

January 3, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Absent: Mayor Shannon

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of December 27, 1950 were approved as mailed to the Councilmen.

IN THE MATTER OF
PROGRESSIVE PAYMENT
PISANO BROS.

Commissioner Burkner introduced
RESOLUTION NO. 9252-N.S.

which was seconded by Commissioner Condit authorizing progressive payment of \$5789 25 to Pisano Brothers for the construction of Sanitary Sewer line from Franklin Street and H Street to the Mark Twain School on Emerald Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

2
IN THE MATTER OF
REAPPOINTMENT OF
FRANK C. DAMRELL ON
PERSONNEL BOARD

Commissioner Condit introduced
RESOLUTION NO. 9253-N.S.

which was seconded by Commissioner Burkner reappointing Frank C. Damrell to the Personnel Board for a period of four years from January 15, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

3
IN THE MATTER OF
APPLICATION TO STATE
FOR LEVEE REPAIR AT
TREATMENT PLANT

Commissioner Burkner introduced
RESOLUTION NO. 9254-N.S.

which was seconded by Commissioner Frad, recommending that the City of Modesto file an application with the State of California for an allocation of \$5000 00 from the funds made available by the provisions of Chapter 609, Statutes of 1947 entitled "An

Act making an appropriation to the Emergency Fund specified in item 325 of the Budget Act of 1947, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor", to repair numerous dikes eroded by flood waters from the Tuolumne River, total cost of repair being approximately \$10,000 00 and also recommending that the City agrees to deposit from the General Fund of the City of Modesto the sum of \$5000 00 in the State controlled fund for the purpose of matching any allocation of funds as the State may make under the provisions of Chapter 609, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

4
IN THE MATTER OF
NOTICE TO BIDDERS
ON CONSTRUCTION
PARKING LOT 11th
& G STREETS

Commissioner Condit introduced

RESOLUTION NO. 9255-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to call for bids "for furnishing all materials, labor, tools and equipment and doing all of the work involved in constructing the parking lot on city owned property at 11th and G Streets in the City of Modesto in accordance with plans and specifications on file at the office of the City Engineer" said bids to be opened on January 17, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

5
IN THE MATTER OF
NOTICE TO BIDDERS
CONVERSION OF PUMP

Commissioner Burkner introduced

RESOLUTION NO. 9256-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids "for furnishing and installing necessary equipment for conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls", said bids to be opened on January 24, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

6
IN THE MATTER OF
REQUEST INSTALL
PNEUMATIC TUBE
AMERICAN TRUST CO.

An application was filed by the American Trust Company to install a pneumatic tube from the rear of their new parking annex banking facility on 12th Street in Block 85,

down the alley to the rear of their present bank building site at 11th and J Streets in Block 85, whereupon the Mayor appointed a committee of Commissioner Frad, City Engineer Rossi and City Attorney Halley to contact the officials of the American Trust Company and work out an agreement for the use of this portion of the alley and to report their findings to the Council at a later meeting.

7
IN THE MATTER OF
AGREEMENT ANDREW J.
SILVA GOLF COURSE

Commissioner Frad introduced

RESOLUTION NO. 9257-N.S.

which was seconded by Commissioner Condit approving agreement between Andrew J. Silva, Golf Professional and the City of Modesto for the management of the Municipal Golf Course and appointing the Mayor, City Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

8
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 978-N.S.
APPROPRIATE MONEY
LEGAL COUNSEL

Ordinance No. 978-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 27, 1950, and thereupon printed and published as required by the

Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

9
IN THE MATTER OF
APPOINT SPECIAL
OFFICER SALVATION
ARMY

Commissioner Condit introduced
RESOLUTION NO. 9258-N.S.

which was seconded by Commissioner Frad appointing Captain R. B. Leshner, of the Salvation Army, special police officer beginning January 1, 1951 for a period of six months at a salary of \$50 00 per month, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

10
IN THE MATTER OF
REPORT BY ATTORNEY
ON RECALL PETITIONS

City Attorney Halley reported that he and the City Clerk, following instructions from the City Council, have been checking the recall petitions filed against the Mayor and City Council. He stated that he had consulted the District Attorney of Stanislaus County and the District Attorney had assigned the chief investigator, McKinley Thompson, to check the petitions. The hand writing expert from the Bureau of Identification and Investigation of the Department of Justice of the State of California has also checked the petitions. The City Attorney reported that it appeared that the Election Code of the State of California had been violated and that the investigation is continuing.

11
IN THE MATTER OF
AUTHORIZE PICKERING
AND LANDQUIST AND
FRAD ATTEND MEETING
IN SACRAMENTO

Commissioner Condit introduced
RESOLUTION NO. 9259-N.S.

which was seconded by Commissioner Frad authorizing the attendance of Police Chief Pickering, Health Officer Landquist and Commissioner Frad to the meeting in Sacramento of the League of California Cities, January 4 and 5, 1951 on Civilian Defense, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

12
IN THE MATTER OF
SOUTHERN PACIFIC
DEPOT

Commissioner Frad reported that he and Commissioner Condit had contacted the Southern Pacific Company regarding the moving of the Southern Pacific Company depot from J Street at 9th Street and up to the present time, they had been unable to arrive at any satisfactory agreement, whereupon Commissioner Frad introduced
RESOLUTION NO. 9260-N.S.

which was seconded by Commissioner Condit, recommending that the Chamber of Commerce be contacted and requested to support this matter and that they communicate with the Public Utilities Commission requesting that the depot be moved from the central business district, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

13
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 9261-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Absent: Mayor Shannon

REX E. GAILFUS
ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting

January 10, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of ordinance No. 959-N.S.

Present: Councilmen: Condit, Burkner and Mayor Shannon

Absent: Councilmen: Stanley and Frad

1
IN THE MATTER OF
COUNCIL MEETING
MINUTES

The minutes of the regular meeting of January 3, 1951 were approved as mailed to the Councilmen:

2
IN THE MATTER OF
REQUEST INSTALL
WELL

A request was filed by the Stanislaus Food Products Company for permission to drill a 14 inch water well on their property located in Block 224 on 12th Street, between B Street and Morton Boulevard, since they will be canning for the Armed forces and the water will be used in conjunction with a condensor that is necessary to create a vacuum for their new vacuum pan. This matter was referred to the City Engineer for investigation and recommendation at the next Council meeting.

3
IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of December, 1950 having been heretofore audited by the Council and found to be correct, Commissioner Condit introduced

RESOLUTION NO. 9262-N.S.

which was seconded by Commissioner Burkner, ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Records for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$106,032 74
WATER FUND-----	15,090 56
LIBRARY FUND-----	2,640 15
1-10-I-----	504 60
1-1-C-----	85 00
1-9-J-----	<u>74,612 55</u>
	\$250 165 90

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

4
IN THE MATTER OF
REMOVAL OF USED CAR
LOT E. L. ADKINS

Commissioner Burkner introduced

RESOLUTION NO. 9263-N.S.

which was seconded by Commissioner Condit authorizing the removal of the used car lot of E. L. Adkins from 1230 Tenth Street to 405 McHenry Avenue after the fee of \$5 00 has been paid, which resolution was regularly adopted by the following votes:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

5

IN THE MATTER OF
GRANT PERMIT INSTALL
WISHING WELLS

Commissioner Burkner, introduced

RESOLUTION NO. 9264-N.S.

which was seconded by Commissioner Condit granting permit to the Modesto Junior Chamber of Commerce to install wishing wells for the March of Dimes on four street corners in the business district during the period of January 15 to 31, 1951, ^{which resolution} was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

6

IN THE MATTER OF
BIDS ON TRAFFIC
SIGNAL EQUIPMENT

Whereas pursuant to advertising for bids for traffic signal equipment and materials, the City Clerk reported four bids on file and

after consideration of the bids by the Council, they were referred to the City Engineer for tabulation and recommendation.

7

IN THE MATTER OF
GRANT EXTENSION SEWER
AGREEMENT BARIUM
PRODUCTS COMPANY

Commissioner Condit introduced

RESOLUTION NO. 9265-N.S.

which was seconded by Commissioner Burkner granting an extension of thirty days to the Barium Products Inc., on their agreement for sewer service as a new contract has been presented to the Barium Products Company and until this contract is completed and executed, a thirty days extension of the old agreement was decided on, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

8

IN THE MATTER OF
REAPPOINT CLYDE V.
BARNETT ON PLUMBING
BOARD

Commissioner Burkner introduced

RESOLUTION NO. 9266-N.S.

which was seconded by Commissioner Condit recommending that Clyde V. Barnett be reappointed Journeyman Plumber on the Plumbing Board for a period of three years from January 26, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

9

IN THE MATTER OF
REAPPOINT HERBERT
RAMONT ON PLANNING
COMMISSION

Commissioner Burkner introduced

RESOLUTION NO. 9267-N.S.

which was seconded by Commissioner Condit reappointing Herbert Ramont on the Modesto City Planning Commission for a term of four years from January 10, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

10

IN THE MATTER OF
HEARING ON ZONING
PROPERTY

Whereas the Planning Commission have notified the Council that they have had the two necessary hearings on the zoning of those

portions of the Bodem Colony and Tatum Tract which were annexed to the City as follows:

The Northerly 154.66 feet of lots 11, 12, 13, 14 and 15 of the Tatum Tract (measured from the center line of Fairmont Avenue.) as filed for record on February 17, 1913, page 29, Vol. 7 of Maps of Stanislaus County Records be classified in the R-1 Single-Family Residence District, and that

Lots 1 and 2 of the Bodem Colony, as filed for record on March 20, 1912, Vol. 6,

Commissioner Burkner introduced

RESOLUTION NO. 9268-N.S.

which was seconded by Commissioner Condit, recommending that the Council set the date of February 7, 1951 at 4:00 P.M. at the City Hall as the time and place for the hearing of protests to the proposed zoning of this tract as set forth above, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Stanley and Frad

11
IN THE MATTER OF
RESIGNATION OF
CITY ENGINEER
FRANK J. ROSSI

Whereas Frank J. Rossi presented his resignation as City Engineer and Director of Public Works to become effective February 1, 1951, Commissioner Burkner introduced

RESOLUTION NO. 9269-N.S.

which was seconded by Commissioner Condit recommending that this resignation be placed on file for one week for the consideration by the Council when all members were present, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

12
IN THE MATTER OF
REAPPOINTMENT OF
RONALD E. BATES ON
PARKING AUTHORITY

Whereas a request was filed by the City of Modesto Parking authority to reappoint Ronald E. Bates on this Board Commissioner Condit introduced

RESOLUTION NO. 9270-N.S.

which was seconded by Commissioner Burkner reappointing Ronald E. Bates on the City of Modesto Parking Authority for a term of four years from January 18, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

13
IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of December, 1950, were read and ordered filed.

14
IN THE MATTER OF
REPORT ON ANNEXATION
ROSEBURG-McHENRY
ADDITION

Whereas, pursuant to referring the matter of the proposed annexation of an area which has been designated as the Roseburg-McHenry Addition to the Modesto City Plan-

ning Commissioner for investigation and recommendation, a report was filed by the Planning Commission^{which} was accepted by the Council and ordered placed on file in the City Clerk's office.

15
IN THE MATTER OF
APPOINTMENTS UNDER
THE MODESTO DISASTER
COUNCIL

Commissioner Burkner introduced

RESOLUTION NO. 9271-N.S.

which was seconded by Commissioner Condit appointing the following persons on the Modesto Disaster Council:

EXECUTIVE OFFICER

Walter Nish

Deputy Executive Officers:

A. A. Olsen and Albert Pederson

DIVISION

DIVISION CHIEFS

DEPUTY CHIEFS

LAW AND ORDER

Police Chief U. H. Pickering

Capt. Wm. Coulson

FIRE

Chief Jack Wemyss

Sgt. John Meier

MEDICAL	Mark Landquist	
PUBLIC WORKS	Fred Johnson	
UTILITIES	Daniel A. Rothenbush	Jesse M. Grigsby
TRANSPORTATION	Ed Osthues	Willis Kleinenbroich
COMMUNICATIONS	Bill Endicott	Leonard Baxter
PERSONNEL AND RECRUITMENT	Walter Nish	Albert Olsen
		Albert Pederson
RED CROSS	Jack Stone	J. K. Barnett

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

IN THE MATTER OF GRANT CURB CUT BENSON & ZIMMERMAN
 Commissioner Burkner introduced
 RESOLUTION NO. 9272-N.S.

which was seconded by Commissioner Condit granting permit to Benson & Zimmerman Company to cut the curb 12 feet in Block 70, lots 7 and 8, under the supervision of the City Engineer, so that this property can be used as a public parking lot which will handle 28 automobiles, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

IN THE MATTER OF ADJOURNMENT
 Commissioner Burkner introduced
 RESOLUTION NO. 9273-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting
 January 17, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF AGREEMENT BETWEEN AMERICAN TRUST CO. AND CITY
 Whereas, pursuant to referring the matter of the request of the American Trust Company for permission to install pneumatic tube in alley in Block 85 to the committee composed of Commissioner Frad, City Engineer Rossi, and City Attorney Halley for investigation and recommendation, they presented an agreement for this installation for the consideration of the Council, whereupon after discussion by the Council, Commissioner Condit introduced

RESOLUTION NO. 9274-N.S.

which was seconded by Commissioner Stanley, approving agreement as presented and appointing the Mayor, City Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
REPORT ON COLLEGE
MANOR WATER SYSTEM

A report presented by the City Engineer on the College Manor Water System at Mills Avenue and Roseburg Avenue was ordered held over by the City Council for study.

3
IN THE MATTER OF
COMMUNICATION,
MELVIN H. WARE

A communication from Melvin H. Ware, Civil Engineer regarding the traffic problem at Ninth Street and the Southern Pacific Crossings was read and ordered filed.

4
IN THE MATTER OF
REQUEST DISPLAY
BANNER-RECREATION
COMMISSIONER

A request was filed by Lee M. Brooks, Superintendent of Recreation for permission to hang a banner in the business district to advertise the Robert L. Riggs World Professional Tennis Tour on January 25, at the Junior College Gymnasium, whereupon Commissioner Frad introduced

RESOLUTION NO. 9275-N.S.

which was seconded by Commissioner Condit, granting permit to display the banner as requested after the usual fee of \$10 00 has been paid for the period beginning January 18 through January 25, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
REPORT FILED BY
PLANNING COMMISSION
ON ROSEBURG-McHENRY
ADDITION

A communication was filed by the Planning Commission stating that they had considered the report on the proposed annexation of the Roseburg-McHenry Addition, which consists of approximately 92 acres, and had approved the annexation of this tract to the City of Modesto. This communication was ordered filed.

6
IN THE MATTER OF
MODESTO REDS BASE-
BALL CLUB

The matter of the agreement between the Modesto Community Athletic Association and the City of Modesto for the using of the Municipal Baseball Park was held over for one week.

7
IN THE MATTER OF
ACCEPT RESIGNATION
CITY ENGINEER
F. J. ROSSI

Commissioner Burkner introduced

RESOLUTION NO. 9276-N.S.

which was seconded by Commissioner Condit as follows:
WHEREAS, Frank J. Rossi has tendered to the City Council of the City of Modesto his resignation as City Engineer, and

WHEREAS, said City Council is accepting said resignation with the deepest regret, and

WHEREAS, said Frank J. Rossi has been a loyal and faithful servant of the City of Modesto for a period of 31 years, and

WHEREAS, Frank J. Rossi is held in the highest esteem by his fellow workers and by the Council of the City of Modesto and will be deeply and sincerely missed as a member of the official family of the City of Modesto.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the resignation of Frank J. Rossi as City Engineer of the City of Modesto be accepted, effective as of February 1, 1951.

2. That the City Council through this resolution hereby expresses to Frank J. Rossi its appreciation on behalf of the citizens of the City of Modesto for the many years which he has unstintingly devoted to the betterment of said City and hereby extends sincere best wishes for the future.

3. That this resolution be spread upon the minutes of the

Council of the City of Modesto and that a copy be delivered to Frank J. Rossi, City Engineer of the City of Modesto as an expression of gratitude to him for his faithful service and as evidence that his resignation is regretfully accepted

whereupon it was upon roll call carried and the resolution was adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
RESIGNATION DR.
HOYT R. GANT

Commissioner Stanley introduced

RESOLUTION NO. 9277-N.S.

which was seconded by Commissioner Burkner accepting the resignation of Dr. Hoyt R. Gant, as Examining Physician for the Police and Fire Departments of the City of Modesto, as of this date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
DISCUSSION BUSINESS
LICENSE ON MILK
TRUCKS

A discussion was held on the license fee required on outside milk trucks operating in the City of Modesto. A committee of City Attorney Halley, City Clerk Gailfus, and Health Officer Landquist

were appointed to study the matter and suggest some means of obtaining a higher license from these trucks than they are paying at the present time.

10
IN THE MATTER OF
REPORT CITY ENGINEER
ON REQUEST INSTALL
WELL STANISLAUS FOOD
PRODUCTS

Pursuant to referring the request of the Stanislaus Food Products Company for permission to install a well at their plant located in Block 224 to the City Engineer for investigation and recommen-

dation, he filed a report at this time recommending that this request be granted, whereupon Commissioner Condit introduced

RESOLUTION NO. 9278-N.S.

which was seconded by Commissioner Frad, granting request of the said Stanislaus Food Products Company to drill a 14 inch water well on their property in Block 224, between B Street and Morton Boulevard under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
AWARD BID ON TRAFFIC
SIGNAL EQUIPMENT

Commissioner Condit introduced

RESOLUTION NO. 9279-N.S.

which was seconded by Commissioner Burkner accepting the bid of the Westinghouse Electric Supply Company of \$2220 72 for traffic signal equipment, as it was the lowest and best bid and authorizing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REFER BIDS ON IMPROV-
ING PARKING LOT 11th
AND G STREETS TO THE
PARKING AUTHORITY

Whereas, pursuant to advertising for bids for the improvement of the parking lot purchased by the City of Modesto Parking Authority at 11th and G Streets, and whereas the City Clerk reports

two bids filed, and after consideration of these bids, by order of the Council they were referred to the Parking Authority for consideration and recommendation.

13
IN THE MATTER OF
GRANT PERMISSION CUT
CURB-WILLIAM FONTANA

Commissioner Frad introduced

RESOLUTION NO. 9280-N.S.

which was seconded by Commissioner Burkner granting permit to William Fontana to cut the curb twelve feet in Block 60, lots 13 and 14 under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
OVERPASS AT NINTH
AND J STREETS

Russell G. DeLappe, Architect from Berkeley and his staff appeared before the City Council and presented preliminary plans and specifications on the proposed overpass over the Southern Pacific Railroad on Ninth Street at J Street, which had previously been presented before the Parking Authority. After considerable discussion the City Council took the matter under advisement.

15
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 9281-N.S.

which was seconded by Commissioner Burkner adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Brukner, Condit, Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

January 24, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meeting of January 10 and January 17, 1951 were approved as mailed to the Council-

men.

1
IN THE MATTER OF
BIDS ON CONVERSION
TURBINE PUMP

Pursuant to advertising for bids for furnishing and installing necessary equipment for conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls, the City Clerk reported one bid had been received from the King-Knight Company for \$7893 25. By order of the Council this bid was referred to the City Engineer for investigation and recommendation.

2
IN THE MATTER OF
REQUEST FOR INCREASE
IN SALARY - CITY
EMPLOYEES

A group of City employees representing the Modesto City Employees' Association appeared before the Council and filed a letter, requesting that the Council consider granting a cost of living adjustment in salaries for the City employees, due to the rapid increase in the cost of living, together with a copy of the resolution adopted by the Personnel Board approving the request of the City Employees for this adjustment and requesting that the Council give this matter their sympathetic consideration. A. A. Olsen, Acting President of the Employees' Association spoke briefly asking consideration of the Council in this regard, whereupon Commissioner Frad introduced

RESOLUTION NO. 9282-N.S.

which was seconded by Commissioner Burkner, recommending that the Council go on record as approving the study of ways and means of financing a raise to determine if

such an adjustment could be financed under the present budget, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
ALLOW CLAIM EXPENSES
DELEGATES TO LEAGUE
MEETING

Commissioner Condit introduced

RESOLUTION NO. 9283-N.S.

which was seconded by Commissioner Burkner allowing claim of \$32 50 for expenses for delegates to a League of California Cities meeting in Patterson, January 18, 1951, which was adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
REQUEST FOR STOP
SIGN MORRIS AND
SEMPLER STREETS

A petition was filed with the Council, signed by residents near the intersection of Morris and Sempler Streets requesting that stop signs be established due to the fact that a great number of

automobile accidents had occurred at this intersection, whereupon Commissioner Burkner introduced.

RESOLUTION NO. 9284-N.S.

which was seconded by Commissioner Frad recommending that Stop signs be established on both the north and south sides of Sempler Street, stopping traffic entering Morris Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
STOP SIGNS CALIFORNIA
& JEFFERSON STREETS

A petition was filed by the residents near the intersection of California and Jefferson Streets requesting that a stop sign be

installed at this location, due to the great number of automobile accidents at this intersection. This request was referred to the Police Chief to investigate and to report on at the next council meeting.

6
IN THE MATTER OF
TRAFFIC CONDITION
FIRST AND H STREETS

A communication filed by the Washington School Parent and Teacher's Association regarding the traffic condition at the intersection

of First and H Streets was referred to the Police Chief and City Engineer to investigate and determine some solution to this traffic problem and to report to the Council at their next meeting.

7
IN THE MATTER OF
AWARD BID ON IMPROVING
PARKING LOT ELEVENTH
AND G STREETS

Pursuant to referring the bids on the improving of the parking lot at 11th & G Streets to the Parking Authority for their recommendation, they filed a letter at this time recommending that the

bid of \$2939 00 of the Standard Materials Company be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9285-N.S.

which was seconded by Commissioner Stanley accepting the bid of the said Standard Materials Company as it was the lowest and best bid and appointing the Mayor, Clerk and Auditor as signatory officials on contract agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
APPROVE APPLICATION
W. D. SHIPLEY FOR
USED CAR LOT

Commissioner Stanley introduced
RESOLUTION NO. 9286-N.S.

which was seconded by Commissioner Burkner approving application and bond of W. D. Shipley to operate used car lot at 930 Ninth Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
CLAIM DAMAGE TO
CAR MRS. GILBERT
PROUTY

A claim of \$22 92 was filed by Mrs. Gilbert Prouty for damages to her car which had been parked on the east side of Seventh Street between I and J Streets on Sept-

ember 29, 1950 and which she claims was struck by some Street sweeping equipment belonging to the city during the night. By order of the Council this was referred to the insurance carrier of the City of Modesto.

10
IN THE MATTER OF
INCREASE REVOLVING
FUND

Commissioner Burkner introduced
RESOLUTION NO. 9287-N.S.

which was seconded by Commissioner Condit, increasing the revolving fund from \$415 00 to \$475 00 and the Auditor be directed to draw warrant in amount of \$60 00 to the City Treasurer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
COLLEGE MANOR
WATER COMPANY

Pursuant to referring the matter of the purchase of the College Manor Water Company to the City Engineer for

investigation and recommendation he filed a report at this time recommending that only the pipe lines be purchased at a cost of \$2650 00, whereupon Commissioner Frad introduced

RESOLUTION NO. 9288-N.S.

which was seconded by Commissioner Condit, directing the City Attorney to make a joint application with P. Wesson, Jr. owner of the College Manor Water Company to the State Public Utilities for permission to purchase the said pipe lines, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AGREEMENT USE OF
BASEBALL PARK

Pursuant to delaying action on the approving of agreement between the Modesto Community Athletic Association

and the City of Modesto for the use of the Municipal Baseball Park until this meeting, Commissioner Frad introduced

RESOLUTION NO. 9289-N.S.

which was seconded by Commissioner Stanley approving agreement as amended, for the use of the Municipal Baseball Park by the Modesto Community Athletic Association for a period of ten years commencing February 1, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13

IN THE MATTER OF
HIRE ADDITIONAL
PERSONNEL CITY
CLERK'S OFFICE

City Clerk Gailfus reported that one employee in his office, on per diem basis, was now collecting three mornings each week from the parking meters, the balance of his time being taken in counting and sorting the revenue and he requested he be authorized to employ an additional deputy collector to carry on this additional work at a salary of \$225 00 per month, whereupon Commissioner Frad introduced

RESOLUTION NO. 9290-N.S.

which was seconded by Commissioner Burkner authorizing the hiring of one additional deputy Collector for the City Clerk 's office at a salary of \$225 00 per month, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

14

IN THE MATTER OF
OVERPASS ACROSS
SOUTHERN PACIFIC
RAILROAD TRACKS

Commissioner Frad reported to the City Council that he had given the matter of the crossing of Ninth Street and the Southern Pacific Railroad tracks a great deal of study and he thought that the Council should proceed with some practical solution that could be financed at this time without the necessity of imposing a debt on the citizens of Modesto. It was his opinion that the building of an overpass would have a tendency to divide the town more so than it is at present and he suggested some other means be used for solving the problem whereupon Commissioner Stanley introduced

RESOLUTION NO. 9291-N.S.

which was seconded by Commissioner Burkner appointing Commissioner Frad Chairman of a committee to be appointed by himself and to be approved by the Council at a later meeting, for the study of this problem, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

15

IN THE MATTER OF
ADJOURNMENT

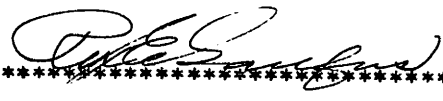
Commissioner Frad introduced

RESOLUTION NO. 9292-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting
February 7, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
Absent: Councilmen: None

IN THE MATTER OF
APPROVE MINUTES

The minutes of the regular meeting of January 23, 1951, were approved as mailed to the Councilmen:

1
IN THE MATTER OF
REQUEST DISPLAY
BANNER MUSICIAN'S
UNION

Commissioner Stanley introduced

RESOLUTION NO. 9293-N.S.

which was seconded by Commissioner Burkner granting permit to the Musician's Association to display a banner in the business district to advertise their 14th Annual Musician's Ball to be held on February 21st for the period from February 13th to February 21st, 1951, providing the usual \$10 00 fee has been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
REQUEST DISPLAY
BANNER MODESTO
EXCHANGE CLUB

Commissioner Stanley introduced

RESOLUTION NO. 9294-N.S.

which was seconded by Commissioner Burkner granting permit to the Modesto Exchange Club to display a banner in the business district carrying the slogan "National Crime Prevention Week February 18-24" and they requested that the fee be waived as this was not a commercial enterprise and no funds are solicited, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
REQUEST FOR ADDI-
TIONAL PARKING SPACE
VETERAN'S CAB CO.

A petition was filed by Dean Erwin, operator of the Veterans' Cab Company for an additional parking space at the southwest corner of Tenth and J Streets on the J Street Side. This request was referred to the Chief of Police for his recommendation at the next Council meeting.

4
IN THE MATTER OF
CLAIM-ALLEN GRIMES

Commissioner Frad introduced

RESOLUTION NO. 9295-N.S.

which was seconded by Commissioner Burkner allowing balance of claim of \$307 26 to Attorney Allen Grimes for services rendered in the preparation of the proposed City Charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
REQUEST DRILL WELL
MODESTO CITY SCHOOLS

A request was filed by the Modesto City Schools for permission to drill a water well on the Sanders property on Coldwell Avenue, between College and Tully Road. This request was referred to the Assistant City Engineer Fred Johnson and he was instructed to contact the school officials and to determine if some other method of irrigating the land could be used and to report his findings and recommendations to the Council at their next meeting.

6
IN THE MATTER OF
COMMUNICATION
RETTIG & DUNN

A communication from Rettig & Dunn, Attorneys at Law requesting permission to represent the City of Modesto, along with the insurance carrier for the City, American Eagle Fire Insurance Company to collect damages to the Hudson sedan owned by the City and which was damaged on May 12, 1950 at the intersection of Stoddard and Sycamore Streets, whereupon Commissioner Frad introduced

RESOLUTION NO. 9296-N.S.

which was seconded by Commissioner Burkner recommending that the City of Modesto request the said attorneys to represent the City along with the American Eagle Fire

Insurance Company to collect the amount of damages expended to repair the city car damaged in this collision, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

1
IN THE MATTER OF
LETTER-AMERICAN
NATIONAL RED CROSS

A communication from the American National Red Cross expressing their appreciation for free water furnished their temporary office at 914 Ninth Street during the November and December floods, was read and ordered filed.

4
IN THE MATTER OF
ALLOW CLAIM FOR
STANISLAUS COUNTY
BOY'S BAND

Commissioner Condit introduced

RESOLUTION NO. 9297-N.S.

which was seconded by Commissioner Stanley allowing claim of \$600 00 to the Stanislaus County Boys' Band, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
AWARD BID ON CON-
VERSION TURBINE PUMP

Commissioner Burkner introduced

RESOLUTION NO. 9298-N.S.

which was seconded by Commissioner Condit accepting the bid of the King-Knight Company of \$7893 25 for the furnishing of labor and material to convert the electric motor driven pump at Pump Station #6 to a combination gas engine-electric motor drive with automatic controls, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
CONTRACT WITH STATE
ON PUBLIC HEALTH

Commissioner Stanley introduced

RESOLUTION NO. 9299-N.S.

which was seconded by Commissioner Frad approving contract with the State Department of Public Health for the reimbursement to the City of certain public health expenditures from funds allocated to California by the U. S. Public Health Service and the Children's Bureau and appointing the Mayor, Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
CONTRACT WITH LOOMIS
ARMORED CAR SERVICE

Commissioner Condit introduced

RESOLUTION NO. 9300-N.S.

which was seconded by Commissioner Frad approving new contract with the Loomis Armored Car Service, Inc. for armored car service for the depositing of city funds and appointing the Mayor, City Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
ORD. ZONING PORTION
BODEM & TATUM TRACT
ANNEXED TO THE CITY
OF MODESTO

Whereas pursuant to advertising hearing of protests to the proposed zoning of recently annexed portion of Bodem and Tatum

Tract to the City of Modesto for this meeting of the Council and whereas no protests were filed, Commissioner Frad introduced an ordinance being

ORDINANCE NO. 979-N.S.

entitled: "AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
REPORT ON CITY
STREETS BY ASSISTANT
CITY ENGINEER

Assistant City Engineer Johnson filed a report on the proposed project statement for Major City Streets for the fiscal year 1951-52 providing for the following improve-

ments:

No. 54-General Mtc. of S.M.I. and Secondary Streets

No. 55 Pave 8th Street from Washinton Street to Kansas Avenue

No. 56 Pave Tuolumne Blvd. from Merced Ave. to Sunset Blvd.

