
WHEREAS, it is to the best interests of the residents in the area of said Fire District which has been annexed to the City that the area be withdrawn from said Fire District and provided fire prevention and fire fighting services by the City,

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

All that certain real property situate 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 10 and 11 of the Rouse Colony as per map filed January 10, 1911, in Volume 5 of Maps, Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing corporate limits of the City of Modesto and the Northern line of the Dryden-Durand Addition, according to the boundary description filed June 23, 1955 as Instrument 18187, Stanislaus County Records, said point being the intersection of the center line of Sunset Avenue and the extension of the Southeastern line of Neece Drive as per map of the Durand Tract, filed January 21, 1947 in Volume 16 of Maps, Page 19, Stanislaus County Records; thence North 30° 46' 30" East, 220.51 feet along the City limits and the Southeastern line of said Neece Drive to the Western line of the Durand Addition, according to the boundary description

filed March 10, 1959 as Instrument 6806, Stanislaus County Records; thence continuing along the city limits and said Southeastern line of Neece Drive, North $30^{\circ} 46' 30''$ East, 276.44 feet to the Easterly extension across Neece Drive of the Southern line of Don Street as per map of said Durand Tract; thence West, 272.40 feet, along said Southern line of Don Street and its Easterly and Westerly extension to the Western line of said Sunset Avenue; thence South $0^{\circ} 15'$ West, 10.00 feet, to a point on the Northern line of property conveyed to the Sportsmen of Stanislaus, by deed recorded March 4, 1959, as Instrument 6319, Stanislaus County Records, said point also being on the Northern line of Lot 11 of said Rouse Colony; thence North $89^{\circ} 45'$ West, 614.65 feet, along said Northern line of the Sportsmen of Stanislaus property to the Northwestern corner thereof; thence South $0^{\circ} 15'$ West, 215.30 feet along the Western line of said Sportsmen of Stanislaus property; thence South $89^{\circ} 45'$ East, 210.00 feet; thence South $0^{\circ} 15'$ West, 139.00 feet to the Southern line of said Sportsmen of Stanislaus property and the Northern line of property conveyed to the City of Modesto by deed recorded March 4, 1959 as Instrument 6320, Stanislaus County Records; thence continuing South $0^{\circ} 15'$ West, 36.00 feet along the boundary of said City property; thence North $89^{\circ} 45'$ West 210.00 feet to the Northwestern corner of said City property; thence South $0^{\circ} 15'$ West 264.22 feet along the Western line of said City property to its intersection with the Southern line of said City property; thence South $89^{\circ} 45'$ East, 309.65 feet, along the Southern line of said City property to a point on the existing city limits according to the boundary description of said Dryden-Durand Addition; thence continuing along said city limits, and the Eastern line of said City property, North $0^{\circ} 15'$ East, 264.22 feet; thence South $89^{\circ} 45'$ East, 325.00 feet along said city limits to the Eastern line of said City property, said Eastern line being the center line of said Sunset Avenue; thence South $0^{\circ} 15'$ West, 26.80 feet along said center line of Sunset Avenue and the existing city limits to the true point of beginning, containing 7.958 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 23 day of December, 19 59, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-536

A RESOLUTION CONSENTING TO THE SUBLEASE OF PROPERTY OWNED BY THE CITY OF MODESTO LOCATED AT 905 AND 907 COMMERCIAL WAY, MODESTO, CALIFORNIA.