No. 57 Pave Virginia Avenue from Morris Ave. to Griswold Ave.

at an estimated cost of \$49,590 00, whereupon Commissioner Frad introduced

RESOLUTION NO. 9301-N.S.

which was seconded by Commissioner Condit approving project statement as presented and directing the Assistant City Engineer to file application with the Director of Public Works of the State of California and appointing Fred M. Johnson, Assistant City Engineer as signatory official on said application, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
REQUEST STOP SIGNS
CALIFORNIA - JEFFERSON
STREETS

Whereas pursuant to referring request for installation of stop signs at California and Jefferson Streets to the Assistant City Engineer and Police Chief for investigation and recommendation, they filed a verbal report at this time recommending that stop signs be established on Jefferson Street stopping traffic entering California Street, whereupon Commissioner Stanley introduced

RESOLUTION NO. 9302-N.S.

which was seconded by Commissioner Burkner establishing stop signs on the northwest and southeast corners of Jefferson Street at the intersection of California Street stopping traffic entering California Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
REPORT ON TRAFFIC
FIRST & H STREETS

Police Chief Pickering and Assistant City Engineer Johnson filed a verbal report on the traffic problem at the intersection of First and H Streets and the Council directed them to contact the school officials regarding the problem and to report back at the next Council meeting.

16
IN THE MATTER OF
DESIGNATE VIRGINIA
AVENUE MAJOR CITY
STREET FROM COLDWELL
TO GRISWOLD AVENUE

Commissioner Stanley introduced

RESOLUTION NO. 9303-N.S.

which was seconded by Commissioner Frad recommending that Virginia Avenue from Coldwell Avenue to Griswold Avenue be designated as a

Major City Street and the Council does further recommend to the Department of Public Works of the State of California that this street be approved by the Director of said department as a Major City Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
RELINQUISH FIRST ST.
AS STREET OF MAJOR
IMPORTANCE

Commissioner Frad introduced

RESOLUTION NO. 9304-N.S.

which was seconded by Commissioner Condit recommending that the City of Modesto request the Director of Public Works and the California Highway Commission to relinquish as a Street of Major Importance, First Street from Washinton Street to H Street and rescind Resolution No. 8429-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
FINAL PAYMENT ON
GAS FIRED BOILER
AT LIBRARY

Commissioner Burkner introduced

RESOLUTION NO. 9305-N.S.

which was seconded by Commissioner Stanley accepting the gas fired boiler installed at the McHenry Public Library by Baker-Newman Contractors, authorizing progressive payment of \$133 34 and directing the City Clerk to file a notice of completion with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19
IN THE MATTER OF
CONTRACT WITH CARR
AND ROCCA

Commissioner Stanley introduced

RESOLUTION NO. 9306-N.S.

which was seconded by Commissioner Burkner recommending that the contract with Carr and Rocca, Contractors for the construction of a reinforced concrete bridge on LaLoma Across Beard Brook be modified as follows:

Article II:

Items 11, 12 and 13, providing for finishing the approaches to the bridge

be deleted, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
FINAL PAYMENT
CARR & ROCCA

Commissioner Burkner introduced

RESOLUTION NO. 9307-N.S.

which was seconded by Commissioner Stanley accepting the contract as completed by Carr and Rocca of a reinforced concrete bridge on LaLoma across Beard Brook in the City of Modesto, authorizing progressive payment of \$97 43 and directing the City Clerk to file notice of completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

21
IN THE MATTER OF
PAYMENT TO PISANO
BROTHERS

Commissioner Burkner introduced

RESOLUTION NO. 9308-N.S.

which was seconded by Commissioner Frad authorizing progressive payment of \$4703 25 to Pisano Bros. for the construction of Sanitary Sewer line from Franklin and H Streets to the Mark Twain School on Emerald Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

22
IN THE MATTER OF
ORD. PROVIDE SALE
USELESS PERSONAL
PROPERTY

Commissioner Burkner introduced an ordinance being
ORDINANCE NO: 980-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USE-
LESS PERSONAL PROPERTY" and moved its adopted and passage to print, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

23
IN THE MATTER OF
APPROVE AGREEMENT
BARIUM PRODUCTS

Commissioner Stanley introduced
RESOLUTION NO. 9309-N.S.

which was seconded by Commissioner Burkner approving agreement between Barium Products Limited and that City of Modesto for the discharging of domestic sewage and liquid industrial waste into the Modesto City Sewer System and appointing the Mayor Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

24
IN THE MATTER OF
SET DATE FOR HEARING
ZONING LAS PALMAS
TRACT

A communication was filed with the Council by the Modesto City Planning Commission advising that they had held the necessary public hearings on the zoning of that por-

tion of the Las Palmas Tract annexed to the City of Modesto and recommending that this territory be classified into the R-1, Single-Family Residence District, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9310-N.S.

which was seconded by Commissioner Frad, setting the date of February 28, 1951 at 7:30 P.M. at the City Hall as the time and place for the hearing of protests to the proposed zoning of this annexed tract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

25
IN THE MATTER OF
ZONING PORTION ANNEXED
TO CITY OF CAMPUS
TRACT NO. 2

A communication was filed with the Council by the Modesto City Planning Commission advising that they had held the necessary public hearing on the zoning of that por-

tion of Campus Tract No. 2 recently annexed to the City and recommending that this territory be classified into the R-1 Single Family Residence District, the R-2, Two Family Residence District and the R-3, Multiple Family Residence District in accordance with the Planning Commission's Resolution No. 107, whereupon Commissioner Frad introduced

RESOLUTION NO. 9311-N.S.

which was seconded by Commissioner Condit, setting the date of February 28, 1951 at 7:30 P.M. as the time and the City Hall as the place for the hearing of protests to the proposed zoning of this annexed tract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

26

IN THE MATTER OF AUTHORIZE BROOKS ATTEND MEETING Commissioner Frad introduced RESOLUTION NO. 9312-N.S.

which was seconded by Commissioner Stanley authorizing Lee M. Brooks Superintendent of Recreation to attend the third annual California Recreation Conference in San Diego, February 13-16 with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

27

IN THE MATTER OF AUTHORIZE PAYMENT FOR RAEMSCH PROPERTY Commissioner Stanley introduced RESOLUTION NO. 9313-N.S.

which was seconded by Commissioner Frad, authorizing the City Auditor to draw warrant of \$8000 00 to the Modesto Title Company in payment of the purchase price of the W. Raemsch property, being Block 81, lot 24 and south one-half of lot 25, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

28

IN THE MATTER OF ADJOURNMENT Commissioner Stanley introduced RESOLUTION NO. 9314-N.S.

which was seconded by Commissioner Frad adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

Rex E. Gailfus

Council Meeting
February 14, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: Burkner

IN THE MATTER OF APPROVAL OF MINUTES The minutes of the regular meeting of February 7, 1951, were approved as mailed to the Councilmen:

IN THE MATTER OF CLAIMS FOR THE MONTH OF JANUARY Claims against the City of Modesto for the month of January, 1951 having been heretofore audited by the Council and found to be correct, Commissioner Frad introduced

RESOLUTION NO. 9315-N.S.

which was seconded by Commissioner Condit, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$102,080 20
WATER FUND-----	15,807 60
LIBRARY FUND-----	2,892 14
BOND REDEMPTION FUNDS-----	2,520 34
1-2-----	3,966 25
1-9A-----	97 43
1-9J-----	<u>276 86</u>
	\$127 640 82

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

2
IN THE MATTER OF
CLAIM ELMER WINGER

Commissioner Stanley introduced

RESOLUTION NO. 9316-N.S.

which was seconded by Commissioner Frad allowing claim of Elmer Winger for \$51 70 to cover expenses while attending the Judges and Prosecutors Conference in Berkeley, February 5-10, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

3
IN THE MATTER OF
CLAIMS DAMAGES
M. X. GOMEE

Commissioner Stanley introduced

RESOLUTION NO. 9317-N.S.

which was seconded by Commissioner Frad, rejecting claim of \$16 50 to cover damage to his car on February 4, 1951 due to running into trench where sewer pipes had been laid at the intersection of H and Franklin Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

4
IN THE MATTER OF
AUTHORIZE CLERK TO
CALL FOR BIDS ON
INSTALLING LINE
CONSTRUCTION BODY

Commissioner Stanley introduced

RESOLUTION NO. 9318-N.S.

which was seconded by Commissioner Condit authorizing the City Clerk to call for bids for furnishing and installing a Line Construction Body on a Model L-162 International Truck Chassis for the Electrical Department, said bids to be opened on March 7, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: none

Absent: Councilmen: Burkner

5
IN THE MATTER OF
CALL FOR BIDS ON
ELECTRICAL EQUIPMENT

Commissioner Condit introduced

RESOLUTION NO. 9319-N.S.

which was seconded by Commissioner Frad, authorizing the City Clerk to call for bids for furnishing electrical equipment and materials, said bids to be opened on February 28, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

6
IN THE MATTER OF
INSTALL AUTOMATIC
TRAFFIC SIGNALS

Pursuant to referring the request of the Washington

School P.T.A. for some traffic regulation at the corner

of First and H Streets to the Chief of Police and Assistant City Engineer for investigation and recommendation, they filed a verbal report that they recommended this intersection be designated as a corner on which automatic traffic signals be installed, whereupon Commissioner Condit introduced

RESOLUTION NO. 9320-N.S.

which was seconded by Commissioner Frad, designating the corner of First and H Streets as a location to install automatic traffic signals, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

1
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 980-N.S. SALE
USELESS PERSONAL
PROPERTY

Ordinance No. 980-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 7, 1951 and thereupon printed and published as required by the

Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

IN THE MATTER OF
ORD. SALE OF USELESS
PERSONAL PROPERTY

Commissioner Frad introduced an ordinance being
ORDINANCE NO. 981-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

9
IN THE MATTER OF
APPROPRIATE FUNDS
PARKING METERS

Commissioner Frad introduced an ordinance being
ORDINANCE NO. 982-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING PARKING METERS TO BE INSTALLED ON OFF-STREET PARKING LOTS" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

10
IN THE MATTER OF
PARKING AUTHORITY
ADVERTISE FOR BIDS
PARKING METERS

Commissioner Stanley introduced
RESOLUTION NO. 9321-N.S.

which was seconded by Commissioner Frad authorizing the City of Modesto Parking Authority to advertise for bids for parking meters to be installed on parking lots in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

11
IN THE MATTER OF
AMEND RES. 9254-N.S.
REQUEST STATE FUNDS
REPAID FLOOD DAMAGE

Whereas the Division of Water Resources of the State of California have made their investigation on the application of the City of Modesto for \$5000 00 to repair flood damages in the City of Modesto as provided by Chapter 609, Statutes of 1947, and whereas they have recommended that our

application to the State be increased by 25% Commissioner Stanley introduced

RESOLUTION NO. 9322-N.S.

which was seconded by Commissioner Condit recommending that Resolution No. 9254-N.S. entitled: "A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO REQUESTING AN ALLOCATION OF THE SUM OF \$5000 00 FOR EMERGENCY FLOOD RELIEF" be amended to provide for an allocation of the sum of \$6250 00 instead of \$5000 00 as set forth in the original application to the State of California, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

12
IN THE MATTER OF
ORD. APPROPRIATE
FUNDS FLOOD REPAIRS

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 983-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR FLOOD DAMAGE REPAIRS AT THE SEWER FARM OF THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

13
IN THE MATTER OF
REQUEST MAKE "N"
STREET MAJOR CITY
STREET

H. W. Garber appeared before the City Council and requested that N Street be made a Major City Street, since the traffic was so heavy on this street and it was in need of repair.

He was informed by the Council that his recommendation would be considered and investigated with the idea of making it a major city street if possible.

14
IN THE MATTER OF
ACCEPT DEED ON REAMSCH
PROPERTY

Commissioner Condit introduced
RESOLUTION NO. 9323-N.S.

which was seconded by Commissioner Frad, accepting the deed from Emily G. Raemsch on Lot 24 and southeasterly one-half of lot 25 in Block 81 and authorizing the recording of said deed with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

15
IN THE MATTER OF
DEPARTMENTAL REPORTS
MONTH OF JANUARY

Departmental reports for the month of January, 1951, were read and ordered filed.

16
IN THE MATTER OF
GROUNDSMAN AT BEARD
BROOK PARK

Commissioner Frad introduced
RESOLUTION NO. 9324-N.S.

which was seconded by Commissioner Condit authorizing the employment of T. J. Breunig Groundsman at the Beard Brook Park at a salary of \$235 00 per month as of February 1, 1951 and establishing the rent of the dwelling located in this Park at \$25 00 per month and requiring Mr. Breunig to pay that amount of rent and to assume the cost of all utilities now paid by the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

17
IN THE MATTER OF
COST OF LIVING
ADJUSTMENT IN
SALARIES PAID CITY
EMPL. YEES

Following a lengthy discussion on the matter of a cost of living raise for city employees, it was brought out

BY THE Council that there was available sufficient money to allow an over-all \$10 00 raise from March 1, 1951 to June 30, 1951 to meet the increased cost of living, whereupon Commissioner Frad introduced

RESOLUTION NO. 9325-N.S.

which was seconded by Commissioner Stanley authorizing the increasing of all full time employees of the City of Modesto \$10 00 from March 1, 1951 to June 30, 1951 and providing for all city employees on a per diem salary to be paid in addition to their present salaries the sum of \$.05 per hour, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

18
IN THE MATTER OF
ORD. AMEND SALARIES
CHIEF OFFICIALS

Commissioner Frad introduced an ordinance being

ORDINANCE NO. 984-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 946-N.S. OF THE CITY OF MODESTO BY INCREASING COMPENSATION OF CERTAIN CITY OFFICIALS OF THE CITY OF MODESTO", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Condit it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

19
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 9326-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

February 21, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Absent: Councilmen: Condit

2
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 981-N.S. SALE
USELESS PERSONAL
PROPERTY

Ordinance No. 981-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 14, 1951, and thereupon printed and published as required by the

Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 982-N.S. APPRO-
PRIATE MONEY PURCHASE
PARKING METERS

Ordinance No. 982-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 14, 1951 and thereupon printed and published as required by the

Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

3
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 983-N.S. APPRO-
PRIATE MONEY FLOOD
DAMAGE REPAIR

Ordinance No. 983-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 14, 1951 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

4
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 984-N.S. SALARY
CITY OFFICIALS

Ordinance No. 984-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 14, 1951, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

5
IN THE MATTER OF
GRANT PERMIT DISPLAY
BANNER-AMERICAN
RED CROSS

Commissioner Stanley introduced

RESOLUTION NO. 9327-N.S.

which was seconded by Commissioner Burkner granting permit to the American National Red Cross to display an overhead cloth banner across J and 10th Street advertising their fund campaign during the month of March, 1951, and further resolved that the usual fee of \$10 00 be waived, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

6
IN THE MATTER OF
GRANT PERMIT MOVE
USED CAR LOT

Commissioner Burkner introduced

RESOLUTION NO. 9328-N.S.

which was seconded by Commissioner Stanley granting permit to Charles E. Sargent to move his used car lot from 405 McHenry Avenue to 1326 10th Street, Block 64, lots 29 and 30, after the usual \$5 00 fee has been paid and granting permit to cut the curb 16 feet at the above location under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit, Frad

7
IN THE MATTER OF
RESO. DETERMINE
RESULT OF ELECTION

Whereas a special municipal election in the City of Modesto was held on the 14th day of February, 1951, and whereas the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election, including absentee ballots and finds that the same are now in proper form and have canvassed all of said ballots and ascertained the results of said election as hereinafter stated; Commissioner Frad introduced

RESOLUTION NO. 9329-N.S.

which was seconded by Commissioner Stanley certifying and declaring that the said

special municipal election in and for the City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it appears and the said Council so finds that at the said special municipal election in and for the City of Modesto the total number of votes cast at the regular polling places designated including the total number of absentee ballots was and is 2,777;

That at said special Municipal Election the number of votes cast upon the question:

"Shall the proposed Charter of the City of Modesto be adopted?" was and is as follows:

YES	-	2310
NO	-	422

That at said Special Municipal Election the number of votes cast upon the question:

"Shall the proposed alternative charter section providing that the City Manager shall not be removed from office except by the affirmative votes of at least four members of the Council, be adopted?" was and is as follows:

YES	-	1667
NO	-	952

That at said Special Municipal Election the number of votes cast upon the question:

"Shall the proposed alternative charter section providing that the Council shall not levy a property tax for municipal purposes for any fiscal year in excess of One Dollar and Twenty Five Cents on each One Hundred Dollars of assessed value of taxable property within the City, except as otherwise provided in said proposed alternative section, be adopted?" was and is as follows:

YES	-	1664
NO	-	970

That the number of votes given at each precinct and for and against each proposition was and is as set forth hereinafter. For purposes of convenience the proposition first set forth hereinabove shall be designated as proposition No. 1. The second proposition set forth hereinabove shall be designated as proposition No. 2, and the third proposition set forth hereinabove shall be designated as proposition No. 3.

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 1

Proposition No. 1	Yes - 274	No - 24
Proposition No. 2	Yes - 164	No - 118
Proposition No. 3	Yes - 175	No - 107

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 2

Proposition No. 1	Yes - 371	No - 50
Proposition No. 2	Yes - 253	No - 135
Proposition No. 3	Yes - 254	No - 148

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 3

Proposition No. 1	Yes - 204	No - 31
Proposition No. 2	Yes - 118	No - 111
Proposition No. 3	Yes - 121	No - 104

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 4

Proposition No. 1	Yes - 353	No - 70
Proposition No. 2	Yes - 261	No - 144
Proposition No. 3	Yes - 253	No - 154

ELECTION
SPECIAL CONSOLIDATED/ PRECINCT NO. 5

Proposition No. 1	Yes - 91	No - 24
Proposition No. 2	Yes - 66	No - 41
Proposition No. 3	Yes - 78	No - 30

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 6

Proposition No. 1	Yes - 244	No - 33
Proposition No. 2	Yes - 193	No - 74
Proposition No. 3	Yes - 170	No - 97

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 7

Proposition No. 1	Yes - 110	No - 29
Proposition No. 2	Yes - 105	No - 39
Proposition No. 3	Yes - 96	No - 49

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 8

Proposition No. 1	Yes - 204	No - 47
Proposition No. 2	Yes - 155	No - 98
Proposition No. 3	Yes - 166	No - 85

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 9

Proposition No. 1	Yes - 219	No - 57
Proposition No. 2	Yes - 174	No - 85
Proposition No. 3	Yes - 183	No - 83

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 10

Proposition No. 1	Yes - 241	No - 57
Proposition No. 2	Yes - 178	No - 107
Proposition No. 3	Yes - 168	No - 113

That the question "Shall the proposed Charter of the City of Modesto be adopted" received a majority of votes in favor thereof of the qualified voters voting thereon at such an election and carried.

That the question "Shall the proposed alternative Charter section providing that the City Manager shall not be removed from office except by the affirmative votes of at least four members of the Council, be adopted" received a majority of votes in favor thereof of the qualified voters voting thereon at such election and carried, and, therefore, Section 800 of the Charter shall read as follows:

SECTION 800. CITY MANAGER. There shall be a City Manager who shall be the chief administrative officer of the City. He shall be appointed for an indefinite term by the council and shall serve at the pleasure of the Council, provided that he shall not be removed from office except by the affirmative vote of at least four members of the Council. He shall be chosen on the basis of his executive and administrative qualifications, with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. He need not be a resident of the City or State at the time of his appointment, but during his tenure of office, he shall reside within the City.

No resident of Stanislaus County, at the time this Charter becomes effective shall be appointed City Manager within twelve (12) months thereafter. The City Manager shall be appointed within ninety (90) days after this Charter becomes effective.

That the question "Shall the proposed alternative Charter Section providing that the Council shall not levy a property tax for municipal

purposes for any fiscal year in excess of One Dollar and Twenty Five Cents on each One Hundred Dollars of assessed value of taxable property within the City except as otherwise provided in said proposed alternative section be adopted" received a majority of votes in favor thereof of the qualified voters voting thereon at such election and carried and, therefore, Section 1305 of the Charter shall read as follows:

SECTION 1305. TAX LIMIT. (a) General. The Council shall not levy a property tax for municipal purposes for any fiscal year in excess of \$1 25 on each \$100 of assessed value of the taxable property in the City except, as otherwise provided in this section, unless authorized by the affirmative votes of the majority of the electorate voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) Under County Tax System. In any fiscal year during which the City avails itself of the County system of property tax assessment and collection, the Council shall have the power to levy a property tax for municipal purposes at a rate which will raise an amount of money equal to, but not in excess of the sum which could have been raised by applying a tax rate of \$1.25 per \$100 of assessed value to the total assessed value of the taxable property in the City as last determined by the City Assessor, plus the total assessed value, as determined by the County Assessor, of all property within the City which has been added to the County tax assessment roll after the City tax assessment roll was last determined by the City Assessor.

(c) Additional Taxes. There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for the payment thereof is made:

1. A tax sufficient to meet all obligations of the City for principal and interest of all bonds or judgments due and unpaid or to become due during the ensuing fiscal year which constitute the general obligations of the City:

2. A tax sufficient to meet all obligations of the City to the State Employees' Retirement System for retirement of the City Employees if any, due and unpaid or to become due during the ensuing fiscal year.

(d) Special Levies. Special levies in addition to the above may be made annually in amounts not to exceed the limits hereinafter enumerated in this section, respectively, on each \$100 of the assessed value of the taxable property in the City:

1. For the support and maintenance of free public libraries and reading rooms, Twenty cents (20¢)

The proceeds of any such special levy shall be used solely for the respective purposes for which it is levied.

That section 800 and 1305 quoted above replace the corresponding sections contained in the body of the proposed Charter as published.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

8
IN THE MATTER OF
RESOLUTION APPOINT
SIGNATORY OFFICIALS
CHARTER PROCEEDINGS

Commissioner Stanley introduced

RESOLUTION NO. 9330-N.S.

which was seconded by Commissioner Frad appointing the Mayor and City Clerk as signatory officials on "Certificate of Proceedings had and taken by the City of Modesto in Framing a Charter for its own Government" and the City Clerk is directed to deliver the certificate to Assemblyman, Ralph M. Brown for action by the Legislature of the State of California, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

9
IN THE MATTER OF
AUTHORIZE PAYMENT
ELECTION OFFICIALS
RENTAL POLLING PLACES

Commissioner Frad introduced

RESOLUTION NO. 9331-N.S.

which was seconded by Commissioner Burkner authorizing payment of election officials and rental of polling places for the election held on February 14, 1951 for the adoption of the new charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

10
IN THE MATTER OF
CALL GENERAL MUNICI-
PAL ELECTION APRIL
10, 1951

Commissioner Burkner introduced

RESOLUTION NO. 9332-N.S.

which was seconded by Commissioner Frad calling the general municipal election in and for the City of Modesto and a General Election in and for the Modesto City School District for the election of:

One Councilman to serve for an unexpired two year term

Two Councilmen each to serve for a full four year term

A Mayor to serve for a full four year term

Two Councilmen to fill the officers of two additional

Councilmen created by a new City Charter approved by

the elector at a special election held February 14, 1951

Three members of the Board of Education of the said

Modesto School District

said election to be held on Tuesday, the 10th day of April, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

11
IN THE MATTER OF
ACCEPT PETITION FOR
ANNEXATION

Commissioner Stanley introduced

RESOLUTION NO. 9333-N.S.

which was seconded by Commissioner Burkner accepting the petition for annexation of approximately 92 acres of land to the City of Modesto known as the Roseburg-McHenry addition and instructing the City Attorney to prepare the necessary documents and notices for the holding of an election in said territory, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

12
IN THE MATTER OF
REQUEST E. M. CARPEN-
TER FOR USED CAR LOT
LICENSE

The request of E. M. Carpenter for a used car lot license at 501 I Street was referred to the City Engineer for investigation and recommendation.

13
IN THE MATTER OF
REPORT ON REQUEST
OF JUNIOR COLLEGE
DRILL WELL

Whereas pursuant to referring the request of the Junior College to drill a well on the adjoining property recently purchased by the College to the City Engineer for investigation and recommendation, Al Carley reported that the Modesto Irrigation District water was available for their farm project on this property and that a well in this location would interfere with existing installation that the city had

and he recommended that the request be refused. A discussion was held concerning the matter and was held over until the next Council meeting for decision.

14
IN THE MATTER OF
SIGNATORY OFFICIALS
ON AGREEMENT WITH
STATE FOR FLOOD
DAMAGE REPAIRS

Commissioner Frad introduced
RESOLUTION NO. 9334-N.S.

which was seconded by Commissioner Stanley appointing the Mayor and City Clerk as signatory officials on agreement between the City of Modesto and the State Department of Public Works for the repair and restoration of property damaged by the recent flood in the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

15
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced
RESOLUTION NO. 9335-N.S.

which was seconded by Commissioner Stanley adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Condit

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

February 28, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Absent: Councilmen: None, Mayor Shannon

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meetings of February 14 and 21, 1951 were approved as mailed to the Councilmen.

1
IN THE MATTER OF
INVITATION BASEBALL
DINNER

A communication from the Modesto Junior Chamber of Commerce inviting the Council to a "Hot Stove League Baseball Dinner" to be held Tuesday, March 6 at the Playland Ballroom at 7:30 P.M. was read and ordered filed.

2
IN THE MATTER OF
USED CAR LOT E. M.
CARPENTER

The request of E. M. Carpenter to operate a used car lot in the rear of lots 17, 18, Block 22 at 501 I Street, which had been referred to the office of the City Engineer for investigation and recommendation was approved by the Assistant City Engineer, whereupon Commissioner Frad introduced

RESOLUTION NO. 9336-N.S.

which was seconded by Commissioner Burkner, granting permit to E. M. Carpenter to operate a used car lot at the above designated location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

3
IN THE MATTER OF
OPEN BIDS ON ELEC-
TRICAL EQUIPMENT

Bids were opened on the furnishing of electrical equipment and material and referred to the City Engineer's office for tabulation and recommendation at a later meeting.

4
IN THE MATTER OF
HEARING ON ZONING
LAS PALMAS TRACT

Whereas no protests were filed against the zoning of the Las Palmas Tract as set forth in the Notice published in the Modesto Bee, Commissioner Burkner introduced an ordinance being

ORDINANCE NO. 985-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 700-N.S. ADDING ADDITIONAL MAP AND REZONING NEWLY ANNEXED TERRITORY", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

5 IN THE MATTER OF HEARING ON ZONING CAMPUS TRACT #2

Whereas no protests were filed against the zoning of the Campus Tract No. 2 as set forth in the Notice published in the Modesto Bee, Commissioner Frad introduced an ordinance being

ORDINANCE NO. 986-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 700-N.S. ADDING ADDITIONAL MAP AND REZONING NEWLY ANNEXED TERRITORY", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

6 IN THE MATTER OF AUTHORIZE AUDITOR TO DRAW WARRANT TO STATE ON FLOOD REPAIR

Commissioner Frad introduced

RESOLUTION NO. 9337-N.S.

which was seconded by Commissioner Burkner authorizing the City Auditor to draw warrant in amount of \$6200 00 to the Treasurer of the State of California and to mail the check to A. D. Edmonston, State Engineer, 401 Public Works Building, Sacramento, as provided by agreement between the City of Modesto and the State Department of Public Works for the repair and restoration of the City's sewage treatment plant as recommended by the State Engineer's report No. E33 which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

7 IN THE MATTER OF FINAL ADOPTION ORD. NO. 979-N.S. CLASSIFY BODEM-TATUM TRACT

Ordinance No. 979-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 7, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

8 IN THE MATTER OF SALE TAX DEED PROPERTY - J. S. BROWN

The sale of portion of lots 12, 13, and 15 in Block 507 adjoining property owner, J. S. Brown was discussed and the Council held the matter over until appraisal of the property could be obtained and also to determine if this property would be used by the City at a later date for street purposes.

9 IN THE MATTER OF ORD. DECLARE RAEMSCH DWELLING USELESS PERSONAL PROPERTY

Commissioner Condit introduced an ordinance being

ORDINANCE NO. 987-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY", and moved its adoption and passage to print and publish which motion being duly seconded by Commissioner Frad, it was upon roll call

carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

10
IN THE MATTER OF
REFUND DEPOSIT FOR
STREET LIGHTS TO
MARY A SANDERS

Commissioner Frad introduced

RESOLUTION NO. 9338-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to refund \$1389 90 of the \$1500 00 deposit filed by Mary A. Sanders for street lights to be established in the Campus Tract No. 2, since Mrs. Sanders had purchased the materials for the six electrolliers direct, with the exception of the transformer which will serve this tract, as well as adjoining tracts, the proportionate cost of the transformer at present is \$110 10, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

11
IN THE MATTER OF
REPORT ON COLLEGE
MANOR WATER CO.

Assistant City Engineer Johnson filed a verbal report that the owner of the College Manor Water Company, W. P. Wesson, Jr. had

requested that the City furnish water to his company as the County Health Department were going to condemn the well of his company. He stated that he was willing to pay for this service and the Council requested that the City Attorney work out an agreement between the College Manor Water Company and the City of Modesto for consideration of the Council at a later meeting.

12
IN THE MATTER OF
COMMUNICATION FROM
FRANK ANDREWS

A communication was read by Frank Andrews regarding the taking over of electric power within the City limits by the City of

Modesto and he suggested that this be put on the ballot to be voted on by the citizens of the city. He was informed that it was too late to place this on the ballot for the coming year and his request would have to be given consideration at a later time.

13
IN THE MATTER OF
PROTEST ANNEXATION
ROSEBURG-McHENRY
DISTRICT TO CITY

Charles Saunders and a group of property owners residing in the Roseburg-McHenry District proposed to be annexed to the City, appeared before the Council and protested to the annexation as he

stated that they were not ready at this time to come into the city. He was advised that the hearing of protests and the election date would be set at a later meeting.

14
IN THE MATTER OF
PETITION STOP SIGN
CALIFORNIA AND
MADISON STREETS

A petition signed by residents residing near the intersection of Madison and California Streets was filed with the Council requesting that stop signs be established at this intersection. This

matter was referred to the Chief of Police for investigation and recommendation.

15
IN THE MATTER OF
TAXI CAB STANDS
SMITTY'S - SALE
INTEREST
9

A communication from Attorney Frank C. Damrell advising that Mr. Eugene Lester had purchased the interest of Mr. Fred Edge in Smitty's Taxi Company and that Mr. Lester now owned two-thirds

of this business and Mr. Leonard Smith owned one-third, whereupon Commissioner Frad introduced

RESOLUTION NO. 9339-N.S.

which was seconded by Commissioner Burkner approving the sale of Fred Edge's interest in Smitty's Taxi Company to Eugene Lester, as provided by Ordinance No. 753-N.S. and approving the present location of their parking space at the northwest corner of 11th and J Streets adjoining the Hotel Covell Building, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

16
IN THE MATTER OF
WARNING SIGNALS
FOR CIVILIAN DEFENSE

Police Chief Pickering reported that the City of Modesto
Civilian Defense was in need of two warning signals and
he estimated that these would cost approximately \$250 00 each. The Council instruc-
ted the Chief and the City Auditor to investigate if there would be any available
funds in the City treasury to purchase this equipment and to determine the cost of
the equipment and to report back at the earliest Council meeting.

17
IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced

RESOLUTION NO. 9340-N.S.

which was seconded by Commissioner Burkner adjourning this Council meeting now in
session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

March 7, 1951

The Council of the City of Modesto met in regular session
this date at 4:00 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

1
IN THE MATTER OF
REQUEST CHANGE
TAXICAB ORDINANCE

Sam Secreto, operating the Yellow Cab Company, Acme Cab
Company and Hart Taxicab Company appeared before the

Council and requested that the Council consider amending Ordinance No. 753-N.S. to
permit taxicabs to stand on the public streets in parking spaces other than those
designated by the Council for the taxicab company, providing they comply with
parking requirements. He was informed that the regulations as set forth at present
were working satisfactory and no change could be made at this time.

2
IN THE MATTER OF
STOP SIGNS AT
CALIFORNIA AND
MADISON STREETS

Whereas pursuant to referring the request for the in-
stallation of stop signs at the intersection of Madison
and California Streets to the Police Chief for investi-
gation and recommendation, he filed a verbal report that he recommended four stop
signs be installed at this location, whereupon Commissioner Condit introduced

RESOLUTION NO. 9341-N.S.

which was seconded by Commissioner Frad, authorizing the installation of stop signs
on all four corners at the intersection of Madison and California Streets, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
ACCEPT AGREEMENT
COLLEGE MANOR WATER
COMPANY

City Attorney Halley presented an agreement which the
Council had requested he prepare between the City of
Modesto and Walter P. Wesson, Jr. and Mary Wesson,
owners and operators of the College Manor Water Company for the furnishing of city
water to the College Manor Water Company, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9342-N.S.

which was seconded by Commissioner Stanley approving agreement as prepared and

appointing the Mayor and City Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CLAIM H. N. JENKS

Commissioner Frad introduced

RESOLUTION NO. 9343-N.S.

which was seconded by Commissioner Condit, allowing claim of \$85 00 of Harry N. Jenks for consulting Engineering services relative to water pollution control board and Fish and Game Commissioner standards for industrial wastes disposal and directing the Auditor to draw warrant in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
ORDINANCE SET UP
POST WAR PUBLIC
WORKS FUND

Commissioner Frad introduced an ordinance being

ORDINANCE NO. 988-N.S.

entitled: "AN ORDINANCE ESTABLISHING THE POST WAR PUBLIC WORKS FUND AND APPROPRIATING MONEY FOR THE PAYMENT OF COST OF PREPARING PLANS FOR THE EXPANSION OF THE INDUSTRIAL AND SANITARY WASTE TREATMENT PLANTS", and moved its adoption and passage to print, which motion being duly seconded by Commissioner Condit, was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS ON PROOFS
OF LOSS

Commissioner Burkner introduced

RESOLUTION NO. 9344-N.S.

which was seconded by Commissioner Frad appointing the Mayor, City Clerk and Auditor as signatory officials on proofs of loss for the wind damage to the fence at the Municipal Baseball Park, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
TAXES ON RAEMSCH
PROPERTY

Commissioner Burkner introduced

RESOLUTION NO. 9345-N.S.

which was seconded by Commissioner Frad authorizing the Auditor to cancel the second installment of 1950-51 city taxes on Block 81, lot 24 and S½ of lot 25, assessed to Wm. F. Raemsch in the amount of \$8.97 as this property was purchased by the City of Modesto and the City Clerk is hereby directed to request cancellation of the second installment of 1950-51 Stanislaus County taxes in amount \$24 89 from the Board of Supervisors and the second installment of 1950-51 Modesto Irrigation District taxes in amount \$3.37 on this property from the Board of Directors, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
BIDS ON LINE CON-
STRUCTION BODY

Commissioner Frad introduced

RESOLUTION NO. 9346-N.S.

which was seconded by Commissioner Burkner recommending that the bids received on the fur-

nishing and installing of a Line Construction Body on a model L-162 International Truck Chassis for the Electrical Department to the City Engineer's office for tabulation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
REQUEST DELAY ACTION
ANNEXATION ROSEBURG
MCHENRY TRACT TO CITY

A communication from W. W. Giddings, Jr. requesting that action on the annexation petitions filed with the Council Council for the annexation of the Roseburg-McHenry Tract be postponed for a week or ten days, whereupon Commissioner Stanley introduced

RESOLUTION NO. 9347-N.S.

which was seconded by Commissioner Burkner recommending that action on the annexation proceedings be delayed for a period of one week, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
AUTHORIZE CLERK
RELEASE PETITIONS
W. W. GIDDINGS, JR.

Commissioner Frad introduced

RESOLUTION NO. 9348-N.S.

which was seconded by Commissioner Burkner authorizing the City Clerk to release the petitions filed with him by W. W. Giddings, Jr. for the proposed annexation of the Roseburg-McHenry Tract so that Affidavits of circulation could be attached to petitions, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
AWARD BID ON ELEC-
TRICAL EQUIPMENT

Pursuant to referring bids on furnishing electrical equipment to the City Engineer's office for tabulation and recommendation, Assistant City Engineer, Fred Johnson recommended that the bid of Westinghouse Electric Supply Company, of \$818 85 be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9349-N.S.

which was seconded by Commissioner Condit accepting the bid of Westinghouse Electric Supply Company, as it was the lowest and best bid and directing the City Clerk to return bidding checks to the unsuccessful bidders, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AUTHORIZE CLERK
CALL FOR BIDS
IMPROVE TUOLUMNE
BOULEVARD

Commissioner Condit introduced

RESOLUTION NO. 9350-N.S.

which was seconded by Commissioner Stanley authorizing the City Clerk to call for bids on the improvement of Tuolumne Boulevard between Merced Avenue and Seventh Street, said bids to be opened on March 21, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
AUTHORIZE CLERK
CALL FOR BIDS
IMPROVE L STREET

Commissioner Burkner introduced
RESOLUTION NO. 9351-N.S.

which was seconded by Commissioner Frad authorizing the City Clerk to call for bids for the improvement of L Street between 11th and 14th Streets, said bids to be opened on March 21, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
CHANGE WAGE SCALE
FOR PUBLIC WORKS

Commissioner Frad introduced
RESOLUTION NO. 9352-N.S.

which was seconded by Commissioner Burkner changing the prevailing rate of per hour wages for certain classifications of public works performed under contract in the City of Modesto and rescinding resolution No. 8808-N.S. adopted by the Council of the City of Modesto on March 1, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
AUTHORIZE PAYMENT
LEAGUE OF CALIFORNIA
CITIES

Commissioner Frad introduced
RESOLUTION NO. 9353-N.S.

which was seconded by Commissioner Stanley authorizing payment of \$60 00 to the League of California Cities in payment of voluntary special assessment authorized by the Board of Directors (15% of annual service charge), which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
ESTABLISH POLICY
ON ANNEXATION

Commissioner Burkner introduced
RESOLUTION NO. 9354-N.S.

which was seconded by Commissioner Stanley establishing policy for services and improvements in territories annexing to the City of Modesto and rescinding Resolution No. 6508-N.S. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17
IN THE MATTER OF
GRANT LEAVE OF
ABSENCE DONALD E.
HICKS

Commissioner Burkner introduced
RESOLUTION NO. 9355-N.S.

which was seconded by Commissioner Stanley granting military leave of absence to Donald E, Hicks, Laborer in the Public Works Department, for a period of one year, beginning March 28, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18
IN THE MATTER OF
SALE OF CITY TAX
PROPERTY

Attorney Halley reported that Harry Windus Public Appraiser, had appraised the tax deed property owned by the City of Modesto in Block 507, portion lots 12, 13, 14 at \$175 00. Attorney Halley reported that Mr. Windus waived the usual appraisal fee.

19
IN THE MATTER OF
REQUEST PLACE TAXI
PHONE ON CITY POLE
JOE'S CAB

Chief Pickering reported that Joe Sequeira operating Joe's Taxicab Company had requested permission to remove his phone from the Maze Drug Store building during alterations and install it temporarily on the city electric pole at 10th and H Streets, whereupon Commissioner Frad introduced

RESOLUTION NO. 9356-N.S.

which was seconded by Commissioner Burkner, granting permit to Joe Sequeira to install his telephone on the City owned electric pole subject to approval of location by the City Engineers office, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20
IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 9357-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

March 14, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Mayor Shannon

Absent: Councilmen: Stanley and Frad

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meetings of February 28 and March 7, 1951, were approved as mailed to the Council-

men.

IN THE MATTER OF
REQUEST USE MANCINI
MUSIC BOWL FOR
EASTER SERVICES

Rev. Donald G. Weston, 707 15th Street, appeared before the Council and requested that the Council authorize the use of the Mancini Music Bowl for a Sunrise Easter morning service, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9358-N.S.

which was seconded by Commissioner Condit granting permit to the Ministerial Association of Modesto to hold Sunrise Easter Services at the Mancini/^{Music}Bowl on March 25, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

2
IN THE MATTER OF
INSTALL REFUSE CANS
ON SIDEWALKS IN CITY

W. Emerson appeared before the Council and presented an agreement to the Council whereby he would install a number of refuse cans on the sidewalks of the City with the privilege of handling the advertisement himself, which would be placed on the cans. The Council informed him that they wished a little more time so that the City Attorney could check up on the agreement

3
IN THE MATTER OF
CLAIMS FOR MONTH
OF FEBRUARY

Claims against the City of Modesto for the month of February,
1951, having been heretofore audited by the Council and found to

be correct, Commissioner Condit introduced

RESOLUTION NO. 9359-N.S.

which was seconded by Commissioner Burkner, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$ 89,182 39
WATER FUND-----	8,954 62
LIBRARY FUND-----	11,222 39
1-10J-----	170 97
1-10I-----	372 40
1-1E-----	85 00
1-2-----	206 25
1-9J-----	182 62
	<hr/>
	\$110,376 64

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

4
IN THE MATTER OF
REFUND ON WATER BILL
MRS. H. B. CORDES

Commissioner Burkner introduced

RESOLUTION NO. 9360-N.S.

which was seconded by Commissioner Condit allowing claim of Mrs. H. P. Cordes for \$15 00 for overpayment of water bill on her dwelling located at 302 Sycamore Avenue, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

5
IN THE MATTER OF
BIDS ON LINE CON-
STRUCTION BODY

Whereas pursuant to advertising for bids for furnishing and in-
stalling of a line construction body on a truck chassis for the

Electrical Department, the City Clerk reported two bids on file and after opening of bids, Commissioner Burkner introduced

RESOLUTION NO. 9361-N.S.

which was seconded by Commissioner Condit, recommending that all bids be rejected and the Assistant City Engineer Fred Johnson and Commissioner of Supplies, Fred D. Condit, be authorized to purchase this equipment on the open market, which resolution was regularly adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

6
IN THE MATTER OF
TRANSFER FUNDS

Commissioner Condit introduced

RESOLUTION NO. 9362-N.S.

which was seconded by Commissioner Burkner authorizing the Auditor to transfer \$60,000 from the Water Fund to the General Fund, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

1 IN THE MATTER OF
PAYMENT TO CARR
AND ROCCA

Commissioner Burkner introduced

RESOLUTION NO. 9364-N.S.

which was seconded by Commissioner Condit, authorizing progressive payment of \$14,161 51 to Carr & Rocca for contract on the LaLoma bridge and \$532 38 for extra work on this bridge, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

8 IN THE MATTER OF
DISCUSS FIRE PROTEC-
TION AGREEMENT WITH
GROVE LABORATORIES INC.

Following receipt of a letter from Bomberger Brothers regarding the continuing of fire protection agreement to the R. Fair plant, now owned by Grove Laboratories,

Inc., the Fire Chief was instructed to investigate the proposed operations at this plant and to make his recommendations to the Council.

9 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 987-N.S.
SALE RAEMSCH HOUSE

Ordinance No. 987-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 28, 1951, and thereupon printed and

published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

10 IN THE MATTER OF
DEPARTMENTAL REPORTS

Departmental reports for the month of February, 1951, were read and ordered filed.

11 IN THE MATTER OF
GRANT PERMIT TO
ERECT BANNERS

Commissioner Burkner introduced

RESOLUTION NO. 9365-N.S.

which was seconded by Commissioner Condit granting permit to the Modesto Post No. 74, the American Legion, to display banner at the corner of 10th & J Streets, April 4 to 12 to advertise a dance to be held April 13, 1951, and granting permit to the Modesto Garden Club to display a banner, April 4 to 12 on I Street, between Ninth and Tenth Streets to advertise their annual flower show, providing the usual fee of \$10 00 has been paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

12 IN THE MATTER OF
WELL ON JUNIOR
COLLEGE PROPERTY

Assistant City Engineer Johnson reported that the Modesto City Schools had abandoned their plan to install a well on the Sanders property adjoining the Junior College and were going to secure the water they needed for this project from the Modesto Irrigation District.

13 IN THE MATTER OF
ADJOURNMENT

Commissioner Burkner introduced

RESOLUTION NO. 9366-N.S.

which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

ATTEST: REX E. GAILFUS, CITY CLERK

6A
IN THE MATTER OF Commissioner Burkner introduced
PAYMENT TO BAKER
& NEWMAN

RESOLUTION NO. 9363-N.S.

which was seconded by Commissioner Condit, authorizing payment of \$582 25 to Baker & Newman Company for the installing of a boiler in the McHenry Library, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

Council Meeting

March 21, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

1 IN THE MATTER OF ORAL COMMUNICATIONS

Attorney Ronald E. Bates, representing the Associated Plumbing Contractors, appeared before the Council and requested that the Council consider amending the City of Modesto Plumbing Code as follows:

"That Section 12 be eliminated, which would automatically make Section 701A of the Uniform Plumbing Code effective."

That Section 14 of the Modesto Plumbing Code be eliminated, which would automatically reinstate Section 716 of the Uniform Plumbing Code". He was instructed to work with the Assistant City Engineer and City Attorney and prepare an amendment to the plumbing code, which would include the requested changes, for consideration of the City Council at their next meeting.

2 IN THE MATTER OF MEETING OF CIVIL DEFENSE COUNCIL

A communication from Jack Wherry, County Coordinator advising that a joint meeting will be held of the City and County Civil Defense Councils, Thursday, March 22, 1951 in the Board of Supervisors Room at the Court House, was read and ordered filed.

3 IN THE MATTER OF FIRE PROTECTION GROVE LABORATORIES, INC.

A communication from the Grove Laboratories Inc. advising the Council of the nature and manner of their operations in their plant which they recently purchased from R. Fair on Hosmer Avenue, outside the City limits and after some discussion it was decided to furnish fire protection to the plant, whereupon Commissioner Stanley introduced

RESOLUTION NO. 9367-N.S.

which was seconded by Commissioner Frad, recommending that the City of Modesto enter into an agreement with the Grove Laboratories Inc. for fire protection on their plant, with a standby charge of \$200 00 per annum and a charge of \$50 00 per hour or fraction thereof for each piece of equipment called to the plant and the City Attorney was directed to prepare agreement for the execution by the Mayor and City Clerk, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF COMMUNICATION OFFICE CIVIL DEFENSE

A Communication from the California State Disaster Council requesting that the Council adopt a resolution relative to Workmen's Compensation Insurance for registered volunteer "Disaster Service Workers" be adopted was read, whereupon Commissioner Frad introduced

RESOLUTION NO. 9368-N.S.

which was seconded by Commissioner Condit Recommending that the Council agrees to follow the rules and regulations established by the California State Disaster Council under date of April 4, 1946, pursuant to the provisions of Section 1566.1 of the Military and Veterans Code, Chapter 104, Statutes 1946, First Extraordinary Session, and the City Clerk is directed to send two certified copies to the California State Disaster Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
CURB CUT J. P.
MC COY

A petition was filed by John McCoy to cut the existing curb between the two driveways at his property located at 1215 Ninth Street, Block 59, lots 25 and 26 to enlarge the driveway to accommodate the driving of large trucks onto his property, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9369-N.S.

which was seconded by Commissioner Frad, granting permit to Mr. McCoy to increase one existing driveway to 30 feet and to close up the other driveway under the supervision of the City Engineer's office, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
DISPLAY BANNER
OMEGA NU SORORITY

A request was filed by the Omega Nu Sorority to display a banner at 10th and J Streets to advertise their show "Follies of 1951", April 4 to April 18. This request was refused due to the fact that the cable at this location had broken and there was no available way to handle a banner.

7
IN THE MATTER OF
DISPLAYING BANNERS
IN BUSINESS DISTRICT
DISCONTINUE

A discussion was held on the displaying of banners in the business district by various organizations in the City advertising shows and events, Commissioner Frad introduced

RESOLUTION NO. 9370-N.S.

which was seconded by Commissioner Condit recommending that hereafter no banners would be allowed across the streets in the business district due to the danger involved, not only to the city equipment and personnel while hanging these banners, but to the general public as well, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
BIDS ON IMPROVING
TUOLUMNE BLVD.

Whereas, pursuant to advertising for bids on the improvement of Tuolumne Blvd. between Merced Avenue and 7th Street, the City Clerk reported that two bids had been filed with him and after consideration of these bids by the Council, they were referred to the City Engineer's office for tabulation and recommendation at a later meeting.

9
IN THE MATTER OF
BIDS ON IMPROVEMENT
L STREET

Whereas, pursuant to advertising for bids on the improvement of L Streets, between Eleventh and Fourteenth Streets, the City Clerk reported two bids on file and after consideration of these bids by the Council, they were referred to the City Engineer's Office for tabulation and recommendation at a later meeting.

10
IN THE MATTER OF
CLERK RECORD NEW
CHARTER WITH COUNTY
RECORDER

Commissioner Burkner introduced
RESOLUTION NO. 9371-N.S.
which was seconded by Commissioner Stanley directing the City Clerk to record with the County Recorder of Stanislaus County, the new charter of the City of Modesto as certified by the Secretary of State of California, Frank M. Jordan on March 15, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None
Ab
Absent: Councilmen: None

11
IN THE MATTER OF
FILE CHARTER IN
CITY ARCHIVES

Commissioner Stanley introduced

RESOLUTION NO. 9372-N.S.

which was seconded by Commissioner Burkner, directing the City Clerk to file a copy of the new Charter of the City of Modesto certified by Frank M. Jordan, Secretary of State of California on March 15, 1951, in the archives of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
AUTHORIZE CLERK CALL
FOR BIDS ON SALE
DWELLING (RAEMSCH)

Commissioner Frad introduced

RESOLUTION NO. 9373-N.S.

which was seconded by Commissioner Burkner authorizing the Clerk to call for bids on the sale of the building owned by the City located on Block 81, lot 24 S $\frac{1}{2}$ of lot 25, said sale to be held on April 11, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
GRANT EXTENSION TIME
STANDARD MATERIALS
ON PARKING LOT

A request was filed by the Standard Materials Inc. for a three weeks extension of time for completion of their contract for the improvement of the parking lot at 11th and G Streets since

inclement weather had held up their operations, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9374-N.S.

which was seconded by Commissioner Condit, granting an extension of 21 days from this date to the said Standard Materials Inc. for the completion of their contract on the improvement of above described parking lot, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
CERTIFICATION OF
CANDIDATES

Whereas the City Clerk has certified to the City Council that the following individuals have properly qualified to be placed

on the ballot in the forthcoming municipal election to be held April 10, 1951, for the offices of Mayor, Councilmen and Members of the Board of Education, Commissioner Frad introduced

RESOLUTION NO. 9375-N.S.

which was seconded by Commissioner Stanley resolving that at the election to be held in the City of Modesto and in the Modesto City School District on April 10, 1951, there shall appear upon the ballot as candidates for the various offices as indicated the following named persons:

For Mayor to serve for a full four year term:

HARRY MARKS

For Councilman (Two to be elected, each to serve for a full four year term)

Clifford M. Annan

Alfred E. Carlson

Robert G. Donner

Abraham E. Jessup

Dan Mellis

For Councilman (One to be elected, to serve for an unexpired two year term).

Robert W. Adams

Margaret L. Annear

Charles A. Fox

For Councilman for offices created by new City Charter (Two to be elected with the candidate receiving the greatest number of votes to hold office until 1955, and the one receiving the next largest number of votes to hold office until 1953)

Merrill L. Adams

Raymond D. Brown

James E. Colton

Hayden L. Logan

Lyndall O. Merrill

For Members of Board of Education (Three to be elected, each to serve for a full four year term)

Catherine Everett

Folke K. Floden

S. Mary Gustin

Benjamin J. Kimber

Maurice H. Rose

Jack Wherry

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

15
IN THE MATTER OF
ORD. AUTHORIZE
SALE BLOCK 81 POR.
LOTS 12, 13, 14
J. S. BROWN

Commissioner Stanley introduced an ordinance being
ORDINANCE NO. 989-N.S.

entitled: "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
AGREEMENT BETWEEN
CITY AND J. S. BROWN
SALE REAL PROPERTY

Commissioner Frad introduced
RESOLUTION NO. 9376-N.S.

which was seconded by Commissioner Burkner approving agreement between the City of Modesto and Mr. and Mrs. John S. Brown for the sale of a portion of lots 12, 13 and 14, lying North of the South 80 feet of Block 507 of the City of Modesto, and appointing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

17

IN THE MATTER OF
FINAL ADOPTION ORD.
985-N.S. ZONE LAS
PALMAS TRACT

Ordinance No. 985-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 28, 1951, and thereupon printed and published as required

by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

18

IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 986-N.S. ZONE
CAMPUS TRACT NO. 2

Ordinance No. 986-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of February 28, 1951, and thereupon printed and published as required

by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

19

IN THE MATTER OF
FINAL ADOPTION ORD.
988-N.S. ESTABLISH
POST WAR PUBLIC
WORKS FUND

Ordinance No. 988-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 7, 1951, and thereupon printed and published as required by the

Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

20

IN THE MATTER OF
DAMAGE TO LADDER
ON AERIAL LADDER
TRUCK

Fire Chief Wemyss reported that the 45' ladder attached to the Peter Pirsch Aerial Ladder truck was damaged by the car operated by Mrs. Joyce I. Yori, Rt. 2, Box 1014, Modesto, on March 20, 1951, while it was parked at 10th and J Streets to remove a banner due to the breaking of a cable wire. The City Clerk was instructed to write to Mrs. Yori and inform her that the City would hold her responsible for the repair or replacement of this ladder.

21

IN THE MATTER OF
DISPENSE WITH
LOADING ZONE 9TH
STREET BETWEEN H
AND I STREETS

Commissioner Frad introduced
RESOLUTION NO. 9377-N.S.
which was seconded by Commissioner Condit recommending that the loading zone established on the northeast side of Ninth Street at H Street be discontinued and the City Engineer be directed to place a parking meter at this location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

22

IN THE MATTER OF
ADJOURNMENT

Commissioner Frad introduced
RESOLUTION NO. 9378-N.S.
which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAILFUS, CITY CLERK

March 28, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Absent: Councilmen: Stanley

IN THE MATTER OF APPROVAL OF MINUTES

The minutes of the regular meetings of March 14 and March 21, 1951, were approved as mailed to the Councilmen:

IN THE MATTER OF CLAIM-ALLEN GRIMES

Commissioner Frad introduced

RESOLUTION NO. 9379-N.S.

which was seconded by Commissioner Burkner allowing claim of Allen Grimes for \$150 00 for consultation and research on the new city charter, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF COMMUNICATION FROM MODESTO MOTOR BUS SERVICE

A communication filed by Willis M. Kleinenbroich, doing business as the Modesto Motor Bus Service, with copy of application attached which had been filed with

the Public Utilities Commission, asking for increased bus rates, was read and ordered filed.

IN THE MATTER OF APPROVAL MEMO AGREEMENT MAJOR CITY STREETS

Commissioner Burkner introduced

RESOLUTION NO. 9380-N.S.

which was seconded by Commissioner Condit, approving memorandum of agreement for expenditure of gas tax allocation for major city streets for fiscal year 1952, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF AWARD BID ON IMPROVEMENT OF TUOLUMNE BOULEVARD

Whereas pursuant to referring the bids on the improvement of Tuolumne Blvd., from Merced Avenue to Seventh Street to the City Engineer's office for investigation

and recommendation, and whereas they have recommended that the bid of the Standard Materials Company of \$9,135 48 be accepted, whereupon Commissioner Burkner introduced

RESOLUTION NO. 9381-N.S.

which was seconded by Commissioner Frad, accepting the bid of the said Standard Materials Company as it was the lowest and best bid, and appointing the Mayor, Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF AWARD BID ON IMPROVEMENT OF L STREET BETWEEN 11th & 14th STREETS

Whereas pursuant to referring the bids on the improvement of L Street between Eleventh and Fourteenth Streets to the City Engineer's office for investigation

and recommendation, and whereas they have recommended that the bid of the Standard Materials Company of \$9,871 30 be accepted, whereupon Commissioner Condit

introduced

RESOLUTION NO. 9382-N.S.

which was seconded by Commissioner Burkner, accepting the bid of the Standard Materials Company, as it was the lowest and best bid, and appointing the Mayor, Clerk and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
CANCEL TAXES ON
HOLTHAM PROPERTY

Commissioner Burkner introduced

RESOLUTION NO. 9383-N.S.

which was seconded by Commissioner Frad authorizing the City Auditor to cancel the penalty on the first installment and all the second installment of 1950-51 taxes on Block 94, lots 29 to 32 inc., formerly owned by Earl A. Holtham et al and purchased by the City of Modesto parking Authority and the City Clerk was directed to request cancellation of the second installment of County taxes from the Board of Supervisors of Stanislaus County in the amount of \$266 85 and the second installment of irrigation taxes from the Board of Directors of the Modesto Irrigation District in the amount of \$21 75, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 989-N.S.
(SALE OF J. S. BROWN
PROPERTY)

Ordinance No. 989-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of March 21, 1951, and thereupon printed and published as required by

the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
ORD. APPROPRIATE
FUNDS IMPROVE
PARKING LOT

Commissioner Condit introduced an ordinance being

ORDINANCE NO. 990-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY FOR THE SURFACING, MARKING AND INSTALLATION OF PARKING METERS IN THE OFF-STREET PARKING AREAS, IN BLOCK 94, LOTS 29-30-31 AND 32 and BLOCK 56, ALL LOTS 23, 24, and 25, N 9.75' of 22", and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Burkner, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

IN THE MATTER OF
ORD. REGULATE PARK-
ING ON OFF-STREET
PARKING LOTS

A discussion was held concerning a proposed Ordinance regulating parking on off street parking lots. The ordinance was explained by Attorney Halley and he was instructed to present it again for consideration of the Council at their meeting of April 4, 1951.

IN THE MATTER OF
HARRY JENKS, CON-
SULTING SANITARY
ENGINEER-REPORT ON
SEWER PLANT

Harry Jenks, Consulting Sanitary Engineer, appeared before the Council and made a verbal report on the progress of the sewer farm improvements and plans.

IN THE MATTER OF
PETITION PROTEST
CHANGE IN PLUMBING
CODE

A petition filed protesting to any change in the City of Modesto Plumbing code was ordered filed.

12
IN THE MATTER OF
ADJOURNMENT

Commissioner Condit introduced

RESOLUTION NO. 9384-N.S.

which was seconded by Commissioner Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

April 4, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S., Section 1.

Present: Councilmen: Burkner, Condit, Mayor Shannon

Absent: Councilmen: Stanley and Frad

1
IN THE MATTER OF
AUTHORIZE PAYMENT
STANDARD MATERIALS
INC. PARKING LOT

Commissioner Burkner introduced

RESOLUTION NO. 9385-N.S.

which was seconded by Commissioner Condit authorizing progressive payment of \$2204 25 to the Standard Materials Inc. for the improvements on the parking lot at Eleventh and G Streets and accepting the job as completed by the said Standard Materials Inc. and directing the City Clerk to file notice of completion with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

2
IN THE MATTER OF
AUTHORIZE PAYMENT
STANDARD MATERIALS
IND. DOWNEY HIGH
SCHOOL SEWER LINE

Commissioner Burkner introduced

RESOLUTION NO. 9386-N.S.

which was seconded by Commissioner Condit authorizing progressive payment to the Standard Materials Inc. of \$3243 97 for the construction of Sanitary Sewer System from Morris and Hunter Avenue to Downey High School on Coffee Road, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

3
IN THE MATTER OF
AUTHORIZE PAYMENT
KING-KNIGHT COMPANY
CONVERSION PUMP

Commissioner Burkner introduced

RESOLUTION NO. 9387-N.S.

which was seconded by Commissioner Condit authorizing progressive payment of \$7972 00 to King-Knight Company for the furnishing and installing necessary equipment for conversion of an existing electric motor driven turbine pump to a combination gas engine and electric motor driven unit with automatic controls at pump station No. 5 and accepting the work as completed by King-Knight Company and directing the City Clerk to record notice of completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

4
IN THE MATTER OF
CLERK CALL FOR BIDS
PURCHASE CAST IRON
PIPE

Commissioner Burkner introduced
RESOLUTION NO. 9388-N.S.

which was seconded by Commissioner Condit authorizing the City Clerk to call for bids for the purchase of cast iron pipe, said bids to be opened on April 18, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

5
IN THE MATTER OF
REQUEST FOR MILITARY
LEAVE OF ABSENCE
GALEN V. THOMAS

A request was filed by Galen Victor Thomas for military leave ^{the} of absence of one year to enter/armed services. This request was referred to the City Attorney for investigation and

recommendation.

6
IN THE MATTER OF
GRANT PERMIT M.
McKINNIE ATTEND
CONVENTION

Commissioner Condit introduced
RESOLUTION NO. 9389-N.S.

which was seconded by Commissioner Burkner authorizing the attendance of Murray McKinnie, Treatment Plant Superintendent, to the California Sewage Works Conference in Fresno, April 25 to 28, 1951, inclusive, with all expenses paid, which resolution was regularly adopted by the following vote;

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

7
IN THE MATTER OF
INSTALL TELEPHONE
AT LEGION PARK

A communication from the Pacific Telephone and Telegraph Company requesting permission to install and maintain a telephone

at the Legion Park was read and Commissioner Burkner introduced

RESOLUTION NO. 9390-N.S.

which was seconded by Commissioner Condit, granting permit to the Pacific Telephone & Telegraph Company to install a phone booth at Legion Park as outlined in their letter of March 30, 1951, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

8
IN THE MATTER OF
REQUEST COUNCIL
ATTEND CELEBRATION
AT TRACY

An invitation to the Council to attend a celebration in Tracy August 3, 4, and 5, 1951 was received from the Tracy Pumping Plant Celebration Committee and referred to Harry Marks.

9
IN THE MATTER OF
RESOLUTION FROM
AMERICAN LEGION
POST NO. 74
moneys, the signing of a loyalty oath", was read and ordered filed.

A communication from the American Legion Post No. 74, regarding "the establishment of a pre-requisite to the receipt of public

10
IN THE MATTER OF
INCREASE GENERAL
ADMINISTRATIVE
BUDGET

Commissioner Burkner introduced
RESOLUTION NO. 9391-N.S.

which was seconded by Commissioner Condit, authorizing the increasing of the General Administrative budget \$1500 00 for election expenses, making the total amount for the 1950-51 budget \$4500 00 instead of \$3000 00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

11
IN THE MATTER OF
REQUEST MOVE USED
CAR LOT E. L. ADKINS

Request of E. L. Adkins to move his used car lot from
405 McHenry Avenue to 1107 L Street was referred to
the City Engineer's office for investigation and recommendation.