WHEREAS, the City of Modesto and PAUL J. CROSS, et ux, entered into an agreement on September 1, 1958, under the terms of which the city leased to Paul J. Cross, et ux, the premises owned by the city located at 905 and 907 Commercial Way, Modesto, California, and

WHEREAS, said lease agreement prohibits the subletting by the lessee of any portion of the premises without the consent in writing of the lessor, and

WHEREAS, lessees have requested the consent of city to sub-lease said premises to A. A. Allen and Julia O. Allen,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that consent be given to lessees Paul J. Cross, et ux, to sub-lease the leased premises at 905 and 907 Commercial Way, Modesto, California, to A. A. Allen and Julia O. Allen, subject to the terms and conditions contained in the aforementioned lease agreement dated September 1, 1958.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 23 day of December, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-537

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND
SAMUEL C. RIGGS FOR LEASE OF PREMISES AT 913½ I STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto
that the Agreement between the City of Modesto and Samuel C. Riggs

for lease of premises at 913½ I Street

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 23 day
of December, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-538

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO CANCEL CITY AND COUNTY TAXES AND ASSESSMENTS ON PROPERTY OWNED BY THE CITY OF MODESTO (HENNESSY PROPERTY)

WHEREAS, the following parcel of real property owned by the City of Modesto was annexed to the City on February 25, 1959, and

WHEREAS, Sections 4886(e) and 4986.2 of the Revenue and Taxation Code of the State of California authorizes the cancellation of City and County taxes and assessments on property acquired after the lien date by a public agency upon the written consent of the City Attorney and the District Attorney, respectively, and

WHEREAS, the City Attorney has consented to such cancellation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Board of Supervisors of Stanislaus County be, and it is hereby requested to cancel the 1959-60 City-County taxes and the 1959-60 assessment against the following described property owned by the City of Modesto and annexed to the City on February 25, 1959:

1959-1960 Tax Bill No. 38340	
80/8	63864
Coolidge Colony Lot 8 Beg. 150'	
S. of N.E. corner; th S 155'	
W. 110', N. 155'; E 110' to Beg.	
Total assessment	\$220.
1st. Installment Tax	7.95
2nd Installment Tax	7.95
Total Tax	\$ 15.90

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a duly authenticated copy of this resolution to the Clerk of the Board of Supervisors of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of December, 1959, by Councilman Arata, 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-539

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ROSE AVENUE TRUNK SEWER BY J. & M. INC.; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of Rose Avenue trunk sewer

has been completed by J. & M. Inc.

in accordance with the contract agreement dated September 16, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of Rose Avenue trunk sewer

be accepted from said contractor J. & M. 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 23 day of December, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-540

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SANITARY SEWER FACILITIES BY GEORGE REED; AUTHORIZING PAYMENT OF AMOUNTS DUE AND RECORDATION OF NOTICE OF COMPLETION WITH THE COUNTY RECORDER

WHEREAS, a report has been filed by the Director of Public Works that the construction of sanitary sewer facilities to Unit A-Norwegian Avenue; Unit B-Montgomery Village No. 3; Unit C-Yorkshire Manor Subd. has been completed by George Reed

in accordance with the contract agreement dated September 2, 1959

NOW, THEREFORE, BE IT RESOLVED that the construction of sanitary sewer facilities to Unit A-Norwegian Avenue; Unit B-Montgomery Village No. 3; Unit C-Yorkshire Manor Subd. be accepted from said contractor George Reed

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 23 day of December, 1959, by Councilman 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: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST:


CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-541

A RESOLUTION AMENDING SECTION 1 OF 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", RELATING TO PARKING METER ZONES, AND RESCINDING RESOLUTION NO. 59-476.

BE IT RESOLVED by the Council of the City of Modesto that Section 1 of 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" be amended to read as follows:

SECTION 1. PARKING METER ZONES. Parking meter zones are hereby established at the following locations:

- 9th Street, between G and K Streets (northeast side)
- 10th Street, between F and Needham Streets (both sides)
- 11th Street, between G and L Streets (both sides)
- 12th Street, between G and L Streets (both sides)
- 13th Street, from two hundred (200^o) feet southeast of the southeasterly property line of H Street to L Street (both sides)
- G Street, between 9th and 12th Streets (both sides)
- H Street, between 6th and 8th Streets (both sides)
- H Street, between 8th and 9th Streets (northwest side)
- H Street, between 9th and 13th Streets (both sides)
- I Street, between 9th and 14th Streets (both sides)
- J Street, between 9th and 15th Streets (both sides)
- K Street, between 9th and 14th Streets (both sides)
- L Street, between 9th and 11th Streets (both sides)
- Needham Street, between College Avenue and Nellie Avenue (north side)