12
IN THE MATTER OF
FINAL ADOPTION
ORD. NO. 990-N.S.
APPROPRIATE MONEY
IMPROVE PARKING
LOTS

Ordinance No. 990-N.S, having been heretofore intro-
duced and ordered printed and published at the regu-
lar meeting of March 28, 1951 and thereupon printed
and published as required by the Charter of the City of

Modesto coming on for final adoption at this time, it was upon roll call so finally
adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

13
IN THE MATTER OF
REQUEST SOFT BALL
FACILITIES-RECREA-
TION DEPT.

A communication from the Modesto City Recreation De-
partment regarding the urgent need of additional fa-
cilities for soft ball games was read and after general

discussion, the City Attorney was instructed to contact the school officials to de-
termine if a lease could be entered into for the use of the Mark Twain School
Grounds for a Soltball field.

14
IN THE MATTER OF
SET DATE FOR HEARING
ON ZONING PORTION
SUNSET ACRES ANNEXED
TO CITY

Commissioner Burkner introduced
RESOLUTION NO. 9392-N.S.

which was seconded by Commissioner Condit setting the
date of May 2, 1951 at 4:00 P.M. at the City Hall as the time and place for the hear-
ing of protests to the zoning of that portion of Sunset Acres Tract recently annexed
to the City of Modesto, which resolution was regularly adopted by the following
vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

15
IN THE MATTER OF
REZONE PORTION
McHENRY AVE.

A Communication from the Modesto City Planning Commis-
sion notifying the Council that they had held the

necessary public hearings on a petition for the rezoning from R-1, Single Family
Residence District to C-1 Neighborhood Business District the following described
property

Lots 1 to 3 inclusive of Block 706

Lot 35, north of South 50 feet and

East of the West 157 feet Block

619

South 110 feet of West 207 feet

of Block 620

Lot 36, North 60 feet of East 60

feet Block 619

was read and commissioner Burkner introduced

RESOLUTION NO. 9393-N.S.

which was seconded by Commissioner Condit, setting the date of May 9th at 7:30 P.M.
at the City Hall as the time and place for the hearing of protests to the proposed
zoning of this territory as petitioned by Dan Mellis, Madeline W. Hiatt, Fred
Pizzerulli, Della M. Meyer, Samuel and Bernice Hyman and Luther W. and Edith Crab-
tree, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absetn: Councilmen: Stanley and Frad

16
IN THE MATTER OF
REQUEST AMEND ORD.
910-N.S. SEARCH
LIGHTS

Police Chief Pickering requested that Ordinance No. 910-N.S. regulating the operation of search lights in the City of Modesto be amended to eliminate altogether the granting of permits in the City by the Police Chief. City Attorney Halley was directed to prepare an ordinance for consideration by the Council.

17
IN THE MATTER OF
ORD. REGULATE
PARKING LOTS

Commissioner Burkner introduced an ordinance being
ORDINANCE NO. 991-N.S.

entitled: "AN ORDINANCE RELATING TO REGULATION AND USE OF OFF-STREET PARKING FACILITIES IN THE CITY OF MODESTO, PROVIDING FOR THE ESTABLISHING OF FEES FOR THE USE THEREOF, AND FOR THE ENFORCEMENT OF THIS ORDINANCE AND OF THE RULES, REGULATIONS, AND RESTRICTIONS CONNECTED WITH THE USE THEREOF BY THE PUBLIC AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND OF THE RULES, REGULATIONS AND RESTRICTIONS CONNECTED WITH THE USE OF SUCH OFF-STREET PARKING FACILITIES BY THE GENERAL PUBLIC" and moved its adoption and passage to print and publish, which motion being duly seconded by Commissioner Condit, it was upon roll call carried and the ordinance ordered published ^{as above} by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

IN THE MATTER OF ADJOURNMENT Commissioner Burkner introduced

RESOLUTION NO. 9394-N.S.

18
which was seconded by Commissioner Condit, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

ATTEST: REX E. GAILFUS, CITY CLERK

Rex E. Gailfus

Council Meeting

April 11, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

Minutes of the meetings of the Council held on March 28th and April 4, 1951, were approved as mailed to the Councilmen:

IN THE MATTER OF
REQUEST FOR FUNDS
CALIFORNIA RELAY'S
ASSOCIATION

Dr. E. F. Soderstrom and a committee, representing the California Relay's Association, appeared before the Council and requested that the Council consider the making of an appropriation to the Association for the 1951 relays to be held on May 19, 1951. They reported that the Board of Supervisors of Stanislaus County had already donated \$500 00. The Council decided the matter should be postponed until the Council meeting of April 18th, at which time a financial report could be presented by the City Clerk.

IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of March, 1951 having been heretofore audited by the Council and found to be

correct, Commissioner Frad introduced

RESOLUTION NO. 9395-N.S.

which was seconded by Commissioner Burkner, ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$103,034 65
WATER FUND-----	7,934 56
LIBRARY FUND-----	3,311 76
1-10-I-----	270 20
1-10-J-----	6,127 07
1-1-E-----	2,500 00
1-2-----	1,025 00
1-9-A-----	14,693 89
1-9-J-----	2,353 88
	<u> </u>
	\$141,251 01

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2 IN THE MATTER OF
REGIONAL WATER POLLUTION CONTROL BOARD

Fred Johnson, Assistant City Engineer read a letter, dated March 26, 1951, from Colonel J. S. Gorlinski

setting forth his proposed recommendations to the Regional Water Pollution Control Board, together with a letter from Colonel Gorlinski dated March 30, 1951, referring to the policy established at a conference in his office on February 21, 1951, between the representatives of the City of Modesto and of the Division of Fish and Game and stating that he proposed to recommend to his Board that a resolution be passed modifying the requirement that five parts per million dissolved oxygen be maintained in the water of the Tuolumne River in accordance with said policy, after discussion, Commissioner Frad introduced

RESOLUTION NO. 9396-N.S.

which was seconded by Commissioner Stanley recommending that Fred M. Johnson, Assistant City Engineer be directed to write to Colonel J. S. Gorlinski advising him that the standards set forth in his letter of March 26th, will be acceptable to the city providing that the requirement of five parts per million dissolved oxygen be modified to the extent as set forth in Colonel Gorlinski's letter of March 30, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
GRANT PERMIT MOVE
USED CAR LOT
E. L. ADKINS

Commissioner Condit introduced

RESOLUTION NO. 9397-N.S.

which was seconded by Commissioner Burkner, granting permit to E. L. Adkins to move his used car lot from 405 McHenry Avenue to 1107 L Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
GRANT MILITARY LEAVE
ABSENCE G. V. THOMAS

Whereas pursuant to referring the request of G. V. Thomas,
Laborer, employed by the City, for a military leave of absence
to the City Attorney for investigation and recommendation, he reported that this leave should
be granted under Section 395-1 of the Military and Veterans Code of the State of California,
whereupon Commissioner Burkner introduced

RESOLUTION NO. 9398-N.S.

which was seconded by Commissioner Stanley, authorizing military leave of absence for one
year to G. V. Thomas, laborer, in the employ of the City of Modesto, which resolution was re-
gularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
OPEN BIDS ON SALE
DWELLING BLOCK 81

Whereas pursuant to advertising for bids for the sale of build-
ings from the property purchased by the City from Mrs. Emily
Raemsch in Block 81 lots 24 and S one half of lot 25, the City Clerk reported two bids had
been filed in his office, whereupon after opening of bids and discussion of same, Commissioner
Frad introduced

RESOLUTION NO. 9399-N.S.

which was seconded by Commissioner Stanley, recommending that the bid of Mrs. Verna Menzies
of \$300 00, including California Sales Tax, be accepted for Unit A and all bids on Unit B
and C be rejected and the City Engineer be authorized to sell these units on the open market,
which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
REPORT ON SOFT BALL
FIELD

Commissioner Frad reported that the matter of the installation
of a soft ball field on the Mark Twain School grounds was pro-
gressing and the final report on the matter would be presented at the next Council meeting

7
IN THE MATTER OF NOTICE
TO BIDDERS VACUATOR
EQUIPMENT

Commissioner Burkner introduced

RESOLUTION NO. 9400-N.S.

which was seconded by Commissioner Condit authorizing the City Clerk to call for bids on the
furnishing and delivering f.o.b. Modesto, mechanism for installing vacuator, said bids to be
opened on April 25, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
REQUEST CURB CUT
W. L. JASPAR

Commissioner Burkner introduced

RESOLUTION NO. 9401-N.S.

which was seconded by Commissioner Frad, granting permit to Wilfred L. Jaspas to cut the curb
12 feet under the supervision of the City Engineer in Block 86, lots 27, 28, 29, which resolu-
tion was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 991-N.S. REGULATE
PARKING LOTS

Ordinance No. 991-N.S. having been heretofore introduced and
ordered printed and published at the regular meeting of April
4, 1951, and thereupon printed and published as required by the
Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call
so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
DISCUSS SEWER
EXTENSION

Assistant City Engineer, Fred M. Johnson reported that an additional \$13,000 is needed to complete the sewer lines to service the new Franklin School and the new John Muir School and other area adjacent to the John Muir School which is already within the City limits and which is not being serviced at the present time. He reported that the schools would not need this service until the beginning of the school year next fall.

11
IN THE MATTER OF
SALE USELESS PERSONAL
PROPERTY

Fire Chief Wemyss reported that the City of Oakdale was setting up a new fire alarm system and would like to purchase a transmitter from the City of Modesto which was no longer in use by the City, whereupon Commissioner Frad introduced an ordinance being

ORDINANCE NO. 992-N.S.

entitled: "AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY" and moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call ordered published and printed by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
EXPRESS APPRECIATION
TO COUNCIL

Jack Wemyss, Fire Chief, representing the Regular, Auxiliary and Volunteer Fire Departments and the Regular and Reserve Police Officers, expressed the appreciation of these organizations for the consideration and cooperation of the Council in the past years.

13
IN THE MATTER OF
EXPRESS APPRECIATION
OUTGOING COUNCIL

Commissioner Frad expressed his thanks and appreciation to the outgoing members of the Council for their past service for the citizens of the City of Modesto.

IN THE MATTER OF ADJOURNMENT Commissioner Frad introduced

RESOLUTION NO. 9402-N.S.

which was seconded by Commissioner Stanley, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: REX E. GAIFFUS, CITY CLERK

SPECIAL Council Meeting

April 17, 1951

The Council of the City of Modesto met in special session this date at 4:00 P.M. as provided by Section 2 of Ordinance No. 2-N.S. as amended by Ordinance No. 959-N.S.

Present: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

IN THE MATTER OF
ACCEPT RESIGNATION
DAN MELLIS FROM
PARKING AUTHORITY

Commissioner Stanley introduced

RESOLUTION NO. 9402A-N.S.

which was seconded by Commissioner Burkner, accepting the resignation of Dan Mellis from the Parking Authority as of this date and recommending that he be given a vote of appreciation by the Council for his excellent work while serving as a member of the City of Modesto Off-Street Parking Authority, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
CANVAS BALLOTS
GENERAL MUNICIPAL
ELECTION

The Council proceeded to canvas the votes of the General Municipal Election for the City of Modesto and the Modesto City School District held on April 10, 1951, and Commissioner Condit

introduced

RESOLUTION NO. 9403-N.S.

which was seconded by Commissioner Stanley,

WHEREAS, a general municipal election in the City of Modesto, together with general election in and for the Modesto City School District was held on the 10th day of April, 1951.

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all of the returns from said election including absentee ballots and finds that the same are now in proper form and have canvassed all of said ballots and ascertained the results of said election as hereinafter stated.

NOW THEREFORE, be it resolved, certified and declared by the Council of the City of Modesto that the said general municipal election in and for the City of Modesto, and the general election in and for the Modesto City School District were regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the said Council so finds that at said general municipal election in the City of Modesto and at said Modesto City School District election ~~in the City of Modesto and at said Modesto City School District~~ election within the corporate limits of said City the total number of votes cast at the regular polling places, including absentee ballots was and is 4,158 and the total number of votes cast at the regular polling places for the Modesto City School District election, outside the corporate limits of the City of Modesto, including absentee ballots was and is 1,952;

That the names of the persons voted for, the office of each person was voted for and the number of votes given to each person was and is as follows:

FOR MAYOR

(For a full four year term)

Harry Marks-----3404

Walter Field----- 2

T. F. O'Connell----- 1

Ramon Purde----- 1

Carl Shannon----- 40

John Doe----- 1

Edwin E. Smith----- 1

Lyndall Merrill----- 1

Jack Hazard----- 1

Clarence Baker----- 1
 Horace Chamberlain-- 1
 B. J. Kimber----- 2
 Fred Condit----- 1
 Sam T. Moran----- 9
 William J. Coulson-- 1
 Claud Donley----- 1
 B. S. Kimber----- 1
 R. E. Davis----- 1
 Bert Davis----- 2
 Harry Benson----- 1
 W. W. Giddings, Sr.-- 1
 Ed Arps----- 1
 John C. Higgins----- 1

FOR COUNCILMAN (Unexpired 2 year term)

Robert W. Adams-----2210
 Fred Condit----- 6
 Carl Stanley----- 1
 Margaret L. Annear--1463
 Charles A. Fox----- 327

FOR COUNCILMAN (FULL TERM)

(For full four year terms)

Clifford M. Annan---2828
 Alfred E. Carlson--- 668
 Robert G. Donner---- 694
 Abraham E. Jessup---1483
 Dan Mellis-----2114
 Carl Stanley----- 4
 E. K. Burkner----- 3

FOR COUNCILMAN (OFFICES CREATED BY NEW CHARTER)

Merrill L. Adams----2455
 Raymond C. Brown----1119
 James E. Colton----- 585
 Hayden L. Logan----- 659
 Lyndall O. Merrill--2974
 Fred Condit----- 1
 Carl Stanley----- 1

FOR MEMBER OF THE BOARD OF EDUCATION

(For full four year terms)

Catherine Everett---3434
 Folke K. Floden----4114
 S. Mary Gustin-----1536
 Benjamin J. Kimber--2732
 Maurice H. Rose-----1426
 Jack Wherry-----3858
 Ed Soderstrom----- 2
 Robert Elliott----- 1

Pursuant to the Elections Code of the State of California the City Council hereby declares elected the following persons having the highest number of votes given for each office;

FOR THE OFFICE OF MAYOR

(For a four year term)

Harry Marks

FOR THE OFFICE OF COUNCIL-

MAN FOR AN UNEXPIRED TWO

YEAR TERM:

Robert W. Adams

FOR THE OFFICE OF COUNCIL-

MAN FOR FULL TERMS:

(For four year terms)

Clifford M. Annan

Dan Mellis

FOR THE OFFICE OF COUNCIL-

MAN FOR OFFICES CREATED BY

THE NEW CITY CHARTER:

Lyndall O. Merrill

to hold office until 1955

Merrill L. Adams,

to hold office until 1953

FOR THE OFFICE OF MEMBER OF

THE BOARD OF EDUCATION:

(For four year terms)

Catherine Everett

Folke K. Floden

Jack Wherry

Certificates of election shall be issued to the foregoing persons under the hand and seal of the City Clerk of the City of Modesto.

The number of votes given at each precinct to each person is as follows:

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 1

(Precincts No. 1 to 10 inclusive are situated within City of Modesto)

Harry Marks	345
Robert W. Adams	249
Margaret L. Annear	155
Charles A. Fox	16
Clifford M. Annan	337
Alfred E. Carlson	65
Robert G. Denner	64
Abraham E. Jessup	142
Dan Mellis	223
Merrill L. Adams	296
Raymond C. Brown	96
James E. Colton	48
Hayden L. Logan	47
Lyndall O. Merrill	324
Catherine Everett	237

Folke K. Floden	313
S. Mary Gustin	84
Benjamin J. Kimber	225
Maurice H. Rose	116
Jack Wherry	261
Walter Fields	1
T. F. O'Connell	1

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 2

Harry Marks	499
Robert W. Adams	326
Margaret L. Annear	290
Charles A. Fox	29
Fred Condit	1
Clifford M. Annan	457
Alfred E. Carlson	68
Robert G. Donner	53
Abraham E. Jessup	151
Dan Mellis	348
Merrill L. Adams	383
Raymond C. Brown	156
James E. Colton	44
Hayden L. Logan	53
Lyndall O. Merrill	468
Catherine Everett	286
Folke K. Floden	465
S. Mary Gustin	103
Benjamin K. Kimber	320
Maurice H. Rose	131
Jack Wherry	389
Ramon Purde	1
Carl Shannon	7
Walter Field	1
John Doe	1

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 3

Harry Marks	308
Carl Shannon	3
Edwin E. Smith	1
Robert W. Adams	194
Margaret Annear	134
Charles Fox	26
Clifford M. Annan	261
Alfred E. Carlson	35
Robert G. Donner	18
Abraham E. Jessup	174
Dan Mellis	208
Merrill L. Adams	227
Raymond C. Brown	100
James E. Celton	39

Hayden L. Logan	35
Lyndall O. Merrill	284
Catherine Everett	206
Folke K. Floden	256
S. Mary Gustin	79
Benjamin Kimber	181
Maurice H. Rose	80
Jack Wherry	236

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 4

Harry Marks	495
Lyndall Merrill	1
Jack Hazard	1
Carl Shannon	5
Clarence Baker	1
Horace Chamberlain	1
B. J. Kimber	2
Robert W. Adams	362
Margaret Annear	164
Charles A. Fox	49
Clifford Annan	431
Alfred E. Carlson	88
Robert G. Donner	62
Dan Mellis	335
Merrill Adams	375
Raymond C. Brown	167
James E. Colton	73
Hayden E. Logan	72
Lyndall Merrill	443
Catherine Everett	333
Folke K. Floden	419
S. Mary Gustin	126
Ben J. Kimber	280
Maurice Rose	130
Jack Wherry	401
Ed Soderstrom	2
Abraham Jessup	240

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 5

Harry Marks	163
Robert Adams	121
Margaret Annear	53
Charles A. Fox	8
Clifford Annan	154
Alfred E. Carlson	21
Robert G. Donner	12
Abraham E. Jessup	55
Dan Mellis	128
Merrill Adams	132
Raymond C. Brown	49
James E. Colton	23

Hayden Logan	17
Catherine Everett	108
Lyndall O. Merrill	154
Folke K. Floden	138
S. Mary Gustin	27
Benjamin J. Kimber	85
Maurice Rose	53
Jack Wherry	132
Carl Shannon	6
Fred Condit	1
Sam Moran	4
Robert Elliott	1

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 6

Harry Marks	312
Carl Shannon	10
William J. Coulson	1
Robert W. Adams	207
Margaret L. Annear	102
Charles A. Fox	35
Fred Condit	1
Elifford M. Annan	300
Alfred E. Carlson	44
Robert G. Donner	54
Abraham E. Jessup	159
Dan Mellis	199
Carl Stanley	3
E. K. Burkner	1
Merrill L. Adams	241
Raymond C. Brown	127
James E. Colton	65
Hayden L. Logan	44
Lyndall O. Merrill	273
Fred Condit	1
Catherine Everett	210
Folke K. Floden	292
S. Mary Gustin	87
Benjamin J. Kimber	191
Maurice H. Rose	78
Jack Wherry	247

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 7

Harry Marks	226
Carl Shannon	2
Claud Donley	1
Robert W. Adams	119
Margaret L. Annear	91
Charles A. Fox	31
Clifford M. Annan	168
Alfred E. Carlson	56
Robert C. Donner	47

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 7 (cont.)

Abraham E. Jessup	107
Dan Mellis	120
Merrill L. Adams	137
Raymond C. Brown	81
James E. Colton	41
Hayden L. Logan	67
Lyndall O. Merrill	167
Catherine Everett	148
Folke K. Floden	189
S. Mary Gustin	67
Benjamin J. Kimber	116
Maurice H. Rose	61
Jack Wherry	155

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 8

Harry Marks	314
B. S. Kimber	1
Carl Shannon	4
R. E. Davis	1
Bert Davis	2
Sam Moran	3
Harry Benson	1
Robert W. Adams	178
Margaret L. Annear	151
Charles A. Fox	39
Fred Condit	2
Carl Stanley	1
Clifford M. Annan	208
Alfred E. Carlson	59
Robert G. Donner	143
Abraham E. Jessup	139
Dan Mellis	148
Merrill L. Adams	189
Raymond C. Brown	106
James E. Colton	82
Hayden L. Logan	101
Lyndall O. Merrill	325
Catherine Everett	216
Folke K. Floden	213
S. Mary Gustin	109
Benjamin J. Kimber	162
Maurice H. Rose	110
Jack Wherry	235

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 9

Harry Marks	363
Sam Moran	1
W. W. Giddings, Sr.	1
Robert W. Adams	218
Margaret L. Annear	165

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 9 (Cont.)

Charles A. Fox	52
Clifford M. Annan	244
Alfred Carlson	128
Robert G. Donner	120
Abraham E. Jessup	121
Dan Mellis	222
Merrill L. Adams	216
Raymond C. Brown	120
James E. Colton	85
Hayden L. Logan	108
Lyndall O. Merrill	259
Catherine Everett	255
Folke K. Floden	264
S/ Mary Gustin	131
Benjamin J. Kimber	161
Maurice H. Robe	117
Jack Wherry	277

SPECIAL CONSOLIDATED PRECINCT NO. 10

Harry Marks	379
Robert W. Adams	236
Margaret L. Annear	158
Charles A. Fox	42
Clifford M. Annan	268
Alfred E. Carlson	104
Robert G. Donner	121
Abraham E. Jessup	195
Dan Mellis	183
Merrill E. Adams	259
Raymond C. Brown	117
James E. Colton	85
Hayden L. Logan	115
Lyndall O. Merrill	277
Catherine Everett	241
Folke K. Floden	274
S. Mary Gustin	139
Benjamin J. Kimber	208
Maurice H. Rose	142
Jack Wherry	265
Sam Moran	1
Carl Shannon	3
Ed Arps	1
John C. Huggins	1
Fred Condit	2
Carl Stanley	1
Carl Burkner	2
Carl Stanley	1

(Following precincts are situated outside corporate City Limits)

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 11

Catherine Everett	57
Folke K. Floden	64
S. Mary Gustin	43
Benjamin J. Kimber	42
Maurice H. Rose	21
Jack Wherry	67

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 12

Catherine Everett	95
Folke K. Floden	89
S. Mary Gustin	38
Benjamin J. Kimber	46
Maurice H. Rose	27
Jack Wherry	105

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 13

Catherine Everett	85
Folke K. Floden	82
S. Mary Gustin	58
Benjamin J. Kimber	55
Maurice H. Rose	34
Jack Wherry	87

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 14

Catherine Everett	82
Folke K. Floden	96
S. Mary Gustin	47
Benjamin J. Kimber	62
Maurice H. Rose	40
Jack Wherry	95

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 15

Catherine Everett	82
Folke K. Floden	77
S. Mary Gustin	44
Benjamin Kimber	44
Maurice Rose	33
Jack Wherry	93

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 16

Catherine Everett	31
Folke K. Floden	33
S. Mary Gustin	16
Benjamin J. Kimber	19
Maurice H. Rose	3
Jack Wherry	38

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 17

Catherine Everett	79
Folke K. Floden	69
S. Mary Gustin	41
Benjamin J. Kimber	44
Maurice H. Rose	29
Jack Wherry	63

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 18

Catherine Everett	52
Folke K. Floden	54
Jack Wherry	54
Benjamin J. Kimber	24
Maurice H. Rose	20
S. Mary Gustin	23

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 19

Catherine Everett	75
Folke K. Floden	61
S. Mary Gustin	41
Benjamin J. Kimber	42
Maurice H. Rose	22
Jack Wherry	58

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 20

Catherine Everett	167
Folke K. Floden	189
S. Mary Gustin	69
Benjamin J. Kimber	133
Maurice H. Rose	36
Jack Wherry	170

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 21

Catherine Everett	147
Folke K. Floden	186
S. Mary Gustin	61
Benjamin J. Kimber	123
Maurice H. Rose	59
Jack Wherry	171

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 22

Catherine Everett	120
Folke K. Floden	147
S. Mary Gustin	50
Benjamin J. Kimber	99
Maurice H. Rose	42
Jack Wherry	129

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 23

Catherine Everett	61
Folke K. Floden	66
S. Mary Gustin	21
Benjamin J. Kimber	30
Maurice H. Rose	19
Jack Wherry	74

SPECIAL CONSOLIDATED ELECTION PRECINCT NO. 24

Catherine Everett	61
Folke K. Floden	78
S. Mary Gustin	32
Benjamin J. Kimber	40
Maurice H. Rose	23
Jack Wherry	56

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
EXPRESSIONS OF APPRE-
CIATION TO COUNCIL

Norman West, Dr. Robert R. Moon, Ronald E. Bates, and Judge
J. Lee Robertson, appeared before the Council and expressed

their appreciation for past favors of the Council and for the work done by them for the City of Modesto.

Dr. Robert R. Moon presented a letter to each Councilman on behalf of the Chamber of Commerce expressing the appreciation for the splendid efforts given to the City by the Council.


Mayor Shannon instructed the Clerk to administer the oath to the newly elected Councilmen, whereupon the Oath of Office was administered to the following persons for the offices as follows:

Mayor	Harry Marks
Councilman (2 year term)	Robert W. Adams
Councilman (four year term)	Clifford M. Annan
	Dan Mellis
Councilman (offices created by new charter)	Lyndall O. Merrill
	Merrill L. Adams
Members of the Board of Education	Catherine Everett
	Folke K. Floden

thereafter Mayor Shannon declared the following persons installed in office:

Harry Marks
 Robert W. Adams
 Clifford M. Annan
 Dan Mellis
 Merrill L. Adams
 Lyndall O. Merrill
 Catherine Everett
 Folke K. Floden

Mayor Marks and the outgoing Council members made brief remarks and there being no further business, Mayor Marks adjourned the meeting.

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
April 18, 1951

The Council of the City of Modesto met in regular session as provided by Ordinance No. 959-N.S.

Present: Councilmen: R. Adams, M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

IN THE MATTER OF
ELECTION OF VICE
PRESIDENT OF COUNCIL

Whereas, Section 603 of the Charter of the City provides that a Vice President be elected by the Council, who shall act in the capacity of Mayor pro tempore in cases when the Mayor is unable to carry on the duties of his office, the Mayor announced that nominations for Vice President were open. Thereupon Councilman Lyndall O. Merrill was nominated for the position and there being no further

nominations, Councilman Annan introduced

RESOLUTION NO. 9404-N.S.

which was seconded by Councilman M. Adams, moving that nominations be closed and that the City Clerk be authorized to cast an unanimous ballot for Lyndall O. Merrill, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Thereupon the City Clerk cast a unanimous ballot for Lyndall O. Merrill for the position of Vice President for the Council and he was declared elected to the office.

2 IN THE MATTER OF
REORGANIZATION
SURVEY

Councilman R. Adams introduced

RESOLUTION NO. 9405-N.S.

which was seconded by Councilman Mellis recommending that the City enter into an agreement with the Public Administration Service, 785 Market Street, San Francisco 5, for the study of organizational problems of the City and the City Attorney is hereby directed to prepare agreement along the lines outlined in their letter of March 30th and the Mayor and City Clerk and Auditor, are appointed signatory officials of agreement which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
REQUEST USE HANGAR
FOR DANCE

A request was filed by the Modesto Airmen's Association for the use of the Modesto Municipal Hangar for their third annual dance to be held on June 16, 1951, whereupon Councilman Mellis introduced

RESOLUTION NO. 9406-N.S.

which was seconded by Councilman R. Adams, recommending that permit be granted to the said applicants for the use of the hangar on above mentioned date providing they file with the City Clerk, prior to the date of the dance, an insurance policy for Public Liability in the amounts of \$50/100,000 and property damage for \$5000 00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
ANNEX-MAZE COURT
TRACT

Whereas, H. J. Tegen and other persons have informed the City Council that they desire to commence proceedings to annex certain territory to the City of Modesto and whereas the said territory is sub-divided and according to the Annexation Act of 1913 the Council cannot consent to commencement of proceedings until the Council has received a report or recommendation from the Modesto City Planning Commission, Councilman Mellis introduced

RESOLUTION NO. 9407-N.S.

which was seconded by Councilman R. Adams recommending that the question of annexation of this territory known as the Maze Court Tract be referred to the Modesto City Planning Commission for its report or recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
OPEN BIDS ON CAST
IRON PIPE

Whereas, pursuant to advertising for bids for cast iron pipe to be opened at this meeting, the City Clerk reported three bids on file. After the opening of the bids and discussion by the Council, the bids were referred to the City Engineer's Office for tabulation and recommendation.

6
IN THE MATTER OF
REQUEST FOR DONATION
BOY'S BAND

The request that \$1200 00 be placed in the 1951-52 budget as a donation to the Stanislaus County Boys' Band was discussed by the Council and Councilman Annan suggested that the Director of the Band be contacted in regard to the use of this money with the thought that the money be put to the best use in the interest of the City of Modesto.

7
IN THE MATTER OF
AGREEMENT SOFT BALL
FIELD WITH MODESTO
CITY SCHOOL DISTRICT

Whereas the Council referred the matter of preparing an agreement between the City of Modesto and the Modesto City School District for the using of a portion of the Mark Twain School grounds for a soft ball field and whereas Attorney Halley has presented said agreement for approval, Councilman Frad introduced

RESOLUTION NO. 9408-N.S.

which was seconded by Councilman R. Adams, approving agreement as prepared by the City Attorney for the using of the Mark Twain School grounds for a soft ball field for a term beginning May 15, 1951, and ending Sept. 15, 1951, at a rental of \$1.00 per year and the Mayor and Auditor are here by appointed signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 992-N.S. SALE
USELESS PERSONAL
PROPERTY

Ordinance No. 992-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of April 11, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
AUTHORIZE PAYMENT
ELECTION OFFICIALS
RENTAL POLLING PLACES

Councilman Mellis introduced

RESOLUTION NO. 9409-N.S.

which was seconded by Councilman Merrill authorizing payment of \$8.00 to each election official and \$5.00 for rental of polling places for the General Municipal Election held on April 10, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
RECIND RES. NO. 9396-N.S.
REGIONAL WATER POLLUTION
CONTROL BOARD

Whereas Fred Johnson, Assistant City Engineer requested that Resolution No. 9396-N.S. entitled: "A RESOLUTION AUTHORIZING THE ASSISTANT CITY ENGINEER TO COMMUNICATE WITH COLONEL J. S. GORLINSKI OF THE REGIONAL WATER POLLUTION CONTROL BOARD", adopted by the Council at their regular meeting of April 11, 1951, be rescinded for the reason that a study of Colonel Gorlinski's letters of March 26 and March 30, 1951, in his opinion required further clarification before any action should be taken by the City Council whereupon Councilman Frad introduced

RESOLUTION NO. 9410-N.S.

which was seconded by Councilman Mellis rescinding Resolution No. 9396-N.S. as requested by Fred Johnson, Assistant City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

WHEREAS letters have been received from Colonel J. S. Gorlinski dated March 26th and March 30th, 1951, in which he states that he intends to make certain recommendations to the Regional Water Pollution Control Board and

WHEREAS before the Council can pass upon said recommendation it is necessary the letters be clarified, Councilman Merrill introduced

RESOLUTION NO. 9411-N.S.

which was seconded by Councilman Mellis recommending that Fred Johnson, Assistant City Engineer, be directed to request Colonel Gorlinski to send a copy of his proposed resolution which he intends to submit to the Regional Water Pollution Control Board and that if such resolution cannot be submitted prior to the next meeting of the Regional Water Pollution Control Board that Colonel Gorlinski be requested to ask the Board to continue the matter to the subsequent meeting so that the City of Modesto may have an adequate opportunity to study and review the proposed recommendations, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

12
IN THE MATTER OF
REPORT ON MODESTO
SEWAGE AND WASTE
DISPOSAL PLANT

Fred Johnson, Assistant City Engineer made a detailed report on the progress made in the past several years at the sewer farm, whereupon a committee was appointed

by the Mayor, composed of Merrill Adams, Chairman; Clifford Annan, and Lyndall Merrill to study the matter and make recommendations for consideration of the entire Council.

13
IN THE MATTER OF
REAPPOINT MURRAY
AND PUCCINELLI TO
LIBRARY BOARD

Councilman Mellis introduced

RESOLUTION NO. 9412-N.S.

which was seconded by Councilman Merrill reappointing W. H. Murray and A. E. Puccinelli as members of the Library Trustees for a term of four years beginning February 1, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

14
IN THE MATTER OF
RESOLUTION APPRE-
CIATION BESSIE
SILVERTHORN

Councilman R. Adams introduced

RESOLUTION NO. 9413-N.S.

which was seconded by Councilman Frad recommending that a vote of appreciation be given Bessie Silverthorn, Librarian of the McHenry Library for her many years of excellent service to the community, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

15

IN THE MATTER OF
COMMITTEE TO STUDY
CITY OFFICES

The matter of remodelling the Council Chambers was considered by the Council and a Committee composed of Dan Mellis, Robert Adams, and Rex E. Gailfus was appointed to investigate the possible purchase of the Roosevelt School building for the city offices and to check the available office space of the city at present.

16

IN THE MATTER OF
PURCHASE FIRE HOSE

Fire Chief Wemyss reported that the City was badly in need of fire hose and stated that delay in purchasing this equipment might mean we would be unable to obtain the hose and he requested permission to use \$1500 00 of the Fire Bond Fund, to purchase this hose for use at Fire Station No. 4 whereupon Councilman R. Adams introduced

RESOLUTION NO. 9414-N.S.

which was seconded by Councilman M. Adams, recommending that the hose be purchased and paid for with money from the Fire Bond Fund, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Councilman R. Adams introduced

RESOLUTION NO. 9415-N.S.

which was seconded by Councilman M. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:



REX E. GAILFUS, CITY CLERK

Council Meeting

April 25, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meetings of April 11, 17 and 18, 1951 were approved as mailed to the Councilmen.

IN THE MATTER OF
COMMUNICATIONS

A communication from Frank Andrews regarding the City taking over the power lines within the city limits from the Modesto Irrigation District and operating the electric system was read and ordered laid over for future consideration by the Council.

Mayor Marks reported that he had received a communication from Herbert A. Olson, Western Representative of the Public Administration Service stating that their representative, Mr. Harry Toulmin would be in Modesto by the first of May to begin his survey of the City.

2

IN THE MATTER OF
BIDS ON MECHANISM
ON VACUATOR

Whereas, pursuant to advertising for bids for the furnishing and delivering f.o.b. Modesto Sewage Treatment Plant site, one complete mechanism for installing in a fifty foot diameter vacuator, complete with mechanical and electrical auxiliaries and appurtenances in accordance with the detailed shop and field

Erection requirements of the Dorr Company, Inc. or equal", the City Clerk reported one bid on file from the Dorr Company of \$27,060 00. Whereupon by order of the Council this bid was referred to the City Engineer's office for tabulation and then to be resubmitted to the Council at a later date, giving the Council some time to study the over all plan for expansion of the sewer treatment plant.

3
IN THE MATTER OF
AWARD BID ON CAST
IRON PIPE

Whereas pursuant to referring the bids on the cast iron pipe to the City Engineer's office for tabulation and recommendation, Assistant City Engineer Johnson filed a tabulated report on the bids received and he recommended that the bid of the United States Pipe and Foundry Company be accepted as their delivery date was the best and the City was in need of this pipe at the present time, whereupon Councilman Merrill introduced

RESOLUTION NO. 9416-N.S.

which was seconded by Councilman M. Adams recommending that the bid of the United States Pipe and Foundry Company be accepted as their bid was the best and delivery could be made of this material at an early date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

4
IN THE MATTER OF
NOTICE TO BIDDERS
ON CHLORAMINE-T

Councilman Mellis introduced

RESOLUTION NO. 9417-N.S.

which was seconded by Councilman R. Adams authorizing the City Clerk to advertise for bids "for supplying 60 ninety pound drums of a Chloramine-T compound conforming to specifications as set forth in the Notice to bidders", delivery to be made between June 10, 1951 and June 30, 1951, said bids to be opened on May 9, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

5
IN THE MATTER OF
AUTHORIZE CLIFFORD
A WAGONER ATTEND
CONFERENCE

Councilman R. Adams introduced

RESOLUTION NO. 9418-N.S.

which was seconded by Councilman M. Adams authorizing the attendance of Clifford A. Wagoner, Groundsman at the Municipal Golf Course, to the Annual Southern California Turf Field Day at the University of California in Los Angeles, April 30 and May 1, with expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

6
IN THE MATTER OF
CURB CUT-COMER LEE

Comer Lee, owner of Block 423, lots 15 to 19 inc. requested a curb cut on the Maze Boulevard side to eliminate the traffic hazard of automobiles being driven into the Ice Cream Drive In. located on this property from the curve off of L Street, whereupon Councilman Merrill introduced

RESOLUTION NO. 9419-N.S.

which was seconded by Councilman M. Adams granting request for a curb cut to Comer Lee on the above described property, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

7
IN THE MATTER OF
SUPPORT STATE
LEGISLATION

Councilman Mellis introduced

RESOLUTION NO. 9420-N.S.

which was seconded by Councilman Merrill recommending that the City go on record as supporting Assembly Bill No. 3217 and Senate Bill No. 769, which would require urban unincorporated areas to pay the cost of the municipal type services they have been getting at the expense of the County general fund, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

8
IN THE MATTER OF
CALL FOR BIDS SALE
TRANSMITTER

Councilman R. Adams introduced

RESOLUTION NO. 9421-N.S.

which was seconded by Councilman M. Adams, directing the City Clerk to call for bids on the sale of the Excelsior Alarm transmitter, which has been declared useless personal property by Ordinance No. 992-N.S., said sale to be held on May 9, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

9
IN THE MATTER OF
REPORT ON ROOSEVELT
SCHOOL BUILDING

Councilman Mellis reported that progress was being made on the study of the use of the Roosevelt School building as a city

hall and that a complete report would be filed in the near future.

10
IN THE MATTER OF
CUB CUT GRANTED
IN BLOCK 86 TO
W. L. JASPAR

Fred Johnson, Assistant City Engineer reported that a new request was filed by W. L. Jaspas for a curb cut of 18 feet for his property in Block 86, lots 27, 28, 29, instead of the 12

foot curb cut allowed under Resolution No. 9401-N.S. adopted by the Council at their regular meeting of April 11, 1951. By order of the Council, Fred Johnson, Assistant City Engineer, was directed to investigate this request and to report his findings to the Council at a later meeting.

11
IN THE MATTER OF
INVITATION TO COUNCIL
EXCURSION TO SACRAMENTO

Police Chief Pickering issued a general invitation to the Council to attend an all day excursion of the Junior Traffic Patrol to Sacramento on May 26th to visit the State Capitol buildings and other interesting

sites in that city.

12
IN THE MATTER OF
STANISLAUS SAFETY
COUNCIL MEETING

Fire Chief Wemyss issued a general invitation to the Council to attend a meeting of the Stanislaus Safety Council on May

3rd at 8:00 P.M. to be held in the Library room at the Modesto High School. Councilman R. Adams signified his intention of attending this meeting.

13
IN THE MATTER OF
JAY WALKING REGU-
LATION

The matter of jay walking regulation was referred to the City Attorney for study to determine if new legislation would be

necessary.

14
IN THE MATTER OF
ADJOURNMENT

Councilman M. Adams introduced

RESOLUTION NO. 9422-N.S.

which was seconded by Councilman Annan adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

ATTEST: _____

Rex E. Gailfus, City Clerk

Special Council Meeting

May 1, 1951

The Council of the City of Modesto met in special session this date at 4:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

IN THE MATTER OF
APPOINT CITY MANAGER

Councilman Merrill introduced

RESOLUTION NO. 9423-N.S.

which was seconded by Councilman M. Adams recommending that Ross Miller be and he is hereby employed as City Manager of the City of Modesto, beginning as of June 15, 1951 and his salary is hereby fixed, pursuant to Section 902 of the Charter of the City of Modesto at \$14,000 00 per annum, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADJOURNMENT

Councilman Frad introduced

RESOLUTION NO. 9424-N.S.

which was seconded by Councilman R. Adams that this Council meeting now in session adjourn, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 

REX E. GAILFUS, CITY CLERK

Council Meeting

May 2, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: Annan

IN THE MATTER OF
REPORT ON PROPOSED
ANNEXATION OF MAZE
COURT TRACT

Pursuant to referring the petition for annexation of the Maze Court Tract to the Planning Commission for investigation and recommendation, they filed a report

at this time recommending that request for annexation be granted for the initiation of proceedings to annex the 25 acres covered by the petition, whereupon the Council directed the City Attorney to prepare a resolution for adoption at the Council meeting to be held on May 9, consenting to commencement of proceedings.

IN THE MATTER OF
HEARING ON ZONING
OF PORTION OF SUN-
SET ACRES TRACT

Whereas the Planning Commission has held the two public hearings on the proposed zoning of that portion of Sunset Acres annexed to the City of Modesto

as R-A, Residence-Agricultural District, as provided by Zoning Ordinance No. 700-N.S.

and whereas no protests have been filed against the zoning of this property as recommended by the Planning Commission at this public hearing by the Council, Councilman Mellis introduced an ordinance being

ORDINANCE NO. 993-N.S.

entitled: "AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes:; Councilmen: None

Absent:Councilmen: Annan

3
IN THE MATTER OF
COMMUNICATION ARMED
FORCES DAY

A communication from Don Taggart, Corresponding Secretary of the Armed Forces Day, stating that May 19 had been designated as Armed Forces Day, was read and referred to the Modesto Bee for the issuance of a proclamation by the Mayor delcaring May 19, as armed forces day in Modesto,

4
IN THE MATTER OF
AGREEMENT WITH
JAMES SORENSEN

Councilman Mellis introduced
RESOLUTION NO. 9425-N.S.

which was seconded by Councilman R. Adams approving lease agreement between the City of Modesto and James Sorensen for the rental of 12 acres of the Airport property for a term of one year, beginning April 1, 1951 and the Mayor, Auditor and Clerk are appointed signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen:Annan

5
IN THE MATTER OF
PROGRESSIVE PAYMENT
STANDARD MATERIALS
INC. ON TUOLUMNE
BLVD. IMPROVEMENTS

Councilman R. Adams, introduced
RESOLUTION NO. 9426-N.S.

which was seconded by Councilman Merrill, authorizing progressive payment on the improvement of Tuolumne Boulevard between Merced Avenue and Seventh Street, of \$702 00 to the Standard Materials Inc. which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

6
IN THE MATTER OF
PROGRESSIVE PAYMENT
STANDARD MATERIALS INC.
ON SEWER LINE TO DOWNEY
HIGH SCHOOL

Councilman M. Adams introduced
RESOLUTION NO. 9427-N.S.

which was seconded by Councilman Mellis, authorizing progressive payment of \$2440 65 to the Standard Material Inc. for the construction of a Sanitary Sewer System from Morris Avenue and Hunter Avenue to Downey High School on Coffee Road, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent:Councilmen: Annan

7
IN THE MATTER OF
AGREEMENT WITH
CENTRAL VALLEY
GROCER'S

Councilman Mellis introduced
RESOLUTION NO. 9428-N.S.

which was seconded by Councilman M. Adams approving the renewal of agreement with the Central Valley Grocer's for domestic sewer service for a term of one year beginning May 10, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

8 IN THE MATTER OF
REPORT BY FRED JOHNSON
ON REQUEST CURB CUT
W. L. JASPAR

Assistant City Engineer Johnson reported that he recommended delaying granting permit to W. L. Jaspar for a larger curb cut in Block 86 until some work was done on the grading of the lot by Mr. Jaspar.

9 IN THE MATTER OF
TRAFFIC AT CERTAIN
INTERSECTIONS

Assistant City Engineer Johnson recommended to the Council that application be made to the State for an investigation to be made for the controlling of traffic at the intersection of Morris Avenue and McHenry Avenue and Eleventh and D Streets, whereupon by order of the Council, Mr. Johnson was directed to contact the State Department of Public Works with regard to a survey being made of this traffic problem.

10 IN THE MATTER OF
REQUEST FOR LOADING
ZONE-THRIFTY MART

An application was filed with the Council for a loading zone by the Thrifty Drug Stores Co. Inc., at their new store on Tenth and K Streets, whereupon Councilman Merrill introduced

RESOLUTION NO. 9429-N.S.

which was seconded by Councilman Frad denying request of the Thrifty Drug Stores Co. Inc., for a loading zone due to the fact it has not been the policy of the Council to install loading zones in the business district due to the congested traffic conditions, which resolution was regularly adopted by the following vote:
Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None

Absent: Councilmen: Annan

11 IN THE MATTER OF
REQUEST RESERVED
PARKING SPACE

A request was filed with the Council by Bob Williams for a reserved parking space in front of his dwelling at 727 Sixth Street so that he could use it as a parking space for his truck which he uses in his floral business at 522 H Street as the parking limit on H Street prohibited the parking of his truck on that street. This request for reserved parking space was turned over to the Assistant City Engineer.

12 IN THE MATTER OF
CERTIFICATES OF
SERVICE TO FORMER
COUNCILMEN AND MAYOR

Councilman Mellis introduced
RESOLUTION NO. 9430-N.S.

which was seconded by Councilman Merrill authorizing the issuance of certificates of service to former Councilmen, C. J. Stanley, Fred D. Condit, E. K. Burkner, and Mayor Carl W. Shannon, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

13 IN THE MATTER OF
PARKING LIMIT ON
SIXTH STREET

Councilman Mellis recommended that one hour parking be installed on both sides of Sixth Street between H and I Streets. By order of the Council, Police Chief Pickering was directed to investigate and make a recommendation to the Council at a later meeting.

14 IN THE MATTER OF
REQUEST ERECT
BANNERS FOR CALI-
FORNIA RELAYS

Trevor Griffith representing the California Relays Association, appeared before the Council and requested that they be permitted to display flags and banners in the business district to advertise the California Relays Association meeting on May 19, 1951. The Council took their request under advisement for a week so that an investigation could be made.

15

IN THE MATTER OF
REPORT BY MERRILL
ON REQUEST FOR FUNDS

Councilman Merrill reported for Councilman Annan recommending that the City request that organizations granted money by the Council, such as the Stanislaus County Boys' Band, Chamber of Commerce and Fourth of July Committee, be required to file a report with the Council showing the manner in which the money is to be spent and that a contract be entered into between the City and the recipient of the funds.

16

IN THE MATTER OF
AUTHORIZE PICKERING
ATTEND CONVENTION

Councilman R. Adams introduced
RESOLUTION NO. 9431-N.S.

which was seconded by Councilman Frad, authorizing Chief U. H. Pickering to attend the convention of the National Police Academy in Monterey, May 10, 11, 12, 1951, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

17

IN THE MATTER OF
ADJOURNMENT


Councilman R. Adams introduced
RESOLUTION NO. 9432-N.S.

which was seconded by Councilman Frad, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
May 9, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis Merrill and Mayor Marks

Absent: Councilmen: None

1

IN THE MATTER OF
REQUEST USE MANCINI
BOWL FOR RELIGIOUS
SERVICES

Clyde Sutton, Dwight Long and Clyde Oden, representing the Ministerial Association appeared before the Council and requested consideration by the Council for the using of the Mancini Bowl in Graceada Park during the summer months for Sunday evening services. Action on this request was held over for one week for the further consideration of the request by the Council.

2

IN THE MATTER OF
APPROVAL OF MINUTES

Minutes of the special meeting of May 1, and the regular meetings of April 25 and May 2, 1951, were approved as mailed to the Council members.

3

IN THE MATTER OF
ESTABLISH POLICY ON
DISPLAY BANNERS

Trevor Griffith has previously appeared before the Council, representing the Junior Chamber of Commerce, and requested permission to display banners in the business district, advertising the California Relays to be held in Modesto, May 18-19, 1951, and also requested that the Fire Department install the banners, and whereas the Council has taken this request under consideration and determined that this request should be granted, Councilman Frad introduced

RESOLUTION NO. 9433-N.S.

which was seconded by Councilman M. Adams, recommending that the said applicants be granted permission to display the banners and the Fire Department be directed to install these

banners, and also that the following policy be adopted on the granting of permits to display banners:

"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 City 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-That upon application and the securing of a permit from the City Council or from such person as the Council may designate, banners and decorations over and above the streets may be displayed for the following occasions and by the following groups:

Community Chest Drive
California Relays
Fourth of July Celebration
Christmas Celebration

2-Except as enumerated herein no banners or decorations shall be permitted over and across the streets of the City of Modesto.

3- Resolution No. 9370-N.S. is hereby rescinded

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
CLAIMS FOR THE
MONTH OF APRIL

Claims against the City of Modesto for the month of April, 1951, having been heretofore audited by the Council and found to be correct, Councilman Frad introduced

RESOLUTION NO. 9434-N.S.

which was seconded by Councilman R. Adams ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$ 93,752 26
WATER FUND-----	9,081 28
LIBRARY FUND@-----	2,884 10
1-10I-----	1,233 94
1-10J-----	28 06
1-2-----	318 75
1-9J-----	2,561 66
	<hr/>
	\$109,860 05

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

2
IN THE MATTER OF
STOP SIGNS AT MEL-
ROSE AND MORRIS

A communication was filed with the Council by C. E. Williams requesting that the Council consider the installation of stop signs at the intersection of Melrose Street and Morris Avenue, due to the fact so many automobile accidents had occurred at this intersection. Police Chief Pickering also reported that he recommended that stop signs be installed on Melrose Street, stopping traffic entering Morris Avenue whereupon Councilman Merrill introduced

RESOLUTION NO. 9435-N.S.

which was seconded by Councilman R. Adams establishing stop signs on the southeast and northwest corners of Melrose Street and Morris Avenue, stopping traffic entering Morris Avenue and directing the City Engineer to install the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
APPOINTMENT ON
PARKING AUTHORITY

A communication from the City of Modesto Parking Authority requesting that the Council consider appointing Roy Bylling to fill the unexpired term of Dan Mellis, who had been elected Councilman of the City of Modesto, whereupon Councilman Mellis introduced

RESOLUTION NO. 9436-N.S.

which was seconded by Councilman Merrill appointing Roy Bylling a member of the City of Modesto Parking Authority to fill the term of Dan Mellis which expires on January 18, 1952, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
OPEN BIDS ON
CHLORAMINE T

Whereas pursuant to advertising for bids for Chloramine T, the City Clerk reported one bid on file from the Modesto Paper Company, but due to the fact that it was not accompanied by a certified check, the bid could not be considered, whereupon Councilman R. Adams, introduced

RESOLUTION NO. 9437-N.S.

which was seconded by Councilman Mellis, rejecting the bid of the Modesto Paper Company and directing the City Engineer to purchase this material on the open market, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
SALE OF TRANSMITTER

Whereas, pursuant to advertising for bids for the sale of one used Excelsior Alarm Transmitter, and whereas no bids were received for this useless personal property, Councilman R. Adams introduced

RESOLUTION NO. 9438-N.S.

which was seconded by Councilman M. Adams, authorizing the Fire Chief to sell this equipment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
DORR COMPANY BID
ON VACUATOR

Councilman M. Adams introduced

RESOLUTION NO. 9439-N.S.

which was seconded by Councilman Merrill, recommending that action on the Dorr Company bid on

evacuator mechanism, be held up in order to give the committee time to complete their studies on the over-all sewer farm expansion program and the Assistant City Engineer was authorized to contact the Dorr Company to confirm their bid until the Council is ready to award the bid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
PAYMENT TO STANDARD
MATERIALS INC. PARK-
ING LOT

Councilman Frad introduced

RESOLUTION NO. 9440-N.S.

which was seconded by Councilman Annan authorizing final payment to the Standard Materials Inc. of \$734 75 for the improvement of the parking lot at Eleventh and G Streets, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

11
IN THE MATTER OF
REQUEST OIL PARKING
AREA AT NAVAL RESERVE
FACILITY

A request was filed by Kenneth W. Biesemeir, Lieut. U.S.N.R., Officer in Charge of the Naval Reserve

Electronics Facility, located at the Municipal Airport, that the City furnish an estimate of the cost of the material to oil an area 100' x 150' lying between the west line of the Municipal Airport property and the parcel now under lease to the United States Naval Reserve to be used for parking of cars of the personnel of the Naval Reserve, whereupon Assistant City Engineer Fred Johnson reported that it would take 800 gallons of oil at 12¢ per gallon, whereupon Councilman Merrill introduced

RESOLUTION NO. 9441-N.S.

which was seconded by Councilman Mellis directing the Assistant City Engineer to furnish the desired information to the United States Naval Reserve and to inform them the City of Modesto would furnish the labor in completing this work, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Councilman Frad introduced

RESOLUTION NO. 9442-N.S.

12
which was seconded by Councilman R. Adams recommending that the oiled area, 100' x 150' lying between the west line of the Municipal Airport property and the parcel now under lease be added to the existing lease and the use of this additional parcel to be restricted to parking of vehicles used by the Naval Reserve personnel only, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13
IN THE MATTER OF
COMMUNICATION

Mayor Marks read a letter received by E. Chester Robinson, Manager of the East Side Mosquito Abatement District from A. F. Geib, Manager of the Kern Mosquito Abatement District, regarding their experience in controlling mosquitoes on the Bakersfield City Sewer Farm. This letter was ordered filed in the City Clerk's office.

14
IN THE MATTER OF
HEARING ON REZONING
PROPERTY-McHENRY
AVENUE

Whereas, pursuant to setting this date for the hearing of protests to the rezoning of Lots 1 to 3 inc. of Block 706, Lot 35, N. of S 50 ft. and E. of the W. 157 ft. Block 619, S. 110 ft. of W. 207 ft. of Block 620 and Lot 36, N. 60 ft. of E. 60 ft. of Block 619 from R-1 Single Family Residence District to C-1 Neighborhood Business District, and whereas a group of property owners in the vicinity of this tract appeared before the Council, some protesting and some advocating the rezoning, it was the decision of the Council, after considerable discussion, to delay action on this matter for one week.

15
IN THE MATTER OF
ANNEXATION MAZE
COURT TRACT

WHEREAS, a request has been filed by Harry Goularte, Albert Cressey, H. J. Tegen, H. Gordon White, Ed A. Gray, William Poulos, Malvi Haas, Fred Terry, and Mrs. Anna Kjer with the Council asking permission to begin proceedings to annex certain territory hereinafter referred to as the "Maze Court Tract", and

WHEREAS, the City Council has referred said request to the Modesto City Planning Commission for its report or recommendation, and

WHEREAS, the Modesto City Planning Commission has filed its report and has recommended that consent be granted for the initiation of proceedings to annex the hereinafter described territory and has further recommended that the annexation of said territory to the City of Modesto:

"All that certain real property situated in the County of Stanislaus State of California described as follows:

Beginning at a point on the corner of Lot 1 of the Spencer Colony as filed for record on December 16, 1904, in Volume 2 of Maps, Page 3, Stanislaus County Records, which point is also on the City Limits line on the Maze Blvd. and the section line common to sections 30 and 31 Township 3, South, Range 9 East, Mount Diablo Base and Meridian, thence westerly along said section line to its intersection with the east line of Lateral No. 5, of the Modesto Irrigation District, thence proceeding north easterly along said east line of Lateral No. 5 to its intersection with Lateral No. 4, thence continuing along the south east line of Lateral No. 4 to its intersection with the Section Line common to sections 29 and 30, Township 3 South, Range 9 East Mount Diablo Base and Meridian, which line is also the City Limits line on Franklin Street, thence southerly along said section and City Limits Line to the section corner common to Sections 29, 30, 31 and 32, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence westerly along the section line common to sections 30 and 31 Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the City Limits Line on Maze Blvd. to the point of beginning."

Whereupon Councilman Frad introduced

RESOLUTION NO. 9443-N.S.

which was seconded by Councilman M. Adams recommending that the Council give its consent to the commencement of proceedings to annex the territory described in said request and herein described to the City of Modesto and consents to the publication by the proponents for annexation of Notice of Intention to Circulate Petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
INCREASE IN RATES
PROPOSED BY P.G. & E.

A discussion was held relative to the application of the Pacific Gas & Electric Company for an increase in rates and the following resolution was introduced by Councilman Mellis

RESOLUTION NO. 9444-N.S.

which was seconded by Councilman Annan resolving that the City Attorney be hereby instructed to write to the Public Utilities Commission of the State of California and advise the Commission that the City of Modesto is an interested party in proceeding Number 31466, which resolution was regularly adopted by the following votes
Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

17
IN THE MATTER OF REMOVAL OF TREES
Councilman Merrill filed a verbal protest to the removing of trees in Block J and objected to the removal of trees, without the consent of the Council. Assistant Engineer Johnson explained the present regulations on the removal of trees as provided by Ordinance No. 573-N.S. and he explained that the building at this location would be constructed in such a manner that the trees could be replaced. City Attorney Halley was instructed to study this matter with the idea of some new legislation to regulate the removal of trees in the City.

18
IN THE MATTER OF SEWER FARM REPORT
Harry N. Jenks, Consulting Sanitary Engineer made a verbal report to the Council on the plans and specifications as prepared to date on the proposed improvement of the sewer farm and explained in detail the operation of the plan to the City Council, and following a discussion by the Council, Councilman Frad introduced

RESOLUTION NO. 9445-N.S.

which was seconded by Councilman Merrill recommending that statement for \$2500 00 for consulting engineering services be allowed Harry N. Jenks and the Auditor be directed to draw warrant in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

19
IN THE MATTER OF ADJOURNMENT
Councilmen Mellis introduced

RESOLUTION NO. 9446-N.S.

which was seconded by Councilman Annan, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: 

REX E. GAILFUS, CITY CLERK

Council Meeting
May 16, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.
Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Absent: Councilmen: None

1
IN THE MATTER OF HEARING ON REZONING LAND ON MCHENRY AVENUE
A group of citizens owning property in the territory proposed to be rezoned from R-1 Residence District to C-1 Neighborhood Business District, adjoining McHenry Avenue, appeared before the Council again in regard to the proposed zoning. After

a general discussion on the matter, the Mayor suggested that since the first hearing on this proposed zoning, new developments had occurred to change the conditions and that the petition be referred back to the Planning Commission for reconsideration and recommendation and then referred back to the City Council at a later meeting.

2
IN THE MATTER OF
REQUEST USE MANCINI
BOWL FOR CHURCH
SERVICES

Clyde Oden, representing the Modesto Church Federation, appeared again before the Council and requested that some action be taken on the request of the Federation for the use of the

Mancini Bowl for Sunday evening meetings, as their summer season would start on June 17, and preparation must be made for the use of the Bowl. After considerable discussion concerning the use of the Bowl by this group, Councilman Frad introduced

RESOLUTION NO. 9447-N.S.

which was seconded by Councilman Mellis, recommending that this request be referred to the Recreation Commission with the instructions that the Recreation Commission grant the Federation the use of the Mancini Bowl, on Sunday evenings, during the period between June 17 and September 2, 1951 in accordance with the stipulations set forth in Resolution No. 8831-N.S. passed by the Council on March 15, 1950, entitled "A RESOLUTION ESTABLISHING POLICY FOR THE USE OF MANCINI MUSIC BOWL IN GRACEADA PARK", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

3
IN THE MATTER OF
RESOLUTION ESTABLISH
POLICY ON REMOVAL OF
TREES

Donald A. Jaynes appeared before the Council stating that he also represented his partner K. A. Wallach, and wished to inform the Council the reasons for the removal of the trees in

Block J; first, the trees were partly diseased and second they had been planted so high from the curb that when sidewalks would be installed, the trees would probably die due to the fact so many roots would have to be cut away. He informed the Council that they planned on replanting trees in this block as soon as the sidewalks had been installed, Councilman Mellis introduced

RESOLUTION NO. 9448-N.S.

which was seconded by Councilman R. Adams, recommending that the Council establish the policy of requiring that no trees or shrubs location along, in, or upon the public streets be removed unless provisions are made by the person removing the same for replanting in a manner satisfactory to the Superintendent of Parks and that in cases where it is contended that replanting is impossible, the Superintendent of Parks shall not grant a permit for removal until the matter is first presented to the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4
IN THE MATTER OF
TRAFFIC CONTROL

Communications were filed with the Council by the Modesto

Tennis Club and Lee Brooks, Superintendent of Recreation regarding traffic conditions surrounding Graceada Park. They recommended changes by made to regulate the traffic since the Park is used by so many children. Chief Pickering reported that he had been checking the traffic situation in this vicinity and recommended that something be done. Following a general discussion, Chief Pickering was instructed to work with the Assistant City Engineer, Fred M. Johnson and Lee Brooks, Superintendent of Recreation, in making a study of the traffic situation adjacent to Graceada Park and other parks in the

City and report their recommendations at the next^t/Council meeting so that some regulation could be adopted for the protection of the children in and around the public parks in the City.

Chief Pickering recommended that the City Limit sign be moved from Griswold Avenue to Fairmont Avenue to regulate the traffic entering the city limits. He was instructed to arrange for the moving of the sign to the new city limits on the southwest corner of Fairmont and McHenry Avenues.