SECTION 2. Resolution No. 59-476 adopted by the Council on November 18, 1959, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of December, 1959, by Councilman Mayor Hammond, who

moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Mayor
Hammond
NOES: Councilmen: VanderWall
ABSENT: Councilmen: None

ATTEST: Rex E. Gault
City Clerk *are*

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59- 542

WHEREAS, the City of Modesto, hereinafter designated as "Public Agency" has established a "deemed" retirement system pursuant to Section 218(d)(6) of the Federal Social Security Act composed of positions of members of the State Employees' Retirement System desiring coverage under the insurance system established by Title II of said Act as amended; and

WHEREAS, Section 218(d)(6)(F) of the said Act and Section 22155 of the California Government Code permits the transfer of positions of members not otherwise included, and members as defined in Section 22015 of the Government Code, to the "deemed" retirement system so established upon the filing of a request by the member with the State; and

WHEREAS, State and Federal law and regulations require as a condition of such transfer that the governing body of the Public Agency take the action set forth herein;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Administration, State Employees' Retirement System be, and it hereby is, requested to execute a modification to the California State Social Security Agreement to effect the transfer of members, including members as defined in Section 22015 of the Government Code, who so request on a timely and valid basis, to the "deemed" retirement system established pursuant to Section 218(d)(6) of the Federal Social Security Act composed of members of the State Employees' Retirement System desiring coverage under the insurance system established by Title II of the said Act as amended; and

BE IT FURTHER RESOLVED, that the said modification contain the same terms, conditions, and effective date of coverage with respect to services performed in positions covered by the State Employees' Retirement System with respect to the said members who so request before November 1, 1960; and

BE IT FURTHER RESOLVED, that Rex Gailfus, City Clerk, is hereby designated and appointed to give notice to members of their

transfer rights including members as defined in Section 22015 of the California Government Code and to furnish transfer request forms; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be filed with the Board of Administration, State Employees' Retirement System on or before February 1, 1960.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of December, 1959, by Councilman Adams, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:



City Clerk

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 59-543

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 December 15, 1959, in the Council Chamber 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 amendment, adopted Resolution No. 570 recommending to the Council that the proposed amendments were 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 amendments be set for 8:00 P.M., January 13, 1960, 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 23rd day of December, 1959, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: 
CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 59-544

A RESOLUTION APPOINTING CHARLES L. TOCALINO JR. A MEMBER OF THE
MODESTO CITY PLANNING COMMISSION

WHEREAS, Section 1100 of the Charter of the City of Modesto requires the City Council to appoint members to the Modesto City Planning Commission, and

WHEREAS, Don L. Meyers, on said Commission, resigned on December 16, 1959,

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 City Planning Commission for the respective term as indicated:

Charles L. Tocalino, Jr. for a term expiring
January 1, 1962

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed 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 23rd day of December, 1959, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 59-545

A RESOLUTION ESTABLISHING THE POLICY OF THE CITY
COUNCIL RELATING TO THE HONORING OF YOUTH FOR
OUTSTANDING ACCOMPLISHMENTS.

WHEREAS, it is in the best interests of the community to foster and encourage the public recognition of commendable achievements by its citizens, and

WHEREAS, it is believed especially desirable and fitting that such public recognition be given to the outstanding accomplishments by deserving youth of this community in order that more appropriate community emphasis may be placed on the many constructive and beneficial activities in which our young people engage,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it shall be the policy of this Council to publicly recognize the particularly meritorius and worthwhile achievements of young men and women of this community that are brought to its attention by adopting an appropriate resolution of commendation.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to implement the provisions of this resolution by developing and instituting procedures which will accomplish its objectives.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of December, 19 59, by Councilman Knoles, who moved its adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:


City Clerk

(SEAL)