5 IN THE MATTER OF
FINAL ADOPTION OF
ORD. NO. 993-N.S.

Ordinance No. 993-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 2, 1951, and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

6 IN THE MATTER OF
FINAL PAYMENT TO
KING-KNIGHT CO.

Councilman Mellis introduced
RESOLUTION NO. 9449-N.S.

which was seconded by Councilman R. Adams authorizing final payment of \$1993 00 to King-Knight Company for "furnishing and installing necessary equipment for conversion of an existing electric motor driven unit with automatic controls at pump station #5 in accordance with the contract which was awarded by the City Council on September 20, 1950", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7 IN THE MATTER OF
PAYMENT TO CHAMBER
OF COMMERCE

Councilman Frad introduced
RESOLUTION NO. 9450-N.S.

which was seconded by Councilman Annan, granting claim of the Chamber of Commerce of \$1687 50 as provided in the 1950-51 budget of the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

8 IN THE MATTER OF
CURB CUT W. L.
JASPAR

Assistant City Engineer, Fred M. Johnson reported that he recommended that the request of W. L. Jaspar for an 18 foot curb cut in Block 86, lots 27-29 inc. be granted, whereupon Councilman Merrill introduced

RESOLUTION NO. 9451-N.S.

which was seconded by Councilman R. Adams, granting permit to said applicant to cut the curb as requested under the supervision of the City Engineer's office, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
PROTEST TRAFFIC
CONDITIONS ON MORTON
BOULEVARD

Mrs. Charles Dorsch appeared before the Council and requested that something be done about regulating the traffic on Morton Boulevard adjoining the City Park in Block 238, as a great many cars drove on this street at an excessive rate of speed. Mrs. Dorsch was informed that the City would endeavor to ascertain if Block 238 and adjoining street, could be considered as a public park. Chief Pickering reported that Morton Boulevard was considered just a public street and the

speed limit was 25 miles per hour, but if Block 238 would be considered a public park, stricter regulations could be required on Morton Boulevard. She was informed that the Council would do everything they could to see that this traffic situation was taken care of at the earliest possible date.

IN THE MATTER OF
ADJOURNMENT

Councilman Merrill introduced


RESOLUTION NO. 9452-N.S.

10 which was seconded by Councilman R. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting

May 23, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

Minutes of the Council meetings of May 9 and May 16, 1951, were approved as corrected.

IN THE MATTER OF
PROTEST TO NOISE
AT LEGION PARK

1 Dr. Keith W. Semmens, who resides on the north side of the River Road across from Legion Park, appeared before the Council in protest to certain conditions existing in the Legion Park. He was informed that the City Council would cooperate in every way in seeing that these conditions were corrected and he was also informed that everything would be done possible to regulate noise created in the park late at night. The Police Chief reported that during the summer months, regular schedules of patrol would be carried out in the park.

2 IN THE MATTER OF
ORD. PROHIBIT SEARCH
LIGHTS

Councilman Mellis introduced an Ordinance being
ORDINANCE NO. 994-N.S.

entitled: "AN ORDINANCE PROHIBITING THE USE OF SEARCH LIGHTS IN THE CITY OF MODESTO AND REPEALING ORDINANCE NO. 910-N.S." and moved its adoption and passage to print, which motion was duly seconded by Councilman Annan and it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

3 IN THE MATTER OF
CLAIMS

Councilman Merrill introduced

RESOLUTION NO. 9453-N.S.

which was seconded by Councilman Frad, allowing claims of the Modesto Flying Service for \$56 00 and Pacific Air School for \$70 00 for trip to Bakersfield with members of the Council for a tour of inspection of various sewer farms, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4 IN THE MATTER OF
COMMUNICATIONS

Acommunication from Laurance L. Cross, Mayor of Berkeley,

inviting the City of Modesto to be represented with a float in the Sixth Annual Football Festival in Berkeley on Friday, September 21 was read and it was the opinion of the Council that this request should be referred to the Chamber of Commerce. The City Clerk was instructed to thank the City of Berkeley for the invitation.

5 A communication from Rev. C. Warren Van Camp, pastor of the First Presbyterian Church, expressing appreciation to the Council for the granting of the use of the Mancini Music Bowl to the Modesto Church Federation for summer evening meetings, was read and order filed.

6 A communication from Rev. Wm. H. Clayton, Pastor of the Foursquare Church, inviting the Mayor and Councilmen to participate in a parade on Memorial Day, Wednesday, May 30th, was read and ordered filed.

7 IN THE MATTER OF
AUTHORIZE AIRPORT
MANAGER ATTEND
MEETING

Councilman R. Adams introduced
RESOLUTION NO. 9454-N.S.

which was seconded by Councilman Merrill, authorizing Harry Sham to attend the conference of California Association of Airport Executives, in Bakersfield, June 7, 8, 9, 1951, with all expenses paid, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

8 IN THE MATTER OF
AGREEMENT PURCHASE
PIPE LINE IN COLLEGE
MANOR TRACT

Councilman Annan introduced
RESOLUTION NO. 9455-N.S.

which was seconded by Councilman Mellis approving agreement for the purchase of a pipe line in the College Manor Tract from Walter P. Wesson, Jr. and Mary J. Wesson for the sum of \$2650 00, subject to the approval and confirmation of the Public Utilities Commission and appointing the Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9 IN THE MATTER OF
WASTING WATER

Councilman Mellis brought up the matter that some people on a flat water rate were wasting water. In the discussion of the matter, it was brought out that the ordinance empowered the City to place these people on a meter providing the parties had been properly notified and the matter was still not corrected.

10 IN THE MATTER OF
ANNEXATION OF MAZE
COURT TRACT

Whereas, on May 14, 1951, Harry Goularte and other property owners had published in the Modesto Bee, a notice of intention to circulate a petition for the purpose of securing signatures to request the Council to call an election for the annexation of the Maze Court Tract to the City of Modesto and on May 15, 1951, there was filed in the office of the City Clerk a copy of the notice and statement and an affidavit of the publication of said notice, Councilman Mellis introduced

RESOLUTION NO. 9456-N.S.

which was seconded by Councilman M. Adams, resolving that the Council acknowledge receipt of the copy of the notice and accompanying statement and receipt of the affidavit of publication and the Council does hereby approve the circulation of the petition for annexation of the Maze Court Tract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
SOFT BALL BLEACHERS

A communication was filed with the Mayor from Lee Brooks,
Superintendent of Recreation and he also appeared before the

Council to discuss the condition of the bleachers at the Soft Ball field at the Junior
College. He reported that the bleachers formerly used had been condemned and that it would
cost approximately \$2000 00 to put them in proper order. The Council directed Mr. Brooks to
work with Fred Johnson, Assistant City Engineer to ascertain the amount of money necessary
to purchase the materials to repair the bleachers and if the work could be done by the members
of the Modesto Softball Association and also for Mr. Brooks to contact the Association to see
if they would be willing to help with the work and to report to the Council at the next meet-
ing. He was also requested to contact the Board of Supervisors of Stanislaus County, to see
if they could help in this project.

IN THE MATTER OF
TRAFFIC REGULATIONS
AROUND CITY PARKS

Whereas, pursuant to referring the problem of traffic control
around the public parks in the city to a committee of Police

Chief Pickering, Assistant City Engineer Johnson and Lee Brooks, Superintendent of Recreation
for investigation and recommendation, Police Chief Pickering filed a verbal report, recom-
mending that a traffic island be established at the intersection of Needham, Sycamore and
15th Streets and a stop sign be established stopping traffic on 15th Street while entering
Needham Avenue at Sycamore Avenue and that signs be placed, facing the traffic, on all four
corners of Graceada Park, Enslin Park, Maze Wren Park and West Side Park and two signs at
Brook Way Park, reading "CAUTION-CHILDREN AT PLAY" and at intervals along the street sur-
rounding these parks, signs be painted on the pavement reading "SLOW", whereupon Councilman
R. Adams introduced

RESOLUTION NO. 9457-N.S.

which was seconded by Councilman Frad, recommending that these suggestions of the committee
be adopted and the Public Works Department be directed to establish these signs and traffic
regulations as set forth in the report, which resolution was regularly adopted by the follow-
ing vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
COMMUNICATION-
EAGLES

An invitation from the Fraternal Order of Eagles, Gilbert E.
Weiss, Secretary, to the Mayor and Councilmen to attend their
dinner party on Saturday, May 26 from 7:30 to 9:30 P.M. was read and ordered filed.

IN THE MATTER OF
ADJOURNMENT

Councilman R. Adams introduced

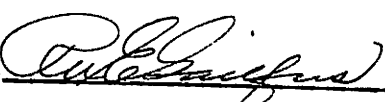
RESOLUTION NO. 9458-N.S.

which was seconded by Councilman Frad, adjourning this Council meeting now in session, which
resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 

REX E. GAILFUS, CITY CLERK

June 6, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

1
IN THE MATTER OF
POLICY FOR ANNEXA-
TION PROGRAM

Mayor Marks proposed an over-all annexation program taking all of the adjacent area into the City, which he thought should be tied into a plan of going down the river with a sewer treatment program and he stated that in his opinion a program of this nature could be put over with less work than the piece meal system of annexation that was taking place at the present time. It was the opinion of all the members of the Council that a broad program of this nature should be sponsored and the City Attorney was instructed to prepare a formal resolution covering this program for consideration at the next meeting.

2
IN THE MATTER OF
REPAIR OF LAKE
MODESTO DAM

A group appeared before the Council to discuss the repair of the Lake Modesto Dam. E. W. Andrews spoke on behalf of the various clubs represented and stated that they were all interested in the repair of Lake Modesto Dam on the Tuolumne River. He asked that the amount appropriated for the year 1950-51, \$6250 00, and still unexpended, be carried over into the next fiscal year's budget with some additional amount appropriated if possible and he stated that the groups interested in this repair would work on getting additional money for the repair of this dam from other sources.

3
IN THE MATTER OF
COMMUNICATIONS

A communication from the Modesto Post No. 74 of the American Legion, expressing appreciation for the cooperation of the Council in the Memorial Day ceremonies was read and ordered filed.

A communication from the Fourth of July Committee inviting the Council to participate in the Fourth of July Parade to be held in Modesto on Wednesday, July 4, 1951 was read and ordered filed.

4
IN THE MATTER OF
CONTRIBUTION TO
CITY OF LODI ON
P.G.E. INCREASE
RATE CASE

A communication was read from H. D. Weller, City Manager of the City of Lodi requesting that the City of Modesto make a contribution towards expenses on retaining counsel to represent the people of the interior cities and counties at the final hearing on Wednesday, June 13, 1951, by the State Public Utilities Commission on the application of the Pacific Gas & Electric Company for approval of rate increase on the sale of natural gas, whereupon Councilman Mellis introduced
RESOLUTION NO. 9459-N.S.

which was seconded by Councilman Merrill recommending that the City of Modesto contribute \$200 00 for the retaining of counsel to represent the City of Modesto at this hearing and the City Auditor was directed to draw warrant to H. D. Weller, City Manager of the City of Lodi, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF FINAL
ADOPTION ORD. NO. 994-N.S.
PROHIBIT SEARCHLIGHTS

Ordinance No. 994-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of May 23, 1951 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF REQUEST
GRACE LUTHERAN CHURCH
BUY CITY PROPERTY

A communication was filed with the Council by the Grace Lutheran Church requesting that the City sell and that they be permitted to bid on Block 588, lots 9, 10, 11, 12, owned by the City of Modesto to be used for the enlargement of their church facilities at this location. This request was considered by the Council and held over for decision until their next meeting.

7
IN THE MATTER OF
LETTER FROM STANIS-
LAUS COUNTY BOYS'
BAND

A letter from the Stanislaus County Boys' Band explaining the method of expenditure of the annual contribution of \$1200 00 made to the band by the City of Modesto, was read and ordered

filed with the City Clerk.

8
IN THE MATTER OF
PROGRESSIVE PAYMENTS
TO STANDARD MATERIALS

Councilman Annan introduced
RESOLUTION NO. 9460-N.S.

which was seconded by Councilman Frad authorizing progressive payment of \$6285 74 to the Standard Materials Inc. for the improvement of Tuolumne Boulevard between Merced Avenue and 7th Street, in accordance with the contract which was awarded by the City Council on March 28, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Councilman Annan introduced
RESOLUTION NO. 9461-N.S.

9
which was seconded by Councilman M. Adams, authorizing progressive payment of \$3219 38 to the Standard Materials Inc. for the construction of a Sanitary Sewer System from Morris Avenue to Hunter Avenue, to Downey High School on Coffee Road, in accordance with the contract which was awarded by the City Council on December 13, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
COMMUNICATION FROM
REGIONAL WATER POLLU-
TION CONTROL BOARD

A communication to the City Council from the State Regional Water Pollution Control Board setting forth the requirements "to govern the nature of the discharge from the Modesto Sewer Treatment Plant into the Tuolumne River" was read, as well as copies of Resolutions No. 58 and 59, adopted by the Central Valley Regional Water Pollution Control Board at its regular meeting on May 24, 1951, in Bakersfield. The Assistant City Engineer, Fred M. Johnson commented on the contents of the communication.

11
IN THE MATTER OF
CURB CUT-D. A. JAYNES

D. A. Jaynes filed a request for a 20 foot curb cut on the 15th Street side of Block J for the entrance to a private parking area at the "Villa Joaquin" as shown on sketch filed with the City Engineer's office, whereupon Councilman Mellis introduced

RESOLUTION NO. 9462-N.S.

which was seconded by Councilman M. Adams granting permit for curb cut as requested by D. A.

Jaynes, under the supervision of the City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

12 IN THE MATTER OF
GRANT PERMIT OPER-
ATE USED CAR LOTS

Councilman Mellis introduced

RESOLUTION NO. 9463-N.S.

which was seconded by Councilman R. Adams, approving bond and application of Paul A. and Woodson Philbin for the operating of a used car lot in Block 58, lots 11 and 12, providing they maintain the necessary sanitary facilities at this location as provided by the building code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Councilman Frad introduced

RESOLUTION NO. 9464-N.S.

13 which was seconded by Councilman R. Adams, approving bond and application of Howard Sinclair for the operating of a used car lot in Block 61, lots 13 and 14, providing they maintain the necessary sanitary facilities at this location as provided by the building code, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

14 IN THE MATTER OF
REZONING OF LAND
ADJOINING McHENRY
AVENUE

Whereas pursuant to referring the petition for rezoning of the following described property from R-1 Single Family Residence District to C-1 Neighborhood

Business District back to the planning Commission for reconsideration and recommendation:

Lots 1 to 3 inclusive of Block 706

Lot 35, N. of S. 50 ft, and E. of the W.

157 Ft. Block 619

S. 110 ft. of W. 207 ft. of Block 620

Lot 36, N. 60 ft. of E. 60' of Block 619

and whereas they have filed a recommendation with the Council that the petition circulated by Madeline Webb Hiatt, et al, be approved subject to the exclusion of the rear portion of lot 1, Block 706 and that the Council adopt an ordinance rezoning the following described property from the R-1, Single Family Residence District to the C-1 Neighborhood Business District:

Block 706, the easterly 130 feet of lot 1, and lots 2 and 3

Block 619, lot 35, North of the South 50 feet and East of the West 157 feet, and the North 60 feet of the East 60 feet of lot 36

Block 620, South 110 feet of the West 207 feet

The Council referred the matter to the City Attorney to report what action was necessary by the Council.

15
IN THE MATTER OF
BLEACHERS AT SOFT
BALL FIELD AT THE
MODESTO JUNIOR
COLLEGE

Whereas, pursuant to referring the matter of the repair of the bleachers at the soft ball field at the Modesto Junior College to Lee Brooks and Fred M. Johnson, for investigation and recommendation, they filed a verbal report that the bleachers could be repaired for approximately \$1850 00 providing the labor was furnished by the members of the Soft Ball Association and some of the old material was used, whereupon Councilman Annan introduced

RESOLUTION NO. 9465-N.S.

which was seconded by Councilman M. Adams, authorizing the use of \$1850 00 the money appropriated in Ordinance No. 949-N.S. for "soft ball diamond" and still unexpended, to be used in the repair of the bleachers at the Modesto Junior College Soft Ball Field which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

16
IN THE MATTER OF
ADJOURNMENT

Councilman Annan introduced

RESOLUTION NO. 9466-N.S.

which was seconded by Councilman M. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None



ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting

June 13, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

1
IN THE MATTER OF
APPROVAL OF MINUTES

The minutes of the regular meetings of May 23 and June 6, 1951, were approved as mailed to the Councilmen.

2
IN THE MATTER OF
CLAIMS

Claims against the City of Modesto for the month of May, 1951, having been heretofore audited by the Council and found to be correct, Councilman Frad introduced

RESOLUTION NO. 9467-N.S.

which was seconded by Councilman Mellis, ordering that all of the said claims so audited and approved be and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$126,684 51
WATER FUND-----	18,078 72
LIBRARY FUND-----	2,887 74
WATER BOND FUND-----	1,993 00
1-1E FUND-----	2,500 00
1-2 FUND-----	21 25
1-9A FUND-----	6,285 74
1-9J FUND-----	767 38

\$159,218 34

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

Councilman Robert W. Adams arrived at the meeting at this time.

3
IN THE MATTER OF
PETITION IMPROVEMENTS
CLUBHOUSE AT GOLF
COURSE

A petition was filed, signed by members of the Modesto Municipal Women's Golf Club requesting that the Council consider various improvements for the facilities for women players at the Clubhouse of the Modesto Municipal Golf Course in the 1951-52 budget. This petition was referred to the City Manager and Assistant City Engineer for consideration in this year's budget.

4
IN THE MATTER OF
COMMUNICATIONS

read and ordered filed.

A communication from Frank Andrews regarding the "benefits of a City owning their own electric system" was

5
IN THE MATTER OF
PETITION REZONING

Whereas pursuant to referring the matter of rezoning a portion of Blocks 706-619 and 620 from R-1 Single Family Residence District to the C-1 Neighborhood Business District (bordering McHenry Avenue) to the City Attorney for investigation and recommendation, he reported at this time that he recommended that the Council hold another public hearing whereupon Councilman Merrill introduced

RESOLUTION NO. 9468-N.S.

which was seconded by Councilman M. Adams, setting the date of July 11, 1951, at the City Hall, as the time and place for the hearing on the proposed zoning of above described property and the City Clerk is directed to advise the interested parties by mail of the date and time of the hearing to the end that all persons will have a full and complete opportunity to give their views concerning the proposed rezoning, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Councilman Merrill Adams left the Council meeting at this time.

6
IN THE MATTER OF
PETITION ANNEXATION
NORTHWEST ADDITION

Whereas a petition has been filed by Hubert E. Brooks and other property owners that they desire to commence proceedings to annex certain territory to the City of Modesto and whereas the said territory is sub-divided and according to the Annexation Act of 1913 the Council cannot consent to commencement of proceedings until the Council has received a report and recommendation from the Modesto City Planning Commission, Councilman Annan introduced

RESOLUTION NO. 9469-N.S.

which was seconded by Councilman R. Adams, recommending that the question of annexation of this territory known as the Northwest tract be referred to the Modesto City Planning Commission for its report and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilman: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

7
IN THE MATTER OF
REPORT ON ANNEXATION

Councilman Robert W. Adams reported that he and Councilman Dan Mellis had attended several meetings on annexation in the outlying districts and it was their opinion no legislation

would be passed by the State which would give cities more power to force annexation. The City Council agreed that all groups and individuals should be able to get the facts concerning annexation and they wished the city departments to cooperate in giving this information.

8
IN THE MATTER OF
HEARING ON REZONING
OF BLOCK 205

Whereas application has been filed by Attorney Ronald E. Bates for the rezoning of the West 150 feet of Lot 7 in Block 205 of the City of Modesto from R-2 Two Family Residence District to C-1 Neighborhood Business District, Councilman Mellis introduced

RESOLUTION NO. 9470-N.S.

which was seconded by Councilman Frad referring the petition to the Modesto City Planning Commission for their investigation and recommendation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

9
IN THE MATTER OF
CALL FOR BIDS ON
ADVERTISING AND
PRINTING

Councilman Frad introduced

RESOLUTION NO. 9471-N.S.

which was seconded by Councilman R. Adams authorizing the Clerk to call for bids for the official printing and advertising for the fiscal year ending June 30, 1952, said bids to be opened on June 27, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

10
IN THE MATTER OF
POLICY ON ANNEXATION

Councilman Mellis introduced

RESOLUTION NO. 9472-N.S.

which was seconded by Councilman R. Adams, determining the city's policy in regard to annexation as follows:

"WHEREAS, in the past few years various territories have become annexed to the City of Modesto and

WHEREAS, there has been established around the City of Modesto a large urban area which is densely populated and in which many industries have plants, and

WHEREAS, the City Council is of the opinion that instead of many small territories instituting proceedings for annexation to the City of Modesto it will be more practical if the annexation of a large urban area is consummated at one time.

NOW THEREFOR BE IT RESOLVED by the Council of the City of Modesto that while said Council welcomes annexation of both large and small areas, the City Council is of the opinion that the large urban area surrounding the City of Modesto should be encouraged to annex to said City in one proceeding and in order to facilitate said proceedings the various city department heads are directed to furnish to and make available to said area all pertinent information relative to annexation"

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

11
IN THE MATTER OF
DEPARTMENTAL REPORTS
FOR MONTH OF MAY

Departmental reports for the month of May, 1951, were read and ordered filed.

12
IN THE MATTER OF
ACCEPT REPORTS IN
LIEU & ALCOHOLIC
BEVERAGE

Councilman Annan introduced

RESOLUTION NO. 9473-N.S.

which was seconded by Councilman Merrill accepting the annual report for fiscal year 1950-51 of the Police Department and the Public Works Department for the estimated expenditures under the In Lieu Tax Funds for Traffic Control and Liquor Enforcement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

13
IN THE MATTER OF
ANNUAL REPORT OF
POLICE DEPARTMENT

Councilman Mellis introduced

RESOLUTION NO. 9474-N.S.

which was seconded by Councilman R. Adams, accepting the annual report of the Police Department for the year ending June 30, 1950, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

14
IN THE MATTER OF
CONVENTION OF NA-
TIONAL SHADE TREES

A request was filed by J. E. Don Carlos, Assistant Superintendent of Parks to attend the annual National

Shade Tree Conference in Portland on June 27-30, 1951, and a general discussion was held on the matter of policy in regard to these conventions and also of the necessity of this type of conference, whereupon Councilman Merrill introduced

RESOLUTION NO. 9475-N.S.

which was seconded by Councilman Frad recommending that this request be denied as it was the opinion of the Council that it was not a necessary expenditure, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

15
IN THE MATTER OF
LOW COST HOUSING
SEWER SERVICE

Councilman Merrill requested that some clarification of the rumors that the City is pledged to give sewer

service to the proposed Federal Low Cost Housing in the county adjacent to the city limits as in his opinion the matter had never come before the City Council. Mayor Marks reported that no request had been received by the Council and no commitments had been made and would not be made until a specific request had been placed before the Council.

16
IN THE MATTER OF
ADJOURNMENT

Councilman Mellis introduced

RESOLUTION NO. 9476-N.S.

which was seconded by Councilman R. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: 

REX E. GAILFUS, CITY CLERK

June 20, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis Merrill and Mayor Marks

Absent: Councilmen: None

1
IN THE MATTER OF
PAYMENT ON IMPROVE-
MENT OF TUOLUMNE BLVD.

Councilman Mellis introduced

RESOLUTION NO. 9477-N.S.

which was seconded by Councilman M. Adams, accepting the contract as completed by the Standard Materials Inc., for the improvement of Tuolumne Boulevard, between Merced Avenue and Seventh Street and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County and authorizing progressive payment of \$104 71, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: B. Adams

2
IN THE MATTER OF
PAYMENT ON IMPROVE-
MENT OF L STREET

Councilman M. Adams introduced

RESOLUTION NO. 9478-N.S.

which was seconded by Councilman Annan, accepting the contract as completed by the Standard Materials Inc. for the improvement of L Street between 11th and 14th Streets and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County and authorizing progressive payment of \$3,112 06, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: B. Adams

3
IN THE MATTER OF
PAYMENT PISANO BROS.
SEWER LINE TO MARK
TWIN SCHOOL

Councilman Frad introduced

RESOLUTION NO. 9479-N.S.

which was seconded by Councilman Merrill, accepting the contract as completed by Pisano Brothers on the construction of a sanitary sewer line from Franklin and H Streets to the Mark Twain School on Emerald Avenue and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County and authorizing the progressive payment of \$668 25, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: B. Adams

Councilman Robert W. Adams arrived at the Council meeting at this time.

4
IN THE MATTER OF
CONTRACT STATE FOR
CIVIL SERVICE EXAM-
INATIONS

Councilman Mellis introduced

RESOLUTION NO. 9480-N.S.

which was seconded by Councilman Merrill approving agreement between the State Personnel Board and the City of Modesto for the giving of civil service examinations for the period from July 1, 1951 to June 30, 1952 and appointing the Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

5
IN THE MATTER OF
REPORT PUBLIC ADMIN-
ISTRATION SERVICE

The report prepared by the Public Administration Service on Modesto and Its City Government, authorized by the Council on April 18, 1951, by Resolution No. 9405-N.S., was filed with the Council with a letter of transmittal. City Manager, Ross Miller filed a letter with the City Council in regard to this report and Mayor Marks stated "that in accepting this report from the Public Administration Service, the Council desires the public to know that this report embodies the Public Administration Service recommendations for the reorganization of the City government; and that the City of Modesto accepts it as an advisory report. Therefore each and every phase of each and every recommendation will be studied in detail before anything is placed in effect."

6
IN THE MATTER OF
REPORT NO. 1 BY CITY
MANAGER ROSS MILLER

Ross Miller, City Manager, filed "Mayor and Council report No. 1" in which he discussed the problems of the City of Modesto and pledged himself "to work for efficient city government and for a greater Modesto."

7
IN THE MATTER OF
REQUEST PERMIT HOLD
CIRCUS STANISLAUS
SHRINE CLUB

A request was filed by the Stanislaus Shrine Club to hold their annual Shrine Circus in Modesto on Friday and Saturday, July 27 and 28, 1951, and that the City license required by Ordinance No. 750-N.S. be waived, whereupon Councilman R. Adams introduced

RESOLUTION NO. 9481-N.S.

which was seconded by Councilman Mellis, granting permit to the Stanislaus Shrine Club to hold their annual circus on above mentioned dates and that the usual license fee be waived, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

8
IN THE MATTER OF
REQUEST CURB CUT
BLOCK 40-ROY BYLLING

A verbal request was filed by Fred M. Johnson, Assistant City Engineer on behalf of Roy Bylling, for a curb cut in Block 40, lot 23, whereupon Councilman Merrill introduced

RESOLUTION NO. 9482-N.S.

which was seconded by Councilman M. Adams, granting permit to said applicant for a 14 foot curb cut in Block 40, lot 23, under the supervision of the City Engineer's office, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
LETTER-NATHAN LONG
RE: SEWER CONDITIONS
OUTSIDE CITY

Mr. Nathan Long appeared before the Council and filed a letter which he had written to the Council regarding the sewer problems in the fringe areas of the City. Mayor Marks read the letter and upon his request, Mr. Long made a few remarks to the Council.

10
IN THE MATTER OF
ADJOURNMENT

Councilman Merrill introduced

RESOLUTION NO. 9483-N.S.

which was seconded by Councilman M. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

6
IN THE MATTER OF
REQUEST EXTENSION
CONTRACT KING-KNIGHT
COMPANY

Whereas the King-Knight Company have requested an extension of sixty days for the completion of their contract on the furnishing of labor and material to

convert the electric motor driven pump at Pump Station #6 to a combination gas engine-electric motor drive with automatic controls since they have experienced difficulties in delivery of some parts, whereupon Councilman Merrill introduced

RESOLUTION NO. 9487-N.S.

which was seconded by Councilman Mellis, granting an extension of sixty days for the completion of said contract to the King-Knight Company from this date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7
IN THE MATTER OF
REPORT BY FRED
JOHNSON ON LETTER
REGIONAL WATER POLLU-
TION CONTROL BOARD

Fred Johnson, Assistant City Engineer, made a brief report on a letter received from the State Regional Water Pollution Control Board, Central Valley Region,

in which they had requested the return of their letter of May 31 and the resolutions passed by their Board on May 24, due to some typographical error which Mr. Johnson had called to their attention and they requested that we file their letter, dated June 14, 1951 and return their previous letter of May 31 and resolutions to them.

8
IN THE MATTER OF
REPORT PLANNING
COMMISSION ON PETITION
ANNEXATION NORTHWEST
TRACT

Whereas, the City Council referred a request for annexation of the Northwest Tract filed by Herbert E. Brooks and other property owners to the Modesto City

Planning Commission for report and recommendation and whereas they have filed their report, recommending that consent be granted for the initiation of proceedings to annex the 382 acre area to the City of Modesto, whereupon Councilman R. Adams introduced

RESOLUTION NO: 9488-N.S.

which was seconded by Councilman Mellis recommending that the Council consent to the commencement of proceedings under the annexation Act of 1913 for the annexation of the Northwest Tract to the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

9
IN THE MATTER OF
TRANSFER OF FUNDS

Councilman Frad introduced

RESOLUTION NO. 9489-N.S.

which was seconded by Councilman R. Adams authorizing the Auditor to transfer \$40,000 00 from the Water Fund to the General Fund, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

10
IN THE MATTER OF
REPORT ON TRAFFIC

Councilman Frad reported that a number of traffic accidents had occurred at the intersection of Fifth and G Streets and after a discussion by the Council, Police Chief Pickering and City Manager Miller were directed to check this location for the possible installation of stop signs.

A discussion was held by the Council on the

advisability of installing parking meters on the west side of the City and on L Street between 11th and 12th Streets. City Manager Miller and Assistant City Engineer Johnson were directed to make a study of this and to report to the Council at the next meeting.

IN THE MATTER OF
REPORT BY CITY
MANAGER MILLER

City Manager Miller reported that the Department heads had submitted their preliminary budget requests for the fiscal year 1951-52 and he was requesting that certain changes be made. As soon as these were made and after some further study, he would have the budgets available for consideration by the Council.

IN THE MATTER OF
ADJOURNMENT

Councilman Frad introduced
RESOLUTION NO. 9490-N.S.

which was seconded by Councilman Mellis, adjourning this Council meeting until July 5, 1951 at 4:00 P.M., which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST:



REX E. GAILFUS, CITY CLERK

Adjourned Council Meeting
July 5, 1951

The Council of the City of Modesto met in adjourned regular session this date as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Absent: Councilmen: None

IN THE MATTER OF
APPOINT SIGNATORY
OFFICIALS PETITION
TRANSFER PIPE LINES
FROM WALTER P. WESSON
ET UE TO CITY OF
MODESTO

Councilman Annan introduced
RESOLUTION NO. 9491-N.S.

which was seconded by Councilman Mellis appointing the Mayor and City Clerk as signatory officials on the petition to the Public Utilities Commission for the authority to transfer water pipe lines in the College Manor Tract from Walter P. and Mary J. Wesson, husband and wife to the City of Modesto and for the right to furnish water to the consumers in the College Manor Tract, as set forth in the exhibits attached to the petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams, Frad

IN THE MATTER OF LETTER
TO CONSUMERS OF THE
COLLEGE MANOR WATER
SYSTEM OWNED BY WALTER
P. WESSON ET. UK

Councilman Mellis introduced
RESOLUTION NO. 9492-N.S.

which was seconded by Councilman Annan directing the City Manager to have a letter prepared to be sent to the consumers in the College Manor Tract, formerly furnished water by the College Manor Water System, setting forth the efforts that the City of Modesto has gone to in this particular instance to assist in the solving of the problems of the territory adjacent to the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams, and Frad

IN THE MATTER OF
ORDINANCE APPROPRIATE
FUNDS FOR CURRENT
EXPENSES

Councilman Merrill introduced an ordinance being
ORDINANCE NO. 995-N.S.

entitled: "AN EMERGENCY ORDINANCE APPROPRIATING FUNDS FOR PAYMENT OF THE USUAL CURRENT EXPENSES OF THE CITY OF MODESTO" and moved its adoption and passage

to print, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

Councilman Merrill Adams arrived at this time

4
IN THE MATTER OF
REQUEST FOR SEWER
SERVICE FOR HOUSING
PROJECT

Mr. J. W. Sinclear, Executive Secretary of the County

Housing Authority, appeared before the City Council

and stated that the proposed housing project had

definitely been approved and that he would like the City Council to decide whether they would enter into an agreement, under the arrangements as set forth in his prior request, for the furnishing of sewer service to this tract which is adjacent to the City of Modesto. After a discussion by the Council, Councilman Annan introduced

RESOLUTION NO. 9493-N.S.

which was seconded by Councilman R. Adams instructing the City Manager, Mr. Miller, to work with Mr. Sinclear and to present a report of the facts to the City Council in order that they could arrive at a decision in regard to this question, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

Councilman Frad arrived at the Council meeting at this time

5
IN THE MATTER OF
AGREEMENT WITH MODESTO
HIGH SCHOOL ON SWIM-
MING POOL

The matter of the agreement to be entered into between

the City of Modesto and the Modesto High School for

the Operation of the swimming pool located at the

High School by the Recreation Commission of the City of Modesto for the summer season of 1951, was held up until the City Manager could meet with the Recreation Commission and have a final report on the operation of the pool for the past two years prepared for consideration by the City Council.

6
IN THE MATTER OF
REPORT ON TRAFFIC
PROBLEMS

Pursuant to referring the matter of certain traffic

problems throughout the City to the City Manager and

the Assistant City Engineer for investigation and recommendation, City Manager Miller

reported that after investigation by the Police Chief, the Assistant City Engineer

and Himself, he recommended that one hour parking be established on both sides of

Sixth Street for a distant of 100 feet off H Street, between H and G Streets and

between H and I Streets, whereupon Councilman M. Adams introduced

RESOLUTION NO. 9494-N.S.

which was seconded by Councilman Merrill establishing one hour parking on Sixth Street between the streets listed above for a distance of 100 feet from H Street and the Assistant City Engineer was directed to establish the necessary signs designating this zone as a one hour parking zone, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7
City Manager Miller reported that, after investigation of the traffic at Fifth and G Streets intersection, the Police Chief recommended that temporary installation of stop signs on G Street, stopping traffic entering Fifth Street, whereupon Councilman M. Adams introduced

RESOLUTION NO. 9495-N.S.

which was seconded by Councilman R. Adams, establishing stop signs on G Street at the intersection of Fifth Street, stopping traffic entering Fifth Street and directing the Assistant City Engineer to place the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

8
City Manager Miller recommended that the matter of installing red curb marking, prohibiting parking on Needham Avenue between 15th and L Street in front of the building occupied by Dr. A. N. Tonge and other doctors, be held up for one week to allow him to contact Dr. Tonge to see if he would object to the installation of this "no parking" area.

9
City Manager Miller reported that an over-all check into the traffic conditions of the city should be started and that the first step in this would be the obtaining of mechanical counters and that any stop signs be installed on a temporary basis until the over-all study of the traffic problems of the city could be made.

10
City Manager Miller reported that the particular places where stop signs were being hidden by foliage had been cleared and he had instructed all employees of the City to report conditions along this line and other lines which should be taken care of by the City of Modesto.

11
IN THE MATTER OF
BID ON ADVERTISING
AND PRINTING

The awarding of the bid for official advertising and printing for the fiscal year ending June 30, 1952, was held up until the next meeting of the Council in order for the City Manager to contact the City Attorney in regard to legal matters in connection with the bid.

12
IN THE MATTER OF
REGULATE RAILWAY
TRAFFIC IN CITY

A discussion was held by the Council on the fact that the City did not have an ordinance in effect, regulating railway traffic inside the city limits. Assistant City Attorney Winger was instructed to make a study of the problem and if possible to prepare an ordinance regulating the traffic of railroads through the city, to be presented to the Council later for their consideration.

13
IN THE MATTER OF
EMPLOY CERTIFIED
PUBLIC ACCOUNTANT
AUDIT ACCOUNTS OF
CITY

A letter was filed by C. D. Nattinger, C.P.A. requesting that the Council appoint him to audit the accounts of the City of Modesto for the fiscal year ending June 30, 1951. Mr. Nattinger also stated in his letter that he concurred with the suggestion of the Public Administration Service that the City Auditor and Certified Public Accountant be combined and asked that he be appointed to these positions. This matter was referred to the City Manager for consideration and recommendation to the Council.

14
IN THE MATTER OF
LETTER FROM FRANK
ANDREWS

A communication from Frank Andrews, Consulting Engineer, regarding the reduction in rate the Sacramento Utility District had made on their electric rates and suggested that the City of Modesto consider distributing their own power, was read and ordered filed.

15
IN THE MATTER OF
NATHAN LONG DISCUSS
PROBLEMS FOR LAND
ADJACENT TO CITY

Mr. Nathan Long appeared before the Council and discussed the problems faced by the people living in the territory just adjacent to the City of Modesto.

16
IN THE MATTER OF
REPORT ON ROOSEVELT
SCHOOL BUILDING

Councilman Mellis reported that a meeting would be arranged by the members of the Board of Education and the Council in the near future for the consideration of the purchase of the Roosevelt School and property for city purposes.

IN THE MATTER OF
ADJOURNMENT

Councilman M. Adams introduced

RESOLUTION NO. 9496-N.S.

17 which was seconded by Councilman R. Adams, adjourning this meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:



REX E. GAILFUS, CITY CLERK

COUNCIL MEETING

JULY 11, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: Annan

IN THE MATTER OF
APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9497-N.S.

1 which was seconded by Councilman R. Adams, approving the minutes of the regular Council meeting of June 27 and of the adjourned regular meeting of July 5, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill and Annan

2 IN THE MATTER OF
REQUEST REDUCE RENT
HANGAR AT AIRPORT
W. G. DUNLOP

W. G. Dunlop, operating the Hawke Dusters & Flying Service, appeared before the Council and requested that some reduction be made in the rent he is paying for the hangar at the Municipal Airport. He was instructed to contact City Manager Miller who would discuss the matter with Airport Manager Sham and Mr. Miller would make a report to the Council at a later meeting.

3 IN THE MATTER OF
NO PARKING ZONE ON
NEEDHAM AVENUE IN
FRONT OF TONGE
BUILDING

City Manager Miller reported that he had contacted Dr. A. N. Tonge, owner of the building on Needham Avenue, between 15th and L Streets and that Dr. Tonge had no objections to the establishment of a "No Parking" zone in front of his office building which would eliminate parking on the south side of Needham Avenue, whereupon Councilman Mellis introduced

RESOLUTION NO. 9498-N.S.

which was seconded by Councilman R. Adams, establishing this "No Parking" zone and also establishing a cross walk from the Northwest corner of Needham Avenue and Sycamore Avenue, running across Needham Avenue to the front of Dr. Tonge's property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Frad, Mellis, M. Adams and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill and Annan

Councilman Lyndall O. Merrill arrived at this time.

4
IN THE MATTER OF
SIGNATORY OFFICIALS
ON FIRE PROTECTION
AGREEMENT WITH GROVE
LABORATORIES INC.

Councilman Mellis introduced

RESOLUTION NO. 9499-N.S.

which was seconded by Councilman R. Adams, appointing the Mayor, City Clerk and Auditor as signatory officials on fire protection agreement between the City of Modesto and the Grove Laboratories Inc. on their Fitch Division plant on Hosmer Avenue near the City limits, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

5
IN THE MATTER OF
HEARING ON REZONING
OF PROPERTY ON
McHENRY AVENUE

Whereas, pursuant to setting this date for the hearing of protests to the rezoning of portion of Blocks 706, 619 and 620 adjoining McHenry Avenue from R-1 Single Family Residence

District to C-1 Neighborhood Business District and whereas a group of citizens owning property in the vicinity of this proposed change in zoning appeared before the Council and protested to the rezoning of this particular property to business at this time. They suggested that the Council wait until the deed restrictions on this property in regard to business expires. After considerable deliberation, Councilman R. Adams introduced

RESOLUTION NO. 9500-N.S.

which was seconded by Councilman Frad, recommending that the Council concur with the recommendations of the Modesto City Planning Commission and authorized the City Attorney to prepare the necessary ordinance for adoption by the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

6
IN THE MATTER OF
SET DATE HEARING ON
ANNEXATION OF MAZE
COURT ADDITION

Councilman Merrill introduced

RESOLUTION NO. 9501-N.S.

which was seconded by Councilman R. Adams declaring that it is the intention of the Council to call a special election to submit to the electors residing in the Maze Court Addition, the question whether or not they desire to have this territory annexed to the corporate limits of the city, said election to be held in said territory on the 14th day of September 1951. Notice is further given that the time for the hearing of protests by persons owning property in the within territory be set for August 1, 1951, in the Council room at 4:00 P.M. or written protests may be filed any time not later than the hour set for hearing objections and the City Clerk is authorized to publish this resolution twice in the official newspaper, The Modesto Bee, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

7
IN THE MATTER OF
PETITION TO AMEND
AUCTION OF JEWELRY
ORDINANCE

A petition to amend Ordinance No. 913-N.S., regulating the sale of jewelry at auctions was filed with the City Council. The procedure used in these auctions and the necessity for this amendment was explained by the Mayor. This petition was presented to City Manager Miller for study and recommendation to the Council at the next meeting.

8
IN THE MATTER OF
APPROVE CLAIMS FOR
MONTH OF JUNE, 1951

Claims against the City of Modesto for the month of June, 1951, having been heretofore audited by the Council and found to be correct, Councilman Merrill introduced

RESOLUTION NO. 9502-N.S.

which was seconded by Councilman R. Adams ordering that all of the said claims so audited and approved ~~be~~ and the same are hereby allowed with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

GENERAL FUND-----	\$119,900 52
WATER FUND-----	9,211 92
LIBRARY FUND-----	3,066 22
1-10I-----	28 66
155-----	578 21
1-2-----	32,832 50
1-9A-----	3,216 77
1-9J-----	6,263 68
	\$175,298 48

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

9
IN THE MATTER OF
GIRL SCOUT CLUBHOUSE

Councilman R. Adams stated that he had been approached by representatives of the Girl Scout organization requesting that the Girl Scout Clubhouse in Beard Brook Park, belonging to the City of Modesto, be handled by the City Recreation Department in the same manner as the Boy Scout Clubhouse in Enslin Park. The matter was referred to the City Manager for investigation and recommendation to the Council.

10
IN THE MATTER OF
REPORT ON ANNEXATION

Mayor Marks reported to the Council that a committee had been appointed and would hold its first meeting on Thursday night, July 12, 1951. The committee is composed of 21 members, 16 representing ^{areas outside the City,} and 5 representing the incorporated area. Its purpose is to develop a program which is fair to everyone to serve as a basis for uniting the community. He wished to make it clear that this committee would work without any preconceived answers and the people in the adjacent area should know that the Council is doing everything that it possibly can do to help in this over-all program for a united community.

11
IN THE MATTER OF
K. A. WALLACH REQUEST
INFORMATION RE: PARK-
ING LOT ON 11th & G STS.

K. A. Wallach appeared before the Council and reported that he was interested in building a large building adjoining the City parking lot in Block 82 on Eleventh and G Streets and wanted to know whether this lot was to continue to be a parking lot. He was informed that it was purchased as a parking lot and would continue to be a parking lot in all probability, especially if construction took place in this neighborhood and there was a need for this parking.

12
IN THE MATTER OF
AMEND HOUSEMOVING
ORDINANCE NO. 37-N.S.

Councilman R. Adams suggested that Ordinance No. 37, regulating the moving of buildings on the City streets be amended to allow licensed housemovers to post a surety bond with the Council instead of the \$100 00 now required for each job. The Council instructed City Manager Miller and City Attorney Halley to investigate the possibility of this change and to report to the Council.

13
IN THE MATTER OF
LEAGUE MEETING

City Manager Miller reminded the Council of a League meeting of the Central Valley Division to be held on Thursday, July 19 in Turlock, and stated that a good program and speaker had been secured for that evening.

14

IN THE MATTER OF
REPORT ON BLEACHERS
AT SOFT BALL FIELD
AT MODESTO JUNIOR
COLLEGE

Councilman M. Adams requested a report on the bleachers at the Soft Ball Field at the Modesto Junior College, whereupon Lee Brooks, Superintendent of Recreation, reported that the main bleacher section was beyond repair but the other sections of bleachers would be moved into place at a cost of \$30 00 and the matter had been solved in regard to bleachers at this location.

15

IN THE MATTER OF
ADJOURNMENT

Councilman M. Adams introduced
RESOLUTION NO. 9503-N.S.

which was seconded by Councilman R. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: ~~None~~

Noes: Councilmen: ~~None~~


ATTEST: REX E. GAILFUS, CITY CLERK

Council Meeting
July 18, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Absent: Councilmen: Frad

IN THE MATTER OF
REQUEST ASSIST
PURCHASE DIVING
EQUIPMENT

Mr. Joseph Byrne, representing the Veterans of Foreign Wars, appeared before the Council and requested that the City assist in the purchase of a special diving suit and equipment for use in the recovering of bodies of drowned victims. He stated that this equipment would speed up the recovering of the bodies and there would be a greater chance for revival. Mayor Marks suggested that he contact the Board of Supervisors of Stanislaus County and the Directors of the Modesto Irrigation District in regard to this matter. Mayor Marks stated that the City would continue to cooperate in the program as both the Fire and Police Departments have always given their services in assisting in the revival of drowned victims in this vicinity.

2

IN THE MATTER OF
JR. CHAMBER OF
COMMERCE REQUESTS
ON COMMUNITY FAIR

A request was filed by the Modesto Junior Chamber of Commerce with the Council that the usual carnival license fee and water connection fee be waived on their proposed Community Fair to be held in Modesto on September 12-16, 1951, and they also requested that they be permitted to hold a "Kiddie Parade" in the business district if they decided to do so, whereupon Councilman Merrill introduced

RESOLUTION NO. 9504-N.S.

which was seconded by Councilman R. Adams, granting permit to the applicant to hold the Community Fair without paying the usual carnival fee and that the water connection fee be waived and they be granted permit to hold a parade if they wished to do so and that the usual amusement tax fee of 3¢ be paid to the City on each adult ticket sold at the gate, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

3
IN THE MATTER OF
REQUEST FOR RESERVED
PARKING SPACE ADRIAN
PLANT SHELTER

Adrian R. Goodger, operating the Adrian's Plant Shelter at 620 11th Street filed a request with the Council for a reserved parking space in front of her store. This request was referred to the City Manager and Chief of Police. The Manager stated that under our policy no reserved parking spaces could be granted but, the Chief of Police and he would see that the parking regulations were strictly enforced in this block in order to help solve this problem. A discussion was held on the need for parking meters and changes in the parking regulations on other streets and also on the opening of crossings over the Southern Pacific right of way. It was brought out that these problems would be taken care of in the proposed traffic survey of the city, which would probably be started in the near future. City Attorney Halley reported that several years ago the City had proceeded with steps to have the D Street crossing opened across the Southern Pacific right of way and that the Public Utilities Commission had denied the request but that we could make the request again.

4
IN THE MATTER OF
FINAL ADOPTION OF
ORDINANCE NO. 995-N.S.
APPROPRIATE FUNDS

Ordinance No. 995-N.S. having been heretofore introduced and ordered printed and published at the adjourned regular meeting of July 5, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

5
IN THE MATTER OF
AWARD BID ON ADVERTISING
AND PRINTING
FOR FISCAL YEAR

Councilman Annan introduced
RESOLUTION NO. 9505-N.S.

which was seconded by Councilman Merrill, accepting the bid of the Modesto Bee for the official advertising and printing for the fiscal year ending June 30, 1952 and appointing the Mayor, City Clerk and Auditor as signatory officials on agreement, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

6
IN THE MATTER OF
ORDINANCE REZONE
LAND ADJOINING
MCHENRY AVENUE IN
BLOCK 706-619-620

Councilman R. Adams introduced an ordinance being
ORDINANCE NO. 996-N.S.
entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 700-N.S.

AND REZONING CERTAIN AREAS FROM R-1 SINGLE FAMILY RESIDENCE DISTRICT, TO C-1 NEIGHBORHOOD BUSINESS DISTRICT", and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

7
IN THE MATTER OF
AMEND ORD. 913-N.S.
REGULATE AUCTION
SALES OF JEWELRY

Pursuant to referring the amending of Ordinance No. 913-N.S. regulating the sale of jewelry by auction to the City Manager and City Attorney for consideration, Mr. Miller reported on their recommendations for the amending of this ordinance. Representatives of the Chamber of Commerce had requested that they be per-

mitted to make a statement on the proposal so the matter was held over for one week.

8
IN THE MATTER OF
APPLICATION USED
CAR LOT ROBERT L.
FLESHMAN

Councilman Mellis introduced

RESOLUTION NO. 9506-N.S.

which was seconded by Councilman Annan, approving application and bond of Robert L. Fleshman, d.b.a. Bob Fleshman Auto Sales, to operate a used car lot at 1317 11th Street, providing the required sanitary facilities are maintained at this location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

9
IN THE MATTER OF
REPORT ON ANNEXATION

Mayor Harry Marks reported that he had met with the Greater

Modesto Committee working on the annexation program and stated

that he had assured them that the city would stand ready to assist them at all times. Mayor Marks also reported that he and Manager Miller had attended a meeting, by invitation, of the people living in the South Modesto area and had informed this group that the City of Modesto would assist them at all times, either in annexation to the City of Modesto or in some other solution to their problem which the majority of the people in the area think would be better and recommended that the Council adopt a resolution to this effect, whereupon Councilman Mellis introduced

RESOLUTION NO. 9507-N.S.

which was seconded by Councilman R. Adams adopting the following as the position of the Mayor and City Council:

"The Mayor and the Council of the City of Modesto believe that the interests of everyone in the community will/^{be}best served by having a United Community-One Community-One City. We have, therefore, asked a Citizens Committee composed largely of people outside the City, but with some representatives from within the City, to develop a program which will be fair to everyone and which will provide the basis for uniting this community of ours. So that there can be no question about the attitude of the City, either now or at any time in the future, we want to make it clear that the City of Modesto is inviting the whole area around the City to join with us to make this one City. If there are areas where the majority of the people believe that some other solution is better for them, we shall be glad to work with them as good neighbors to help them in every way that we can, however, we believe that the solutions to our community problems can be found by working together as one City.", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

0
Mr. Sam Moran appeared before the Council and stated that he had been talking to some people residing in the Paradise Tract and he said that the feeling is bad in some quarters and in his opinion there was need for a big selling program in order that we may be assured that these people would be in favor of annexation.

City Manager Miller reported that the City at the present time was giving various services to many people and firms outside the city limits. He stated that there may have been valid reasons why these services have been granted and he is preparing the budget on the basis that they should not be suddenly withdrawn and that they will be continued at a similar level for the present. If the surrounding areas do not annex to the City of Modesto sometime, he felt that the City should re-examine this practice most carefully on the basis that the taxpayers of the city should not be asked to pay for services to these outside areas. He also filed a report of the Greater Modesto Committee giving a list of their subcommittees appointed and he reported that this committee was proceeding

with the greatest amount of speed in their work.

1 2
IN THE MATTER OF
POLICY ON ATTENDANCE
OF CITY DEPARTMENT
OFFICIALS TO CON-
VENTIONS

City Manager Miller requested permission for Fire Chief Jack Weymss to attend the annual Pacific Coast Inter-Mountain Association of Fire Chiefs convention which is being held in Portland, Oregon, August 7-10 inc. 1951. Mr. Miller stated that he considered that it would be worthwhile for Fire Chief Wemyss to attend this convention particularly since he also wished the Fire Chief to visit the City of Seattle so that he could investigate their fire and prevention and pre-fire planning activities as he considered this fire department has the outstanding program of this type in the United States. Mr. Miller stated that he believed that attendance at selected conferences by department heads and others was valuable to the employee and to the city and that if the decision was left in his hands that such attendance would be limited to those where the value received would be worth while from the City's standpoint. There was agreement that the City Manager would handle such matters. He stated that he would require a report on the meetings attended and would follow up to see that ideas received were followed through.

1 3
IN THE MATTER OF
ADJOURNMENT

Councilman M. Adams introduced
RESOLUTION NO. 9508-N.S.

which was seconded by Councilman R. Adams, adjourning this meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: Frad

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
July 25, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks
Absent: Councilmen: M. Adams, Frad

IN THE MATTER OF
APPROVAL OF MINUTES

Councilman Mellis introduced
RESOLUTION NO. 9509-N.S.

which was seconded by Councilman R. Adams, approving the minutes of the regular meetings of the Council of the City of Modesto held on July 11 and July 18, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: M. Adams and Frad

IN THE MATTER OF
AMEND ORD. NO.
913-N.S. REGULATE
AUCTION SALES OF
JEWELRY

Dr. Robert R. Moon, representing the California Retail Jeweler's Association and several other members of the Association, appeared before the Council and requested that Ordinance No. 913-N.S. regulating jewelry auction sales be amended. Dr. Moon and some of the other members explained the procedure followed at the sale being held in the City of Modesto at the present time and he pointed out that this particular type of auction would be detrimental to the citizens of the City and to all businesses within the City, whereupon Councilman R. Adams introduced an ordinance, being

ORDINANCE NO. 997-N.S.

entitled: "AN ORDINANCE AMENDING SECTION ONE OF ORDINANCE NO. 913-N.S. AND DEFINING THE MEANING OF THE WORDS "JEWELRY", "AUCTION", "PUBLIC AUCTION" AND "AUCTION SALE" and moved its adoption and passage to print, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

IN THE MATTER OF
TALK BY REPRESENTA-
TIVE CIVIL AERO-
NAUTICS ADMINISTRATION

Mr. C. Warren Cole, of the NoCal District office of the Civil Aeronautics Administration, Airports Division, appeared before the Council and upon the request of Mayor Marks, explained the 1952 program of the City Aeronautics Administration. He stated that all proposed expansions of airports would be approved on the basis of its national defense status.

IN THE MATTER OF
COMMUNICATION FROM
CENTRAL VALLEY DIVI-
SION LEAGUE OF
CALIFORNIA CITIES

A copy of a telegram sent by Marvin R. Critser, President of the Central Valley Division of the League of California Cities to Robert Rinn, President, League of California Cities, opposing the proposal to eliminate the use of sirens on all emergency vehicles and for their use in sounding fire alarms in volunteer fire departments in smaller cities, was read and ordered filed.

IN THE MATTER OF
CURB CUT REQUEST
H. WEINFLASH

A request was filed by Harry Weinflash for a curb cut at 1320 Tenth Street, being Block 64, lots 25 and 26 so that this property could be used for an automobile sale lot. He requested permission to remove two trees so that the driveway to this property could be installed, Councilman Merrill objected to the removal of more trees than were necessary in order to grant this request. The matter was referred to Manager Miller so that he might have time to investigate and report to the Council at the next meeting.

IN THE MATTER OF
RESOLUTION CHANGING
WAGE SCALE FOR PUBLIC
WORKS DONE UNDER
CONTRACT

Councilman R. Adams introduced
RESOLUTION NO. 9510-N.S.

which was seconded by Councilman Mellis determining prevailing rate of per hour wages for certain classifications of public works performed under contract in the City of Modesto and rescinding Resolution No. 9352-N.S. adopted by the Council of the City of Modesto on March 7, 1951, which resolution was adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

IN THE MATTER OF
AUTHORIZE CITY CLERK
ADVERTISE FOR BIDS
ON SEWER LINE

Councilman Merrill introduced
RESOLUTION NO. 9511-N.S.

which was seconded by Councilman Annan authorizing the City Clerk to call for bids for the construction of the Sanitary Sewer Line on Emerald Avenue between Mark Twain and Franklin Schools in accordance with plans and specifications on file in the office of the City Engineer, said bids to be opened at 7:30 P.M. on August 8, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

Manager Miller reported that under the preceding legislation, we are proposing to build a sanitary sewer line not needed by the City of Modesto at the present time, but which would be of use to the City in the expansion of its sanitary sewer system in case the territory surrounding this line would be annexed to the city. A general discussion

was held on the question whether it was a good policy to build such lines for outside areas on the assumption that they would become part of the City. With reference to serving the schools which serve areas outside the city limits, it was pointed out that while the schools pay for the sewer which serve them, the costs of disposal facilities and service is borne by the City taxpayers for the whole area.

IN THE MATTER OF
ANNEXATION OF NORTH-
WEST TRACT TO CITY

Councilman Annan introduced
RESOLUTION NO. 9512-N.S.

which was seconded by Councilman Merrill acknowledging receipt of a copy of the Notice and accompanying statement and receipt of the affidavit of publication on the proposed annexation of the Northwest Tract and approving the circulation of the petition for annexation in this Tract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

IN THE MATTER OF
CHANGE RENTAL RATE
AT AIRPORT ON HANGAR

Manager Miller reported that he had talked with Harry Sham, Manager of the Municipal Airport and Mr. W. G. Dunlop, operator of the Hawke Dusters and Flying Service in regard to the reducing of the rent for the main hangar at the Airport. He recommended that the rent be reduced to \$100 00 per month but no less, as it was his opinion that we should make every reasonable effort to make the airport self supporting, whereupon Councilman R. Adams introduced an ordinance being

ORDINANCE NO. 998-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 891-N.S. IN THE CITY OF MODESTO BY REDUCING THE RENTAL FOR HANGARS", and moved its adoption and passage to print, which motion was duly seconded by Councilman Mellis, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

A discussion was held concerning the taxes charged the City by the County on the municipal airport property, and it was brought out that this matter may be taken care of in the final annexation program. It was also brought out that the final cost to the city might be a comparable figure to the taxes, should it be annexed to the city by a strip annexation.

IN THE MATTER OF
PARKING OF BICYCLES
NEAR STATE THEATER

Councilman Adams reported that bicycles were being parked on Thirteenth Street, adjacent to J Street, by customers of the State Theater. It was his opinion that the rack for bicycles should be set up close to the entrance of the theater where it could be supervised by the employee of the theater. Manager Miller stated that in some cities parking was permitted in the front of theaters while no performance was in progress. The matter of the parking of bicycles and parking in front of theaters was referred to the City Manager for investigation and report to the Council.

IN THE MATTER OF
ADJOURNMENT

Councilman Annan introduced
RESOLUTION NO. 9513-N.S.

which was seconded by Councilman Merrill, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and Frad

ATTEST: *Ray E. Gailfus*

REX E. GAILFUS, CITY CLERK

COUNCIL MEETING

AUGUST 1, 1951

The Council of the City of Modesto met in regular session as provided by Ordinance No. 959-N.S.

Present: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: M. Adams

IN THE MATTER OF Councilman Mellis introduced
APPROVAL OF MINUTES

RESOLUTION NO. 9514-N.S.

which was seconded by Councilman Annan, approving the minutes of the regular meeting of July 25, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams and R. Adams

COUNCILMAN R. ADAMS ARRIVED AT THE MEETING AT THIS TIME

IN THE MATTER OF W. G. Dunlop, operating the Hawke Dusters and Flying Service,
RENT HANGAR AT AIRPORT-W. G. DUNLOP appeared before the Council and still protested to the \$100 00 per month rental on the Municipal Hangar at the Airport, established by Ordinance No. 998-N.S. Manager Miller stated that it was his opinion that the building is worth \$100 00 per month and that in the interest of the citizens of the city, rental should still remain at that figure. Mr. Dunlop requested that he be given a three years lease on the hangar. He was instructed to contact Mr. Miller during the week in regard to this additional request.

IN THE MATTER OF Application of William F. Coten to operate a taxicab business
APPLICATION OPERATE TAXICAB W. F. COTEN in the City of Modesto was considered by the City Council. It was the recommendation of Captain Coulson of the Police Department, that in the best interest of the citizens of the City of Modesto, this application be denied. In his letter of denial, Captain/ Coulson reported the number of cabs in operation at the present time as fifteen. Mr. Coton stated that there was a need for this cab business at the Modesto State Hospital and that he would present a petition signed by employees of the State Hospital to this effect. Mayor Marks stated that the matter would be held over for one week, at which time Mr. Coton could present his case and the taxicab companies should be present to present their arguments in the matter.

IN THE MATTER OF Whereas, pursuant to referring the request of H. Weinflash
REPORT ON REQUEST CURB CUT H. WEINFLASH for permission to remove trees for a curb cut in Block 64, lots 25 and 26, City Manager Miller reported that it was the opinion of the Assistant City Engineer that one, eight inch Sycamore tree be removed in order to allow the Assistant City Engineer to supervise the installation of a curb cut, whereupon Councilman Merrill introduced
RESOLUTION NO. 9515-N.S.

which was seconded by Councilman Annan recommending that permit be granted H. Weinflash to remove one eight inch Sycamore tree and to cut the curb for a driveway under the supervision of the Assistant City Engineer in Block 64, lots 25 and 26, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
AUTHORIZE THE CLERK
CALL FOR BIDS ON
SEWER LINE

Councilman Mellis introduced

RESOLUTION NO. 9516-N.S.

which was seconded by Councilman Merrill authorizing the City Clerk to call for bids for the "furnishing all labor, equipment and material necessary for the construction of the Sanitary Sewer line on Lucern Avenue, between Coffee Road and El Terino and El Camino, in accordance with plans and specifications on file in the office of the City Engineer". Said bids to be opened at the regular meeting of the Council to be held at 4:00 P.M. on Wednesday, August 15, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
FINAL PAYMENT TO
STANDARD MATERIALS
ON IMPROVEMENT OF
TUOLUMNE BLVD.

Whereas the 35 day lien period required by the contract with the Standard Materials Inc. for the improvement of Tuolumne Boulevard, between Merced

Avenue and Seventh Street, has expired and the Assistant City Engineer has filed a report showing a balance due said contractor of \$2,364 15, Councilman R. Adams introduced

RESOLUTION NO. 9517-N.S.

which was seconded by Councilman Annan recommending that final payment be made to the Standard Materials Inc. of \$2,364 15 for the improvement of Tuolumne Boulevard, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
FINAL PAYMENT TO
STANDARD MATERIALS
INC. ON IMPROVEMENT
OF L STREET

Whereas, the 35 day lien period required by the contract with the Standard Materials Inc. for the improvement of L Street between 11th and 14th Streets

in the City of Modesto, has expired and the Assistant City Engineer has filed a report showing a balance due said contractor of \$1,037 35, whereupon Councilman R. Adams introduced

RESOLUTION NO. 9518-N.S.

which was seconded by Councilman Merrill recommending that final payment be made to the Standard Materials Inc. of \$1,037 35 for the improvement of L Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
FINAL PAYMENT TO
PISANO BROS.

Whereas the 35 day lien period required by the contract with Pisano Bros. contractors on the sewer line

from Franklin Avenue and H Streets to the Mark Twain School on Emerald Avenue, has expired and the Assistant City Engineer has filed a report showing that the following concerns had filed "Claim of Materialman and Notice to Withhold"

Robert C. Jones-----	\$ 267 80
R. E. McCarthy-----	2,886 35
United Concrete Pipe Corporation-----	3,996 76
Greenwood & Tamblyn-----	1,746 00

and that Pisano Brothers had delivered to Greenwood & Tamblin their certified check for \$1,746 00. Fred Johnson, Assistant City Engineer, attached a letter to his report from Pisano Brothers authorizing the City of Modesto to pay the claims of Robert C. Jones, R. E. McCarthy and the United Concrete Pipe Corporation and to send the balance of \$229 09 to them. Mr. Johnson recommended that the Council authorize these payments after full releases and withdrawal of stop notices had been filed with the City Clerk by all claimants, whereupon Councilman Annan introduced

RESOLUTION NO. 9519-N.S.

which was seconded by Councilman Frad, recommending that the City Clerk be authorized to draw warrants to Robert C. Jones for \$267 80, R. E. McCarthy for \$2,886 35, United Concrete Pipe Corporation of \$3,966 76 and to Pisano Brothers for \$229 09, after releases and withdrawal of stop notices had been filed in the office of the City Clerk by all four claimants, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
PAYMENT TO STANDARD
MATERIALS COMPANY
ON SEWER LINE TO
DOWNEY HIGH SCHOOL

Councilman Frad introduced

RESOLUTION NO. 9520-N.S.

which was seconded by Councilman Merrill authorizing progressive payment of \$2,565 00 to Standard Materials Inc. for the construction of a sanitary sewer system from Morris and Hunter avenues to Downey High School on Coffee Road for the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
REQUEST MOVE TREE
MRS. JESSIE V.
TRUEBLOOD

The request of Mrs. Jessie V. Trueblood for the removal of a tree from the parking strip in front of her property at 1409 Tenth Street in order to allow her to move a building at this

location, was considered by the Council. It was suggested by the Council, upon recommendation by the Assistant City Engineer, the electrolier in the parking strip be temporarily removed to allow the removal of the building in order that the tree would not have to be taken out. Mrs. Trueblood also stated that this particular tree, by the dripping of gum, had caused an expense to the adjoining property owners as the wind carried the gum to the cars parked there for sale and they wished it removed. The matter of removal of the tree was held over for one week until Manager Miller could investigate.

IN THE MATTER OF
HEARING ON ANNEXATION
MAZE COURT TRACT

Whereas, pursuant to setting this date for the hearing of protests to the proposed annexation of the Maze Court Tract to the City of Modesto and whereas several persons appeared before the Council approving the proposed annexation and no protests, either written or oral, were filed against the proposed annexation, by order of the Council, City Attorney Halley was directed to prepare the necessary documents for the election to be held in this tract on September 14, 1951.

IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 996-N.S. REZONE
MCHENRY PROPERTY

Ordinance No. 996-N.S. having been heretofore introduced and ordered printed and published as required by the Charter of the City of Modesto, coming on for final adoption, at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Frad, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

IN THE MATTER OF
MAYOR REPORT ON
DOMESTIC WATER
SUPPLY

Mayor Marks brought the matter to the attention of the Council that there was a possibility of a domestic water shortage in this area sometime in the future and that in his opinion the city should proceed with the thought in mind of the possible connection to the Hetch Hetchy Water line which runs within three miles of the City of Modesto. The proposed annexation of a large territory to the city also would require that some safe-guard against a water shortage in the future be considered. He asked that the Council give this matter considerable thought and the City Attorney was instructed to check on the legal rights of the city to the using of this water supply.

IN THE MATTER OF
REPORT NO. 3 BY
CITY MANAGER MILLER
TO COUNCIL

City Manager Miller filed his Report No. 3 with the Mayor and Council on the subject of the use of special chemicals for industrial waste treatment as follows:

"We are now close to the peak period of the canning season in Modesto. The flow of industrial waste to the disposal plant is now between 8 and 10 million gallons per day, about three times the volume of all the City's domestic sewage. The City is now spending \$250 to \$300 extra per day for special chemical treatment of industrial wastes.

Special spraying equipment has just been completed at a cost of about \$3,000, to spray chlorine over the deck aerators to counteract odors. Four to five tons of lime is being added each day to neutralize acids and to keep the industrial wastes from becoming sour and septic. The lime and chlorine add to the effectiveness of the mechanical equipment at the disposal plant in the removal of solids and organic material from the waste. The effect of the lime is to increase the efficiency of the vacuator (a large vacuum chamber in which fine particles which cannot be removed by screens are brought to the surface and skimmed off).

The chlorine is used at the aerator deck at a rate of 2500 pounds per day which costs about \$125 00. Chlorine counteracts the formation of odors from sulphides which are given off as hydrogen sulphide gas.

The aerators (large riffles over which the waste is pumped in order to get oxygen into it) have been equipped with chlorine sprays which will trap the hydrogen sulphide gas which may be freed as the water flow over the riffles.

In this way the City is doing everything it can to eliminate and control odors from the industrial wastes of our canneries. Chemicals are effective but expensive."

IN THE MATTER OF
COUNCIL VISIT CORPO-
RATION YARD

Manager Miller invited the Council to visit the corporation yard following the meeting to investigate the city equipment maintained by the Public Works Department which was assembled at that point. Manager Miller and employees from the Public Works Department explained the use of these various pieces of equipment to the Council and other visitors.

IN THE MATTER OF
ADJOURNMENT

Councilman R. Adams introduced

RESOLUTION NO. 9521-N.S.

which was seconded by Councilman Annan, adjourning this Council Meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 997-N.S. AMEND
ORD. NO. 913-N.S. JEWELRY
AUCTION SALE

Ord. No. 997-N.S. having been heretofore introduced
and ordered printed and published as required by
the Charter of the City of Modesto, coming on for
final adoption, at this time, it was upon roll

call so finally adopted by the following vote:


Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Frad, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

Noes: Councilmen: None

Absent: Councilmen: M. Adams

ATTEST: 

REX E. GAILFUS, CITY CLERK

BOARD OF EQUALIZATION

AUGUST 6, 1951

The Council of the City of Modesto met this 6th day of August 1951, at 10:00 A.M. in the Council Chambers of the City Hall to sit as a Board of Equalization complaints and to correct, modify, strike out or raise any for the purpose of hearing/assessment on the Assessment Roll of the City Assessor, pursuant to Section 46, article IX of the City Charter

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried the meeting was adjourned to Tuesday, August 7, 1951, at the appointed time and place.

August 7, 1951

Pursuant to adjournment of August 6, 1951, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Wednesday, August 8, 1951, at the appointed time and place.

August 8, 1951

Pursuant to adjournment of August 7, 1951, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned to Thursday, August 9, 1951, at the appointed time and place.

August 9, 1951

Pursuant to adjournment of August 8, 1951, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

There being no complaints filed for the consideration of the Board, upon motion duly made, seconded and unanimously carried the meeting was adjourned to Friday, August 10, 1951, at the appointed time and place.

August 10, 1951

Pursuant to adjournment of August 9, 1951, the Board of Equalization of the City of Modesto convened in regular session this date and there were

Present: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Frad

There being no further business to come before the Board, and it having met and conducted its meetings as required by State Statutes and the City Charter,

upon motion, which was duly seconded, the meeting was adjourned sine die.

APPROVED: _____

HARRY MARKS, MAYOR

ATTEST: *[Signature]*
REX W. GAILFUS, CITY CLERK

COUNCIL MEETING
AUGUST 8, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

IN THE MATTER OF
APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9522-N.S.

which was seconded by Councilman Annan, approving the minutes of the regular meeting of the Council of the City of Modesto held on August 1, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams

COUNCILMAN R. ADAMS ARRIVED AT THE MEETING AT THIS TIME

IN THE MATTER OF
USE PERMIT TO
EDWIN N. REID
JEWELRY BUSINESS

A petition signed by eighteen (18) property holders in the John Muir Tract requesting that the use permit to Edwin N. Reid to carry on a home occupa-

tion (jewelry business) in his home located at 704 Muir Road in said subdivision be revoked, was filed with the City Council. After some discussion concerning this type of business and the restrictions in this location, Councilman R. Adams introduced

RESOLUTION NO. 9523-N.S.

which was seconded by Councilman Frad, requesting that an up-to-date report be filed with the Council by the Planning Commission concerning this use permit, and they set the date of September 12, 1951, as the date of hearing before the City Council in regard to the revocation of this permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
APPLICATION OF WM.
F. COTON TO OPERATE
NEW TAXICAB BUSINESS

Whereas, Wm. F. Coton, address Modesto State Hospital, had presented a request to the Modesto City Council for a permit to operate a taxicab business within

the City of Modesto, it was shown at this time that the taxicab companies within the City were not operating the full number of cabs which had been permitted by the Council. It was the opinion of the City Council that there was not a need for this additional cab at the present time and the permit was refused.

IN THE MATTER OF
OPEN BIDS ON SANITARY
SEWER LINE ON
EMERALD AVENUE BETWEEN
MARK TWAIN & FRANKLIN
SCHOOLS

The City Clerk reported 3 bids as follows:

Stockton Construction Co.-----\$10,977 60

Standard Materials Inc.----- 15,419 40

M. J. Ruddy and Son----- 19,566 00

had been filed for furnishing all labor and equipment necessary for the construction

of the sanitary sewer line on Emerald Avenue, between Mark Twain and Franklin Schools, whereupon Councilman Merrill introduced

RESOLUTION NO. 9524-N.S.

which was seconded by Councilman Annan, referring all bids to the City Manager for tabulation and recommendation to the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
FINAL ADOPTION ORD.
NO. 998-N.S. RENTALS
FOR HANGAR CITY AIR-
PORT

Ordinance No. 998-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of the City Council of July 25, 1951, and thereupon printed and pub-

lished as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
SWIMMING POOL CON-
TRACT MODESTO CITY
SCHOOLS, 1951-52

An agreement for the operation of the Modesto High School Swimming Pool by the City Recreation Commission was approved by the Board of Education June 18, 1951. It was the recommen-

dation of City Manager Miller that the agreement be approved by the City Council whereupon Councilman Merrill introduced

RESOLUTION NO. 9525-N.S.

which was seconded by Councilman M. Adams approving the contract agreement and appointing the Mayor and City Clerk as signatory officials on the above contract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADVERTISING SIGNS
FOSTER & KEEISER

A request by Foster & Kleiser for a permit to install 2 poster panels on the east side of 9th Street, 101 feet north of Eye

Street joining the City parking lot was received by the Council. Warren E. Munford, Public Relations Representative of the Foster & Kleiser Company, appeared in behalf of the Company and stated that the complete wall would be painted and that signs would be installed in accordance with all city regulations. After considerable discussion concerning the placing of billboards in the business district of the City, the matter was referred to City Manager Miller for report to the City Council at a later date with his recommendations.

IN THE MATTER OF
REMOVAL OF TREE
1409 TENTH STREET
MRS. JESSIE V. TRUE-
BLOOD

Whereas, a request had been filed by Mrs. Jessie V. Trueblood, 1401 Tenth Street, Modesto, California, for the removal of a tree from a parking strip in front of her property at 1409

Tenth Street, it was recommended by City Manager Miller, that since the building on this property could be moved without the removal of the tree that the request be denied. After considerable discussion concerning the matter, Councilman Frad introduced

RESOLUTION NO. 9526-N.S.

which was seconded by Councilman Merrill refusing the request of Mrs. Trueblood for the removal of the tree, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
SPECIAL ELECTION
THE MAZE COURT
ADDITION ANNEXA-
TION TO THE CITY
OF MODESTO

of Modesto, and

Whereas, on the 11th day of July, 1951, a petition signed by not less than one-fourth of all the qualified voters residing in the Maze Court addition, requested that this territory be annexed to the City

Whereas, on the 1st day of August, 1951, at a meeting of the Council of the City of Modesto to hear protest to the annexation of this tract, no protests being, filed, Councilman Annan introduced

RESOLUTION NO. 9527-N.S.

which was seconded by Councilman Frad, calling a special election for the annexation of the Maze Court addition to the City of Modesto, to be held on the 14th day of September, 1951, and ordering the City Clerk to publish the notice of election in a newspaper of general circulation in Stanislaus County, outside the City of Modesto, at least once a week for a period of four successive weeks next proceeding the date of the special election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CITY MANAGER APPROV-
ING CLAIMS AND SIGN-
ING CHECKS CITY OF
MODESTO

Councilman Frad introduced an ordinance being

ORDINANCE NO. 999-N.S.

entitled: "AN ORDINANCE AUTHORIZING CERTAIN CITY

OFFICIALS TO SIGN CHECKS, DRAFTS, OR WARRANTS, APPROVE CLAIMS, ESTABLISHING A FUND TO BE KNOWN AS 'PAYROLL FUND' OF THE CITY OF MODESTO, AUTHORIZING THE PAYMENT OF CITY EMPLOYEES FROM SAID FUND AND AUTHORIZING FACSIMILE SIGNATURES", and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ADVERTISING FOR BIDS
INCANDESCENT, FLUORESC-
CENT & MERCURY LAMPS

Councilman R. Adams, introduced

RESOLUTION NO. 9528-N.S.

which was seconded by Councilman Mellis, authorizing the City Clerk to call for bids to be opened on August 22, 1951, at 7:30 o'clock P.M. for incandescent, fluorescent and mercury lamps for municipal lighting for a period of one year beginning July 1, 1951, the amount to be purchased to be approximately \$2,500 00, which resolution was regularly passed by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
TRAFFIC SURVEY
CITY OF MODESTO

City Manager Miller, presented a map showing proposed cross-town traffic routes and explained the work ^{that} ~~that~~ ^{been} ~~had~~ done on a proposed traffic survey to determine what steps should be taken to improve traffic movement within the City. The proposal would be to create logical routes for city traffic. He stated that copies of these maps will be mailed to each councilman for their consideration and that this proposal was only preliminary.

IN THE MATTER OF
REZONING PROPERTY
ON BURNEY STREET

A letter from the City Planning Commission, stating that the 2 hearings required by law in regard to the rezoning of this property had been held and it was now recommended that the City Council proceed to rezone the following property:

"The West 150 feet of Lot 7, Block 205, of the City of Modesto"

from R-2, Two Family Residence District, to C-1, Neighborhood Business District, whereupon Councilman M. Adams introduced

RESOLUTION NO. 9529-N.S.

which was seconded by Councilman Annan, setting the date of September 5, 1951, as the date of hearing of protests to the proposed rezoning of the above property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

~~IN THE MATTER OF
ZONING THE UNINHABITED
TERRITORY TRACT~~

~~The City Planning Commission, having held 2 hearing in regard to the zoning of the "Uninhabited Territory Tract" and after a great deal of study, it is the recommendation of the City Planning Commission that this territory should be zoned into R-1, Single Family Residence District and R-2, Two Family Residence District. The remainder into the R-2, Two Family Residence District", which resolution was regularly adopted by the following vote:~~

~~Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks~~

~~Noes: Councilmen: None~~

~~Absent: Councilmen: None~~

See Page 225A

IN THE MATTER OF
BICYCLE RACK 13TH
AND JAY STREETS

Councilman R. Adams recommended that the bicycle rack at 13th and Jay Streets be removed to a space approximately in front of the State Theater. Chief of Police Pickering stated that the theater had consented to remove the bicycle rack from the present location to ^a spot in the rear of the theater where there would be proper lighting and protection for the bicycles.

IN THE MATTER OF
STREET CLEANING
BUSINESS DISTRICT

City Manager Miller reported that the improvement of the streets in the business district by the trial use of street flushing, was proceeding and that letters would be mailed to all hotels asking them to advise all their guests of the prohibitions of all night parking. Councilman Annan stated that he had checked the streets on Wednesday morning and had contacted several merchants, and he stated that under this program he was confident we will have the "cleanest little city in the state". It was brought out in the discussion that the cooperation of the merchants in this program is essential to its success.

IN THE MATTER OF
TRAINS BLOCKING THE
CITY STREET CROSSINGS

City Manager Miller reported that an Ordinance had been prepared which would help solve this problem, but he stated that he and City Attorney Halley thought it best to table the ordinance temporarily until they could confer with the officials of the Southern Pacific Company, with the thought in mind that their cooperation should be asked.

IN THE MATTER OF
TRACY PARADE

Councilman Mellis reported on a trip to Tracy over the weekend, and recommended that letters be written to the City of Tracy and the Chairman of the Celebration Committee thanking them for the hospitality during the councils visit to the celebration.

IN THE MATTER OF
ADJOURNMENT

Councilman Annan introduced

RESOLUTION NO. 9531-N.S.

which was seconded by Councilman Merrill, adjourning this Council meeting now in session, which

resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: *REX E. GAILFUS*
REX E. GAILFUS, CITY CLERK

COUNCIL MEETING

AUGUST 15, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

IN THE MATTER OF APPROVAL OF MINUTES

Councilman Mellis introduced

RESOLUTION NO. 9532-N.S.

which was seconded by Councilman R. Adams, approving the minutes of the regular meeting of the Council of the City of Modesto held on August 8, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad and M. Adams

COUNCILMAN FRAD AND M. ADAMS ARRIVED AT THIS TIME

IN THE MATTER OF APPROPRIATION REPAIR DENNETT DAM

A committee representing the American Legion Post #74 and some other interested parties appeared before the City Council and requested that the appropriation of \$6,250 00 which was

carried in the 1950-1951 City budget be reappropriated in the 1951-52 City budget with some additional amount added if possible. It was brought out that the County Board of Supervisors might also reappropriate a similar sum if the City took action at this time. After considerable discussion concerning the matter, in which both the cost of maintenance and the advantages gained by having the dam were brought out, Councilman Merrill introduced

RESOLUTION NO. 9533-N.S.

which was seconded by Councilman M. Adams, stating that the \$6,250 00 appropriated for the above purpose in the fiscal year 1950-51, be reappropriated in the budget for this fiscal year, 1951-52, and if possible an additional amount be added, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF OPEN BIDS ON SANITARY SEWER LINE, LUCERN AVENUE

The City Clerk reported three bids on file for the furnishing of labor, equipment and material necessary for the construction of the sanitary sewer line on

Lucern Avenue between Coffee Road and El Camino, as follows:

Standard Materials, Inc.	-----\$11,182 00
Stockton Construction Co.	----- 11,441 60
D. A. Parrish & Sons	----- 14,973 00

These bids were referred to the City Manager for tabulation and report at the next Council Meeting.

IN THE MATTER OF
ZONING THE UNINHABITED
TERRITORY TRACT

The City Planning Commission, having held 2 hearings in regard to the zoning of the "Uninhabited Territory Tract" and after a great deal of study, it is the recommendation of the City Planning Commission that this territory should be zoned into R-1 Single Family Residence District and R-2 Two Family Residence District, whereupon Councilman Frad introduced

RESOLUTION NO. 9530-N.S.

which was seconded by Councilman M. Adams, recommending that the meeting of September 12, 1951, be set as the date of hearing, by the City Council, of any protests that might be filed against the zoning of the Westerly 155 feet of the Southerly 614.45 feet of the Uninhabited Territory Tract into the R-1 Single Family Residence District. The Remainder into the R-2 Two Family Residence District, which resolution was regularly adopted by the following vote:

Ayes; Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
AWARD BID ON SANITARY
SEWER LINE ON EMERALD
AVE. BETWEEN MARK
TWIN AND FRANKLIN
SCHOOLS

Councilman Mellis introduced

RESOLUTION NO. 9534-N.S.

which was seconded by Councilman M. Adams accepting the bid of \$10,977 60 of the Stockton Construction Co. for the construction of a sanitary sewer line on Emerald Avenue between Mark Twain and Franklin Schools, as it was the lowest and best bid and the Mayor, City Clerk and Auditor were appointed as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
ORD. APPROPRIATE
FUNDS FOR CURRENT
EXPENSES

Councilman Frad introduced an ordinance being

ORDINANCE NO. 1000-N.S.

entitled: "AN EMERGENCY ORDINANCE APPROPRIATING ADDITIONAL FUNDS FOR PAYMENT OF THE USUAL CURRENT EXPENSES OF THE CITY OF MODESTO" and moved its adoption and passage to print, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the ordinance ordered published by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
FINAL PAYMENT STAN-
DARD MATERIALS INC.
SANITARY SEWER LINE
TO DOWNEY HIGH SCHOOL

Councilman Mellis introduced

RESOLUTION NO. 9535-N.S.

which was seconded by Councilman Merrill accepting the contract as completed by the Standard Materials Inc. for construction of a Sanitary Sewer line from Morris and Hunter Avenues to Downey High School on Coffee Road for the City of Modesto and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County and authorizing progressive payment of \$285, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
RATE INCREASE PACIFIC
TELEPHONE & TELEGRAPH
COMPANY

City Manager Miller reported to the City Council that the Public Utilities Commission of the State of California would hold a public hearing to consider proposed rate increases for tele-

phone service on Thursday September 16, 1951, ~~at 10, 1951,~~ at 10:00 A. M. in the Commission Courthouse State Building, in San Francisco at which time and place all interested parties may appear and be heard. City Manager Miller will send to the members of the Council the present and proposed rate for the Modesto Area.

IN THE MATTER OF
PARALLEL PARKING
ON PORTION OF L ST.
AND 14TH STREET

Councilman Frad introduced

RESOLUTION NO. 9536-N.S.

which was seconded by Councilman R. Adams, authorizing parallel parking on the South side of L Street between 11th and 12th Streets and on both sides of 14th Street between G. and J Streets and the Department of Public Works is authorized and directed to install such signs as the Department may deem necessary, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
24 MINUTE PARKING
METER ZONE

Upon the recommendation of City Manager Miller that certain zones in the down-town area be zoned as 24 minute parking areas and meters in these locations be set for twenty four minutes, Councilman Annan introduced

RESOLUTION NO. 9537-N.S.

which was seconded by Councilman Frad, establishing the following locations as 24 minute parking areas:

First parking space immediately South of I Street on the west side of 11th Street

First parking space immediately South of H Street on the East side of Tenth Street

Two spaces immediately in front of the City Hall adjacent to the theater zone.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
TRANSFER CAB PERMIT
JOHN L. FRENCH

Whereas John L. French, 115 Poplar Avenue, has requested permission to purchase the taxicab business of Dean Dale Erwin, known as the Veteran's Cab Company and whereas the Chief of Police has recommended that this transfer be made, Councilman M. Adams introduced

RESOLUTION NO. 9538-N.S.

which was seconded by Councilman Annan, recommending that John L. French be authorized to purchase the Veteran's Cab Company as requested, provided he pays to the City of Modesto all charges or fees necessary in connection with this transfer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
FINANCIAL STATUS OF
MADDUX YOUTH CENTER

Councilman Mellis introduced

RESOLUTION NO. 9539-N.S.

which was seconded by Councilman Annan requesting a report from the Recreation Commission on the status of the Youth Recreation Center, percentage of completion at the present time, and the amount necessary to complete the structure, and plans for financing, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
PURCHASE ROOSEVELT
SCHOOL

Whereas considerable work and study has been given to the proposal that the city purchase the Roosevelt School property situated in Block 90 of the City of Modesto and whereas the City Council would like to proceed with the matter, Councilman Annan introduced

RESOLUTION NO. 9540-N.S.

which was seconded by Councilman Merrill asking that the Council Committee, composed of R. Adams and Mellis, contact the City Board of Education and advise them that the City would like to purchase the Roosevelt School property for the appraised price of \$125,000 00 and to work out an agreement satisfactory to both groups as to the method of payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

IN THE MATTER OF
CONDITION SEWER
FARM

A discussion was held on the condition of the sewer farm and the Assistant City Engineer reported he has received several reports of odors which he had tried to run down. Some of these objections seemed to be based on odors from other sources;

IN THE MATTER OF
MAJOR ARTERIAL
STREETS

Several suggestions were made in regard to the proposed change in the system of major arterial streets inside the city. There was general agreement that the general proposal was sound. City Manager Miller will work out the proposal in detail and present it to the Council for adoption.

IN THE MATTER OF
ADJOURNMENT

Councilman R. Adams introduced

RESOLUTION NO. 9541-N.S.

which was seconded by Councilman Merrill, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:



REX E. GAILFUS, CITY CLERK

COUNCIL MEETING

AUGUST 22, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

REQUEST FOR SEWER
SERVICE TO PUBLIC
HOUSING PROJECT

City Manager Miller reported that he had had a preliminary discussion with representatives of the Housing Authority of the County of Stanislaus on their request for city sewer service for their housing project to be built near the city limits adjacent to Robertson and Hammond Roads. He said that he had just, today, received a tentative report from the Assistant City Engineer on costs, but that he did not have enough firm information on this project as yet. The Council agreed that the matter should be held over until the necessary information could be obtained.

Later in the meeting, Mr. J. W. Sinclear, Secretary of the Housing Authority of the County of Stanislaus, who meantime had come in, advised the Council that he faced a deadline for submission of plans for the project to the Public Housing Administration and needed a Council decision regarding sewer service at the earliest possible moment. He asked the Council for a firm estimate of costs involved in installation of city sewers, including costs of trunk lines, connection charges, and monthly rental fees. He assured the Council that the project definitely would be constructed either with septic tanks or city sewers. Mr. Miller stated he could not make a recommendation to the Council concerning the technical aspects of the matter until it had been given further study. Mr. Sinclear agreed to try to get an extension of time for submission of his plans to Washington.

REQUEST FOR APPROVAL
DRIVEWAY IMPROVEMENT
E. D. BLAKELY

Mr. E. D. Blakely, representative of the Hancock Oil Company, appeared before the Council and requested the Council to approve a driveway and sidewalk improvement approach to an existing service station, located in Block 101, portion of lots 14-16 inc. This matter was referred to the City Engineer's Office.

RATE INCREASE REQUEST
PACIFIC TELEPHONE &
TELEGRAPH CO.

Mr. Miller reported his findings concerning rate increases sought by the Pacific Telephone & Telegraph Company. He reviewed the recent history of requests by the Telephone Company for rate increases which were denied by the Public Utilities Commission, largely on the basis of evidence submitted by cities. He stated that the present request is for the purpose of meeting increased costs resulting from recent wage increases to Telephone Company employees. After discussion of existing rates and telephone company financing methods, Councilman Mellis introduced

RESOLUTION NO. 9542-N.S.

which was seconded by Councilman Merrill recommending that as a matter of principle the City of Modesto should go on record with the Public Utilities Commission as opposed to the requested rate increases by the Pacific Telephone and Telegraph Company, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

OPENING OF BIDS
ON LAMPS

Pursuant to advertising for bids for the furnishing of incandescent, fluorescent and mercury vapor lamps for municipal lighting for a period of one year, beginning July 1, 1951, the City Clerk reported three bids on file. By order of the Council these bids were referred to the City Manager and Assistant City Engineer.

AWARD OF BID ON
SEWER LINE-LUCERN
AVENUE

Pursuant to referral of bids on the construction of the sanitary sewer line on Lucern Avenue between Coffee Road and El Camino and branch lines on El Terino and El Camino to the City Manager and Assistant City Engineer, they reported to the Council recommending that the bid of \$11,182.00 of Standard Materials, Inc., be accepted. Councilman Merrill introduced

RESOLUTION NO. 9543-N.S.

which was seconded by Councilman Adams, accepting the bid of Standard Material, Inc. for the construction of a sewer line at the above described location in the amount of \$11,182.00, as this was the lowest and best bid and the Mayor, City Clerk and auditor are hereby appointed signatory officials on contract agreement for completion of the work, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

FINAL ADOPTION ORD.
NO. 999-N.S. AUTHORIZE
OFFICIALS SIGN CHECKS

Ordinance No. 999-N.S. having been heretofore introduced
and ordered printed and published at the regular meeting
of August 8, 1951 and thereupon printed and published as required by the Charter of
the City of Modesto, coming on for final adoption at this time, it was upon roll call
so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

COMMUNICATION RE:
EXPANSION CEMETERY
CARROLL M. FULKERTH

A communication from Carroll M. Fulkerth opposing the
expansion of the Cemeteries at their present location on
Scenic Drive was referred to the City Manager for acknowledgment.

APPROVAL OF RENEWAL
AGREEMENT WITH SOUTHERN
PACIFIC CO. ON ROADWAY
UNDER TRESTLE

Councilman Mellis introduced
RESOLUTION NO. 9544-N.S.

which was seconded by Councilman Merrill approving the
fourth supplemental agreement between the City of Modesto and the Southern Pacific
Company for the maintenance of a temporary private roadway under the railroad trestle to
permit entrance to the Municipal sewer plant facilities, for a period of one year from
October 1, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

ACCEPTANCE OF PETITION
FOR ANNEXATION PORTION
RICE COLONY TRACT

Whereas a petition for annexation of a portion of lots
2 and 7 of the Rice Colony Tract to the City of Modesto
has been filed by Albert Sgro, Sarah Sgro and Frederick Knorr, Councilman Annan introduced
RESOLUTION NO. 9545-N.S.

which was seconded by Councilman R. Adams recommending that the petition of said ap-
plicants for the annexation of a portion of the Rice Colony Tract to the City of Modesto
be accepted, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

HEARING DATE RICE
COLONY TRACT ANNEX-
ATION

Councilman Annan introduced
RESOLUTION NO. 9546-N.S.

which was seconded by Councilman M. Adams, setting the date of September 19th, 1951 at
4:00 P.M. in the Council Chambers of the City Hall, 717 10th Street, as the time and
place for the hearing of protests to the proposed annexation of that portion of lots 2
and 7 of the Rice Colony to the City of Modesto, which resolution was regularly adopted
by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

DISCUSSION OF NEW
BRIDGE CROSSING
TUOLUMNE RIVER

A general discussion was held on proposed new bridge
crossing of Tuolumne River in the vicinity of Richland
Avenue. It was agreed that this is an important community need and the City should work
closely with the County and the Greater Modesto Committee for the purpose of determining
the proper location of a new bridge or bridges.

12 DISCUSSION OF CURB CUTS

Councilman Annan brought up the possibility of closing certain curb cuts that have been previously granted, if it would be legally possible. It was suggested that used car lots could use alleys for access. City Manager Miller and Assistant City Engineer Johnson were directed to make a survey and report their findings to the Council. Councilman Annan suggested that the future policy of the Council should be to avoid granting curb cuts if there is any other reasonable means of access to the premises because this curb space is needed for parking in the business district.

13 USE OF PARKING SPACE SOUTHERN PACIFIC DEPOT

The possibility of the City using some of the area around the Southern Pacific depot for parking was discussed. The question was raised as to whether the Southern Pacific Company had fulfilled an earlier agreement to maintain this area as a park. It was suggested that J Street might be opened if the depot were moved. The City Manager was asked to check on this matter.

14 REPORT ON PROPOSED ORD. REGULATING TRAIN BLOCKING CROSSINGS IN CITY

City Attorney Halley reported that he had heard from the Southern Pacific Company attorneys relative to the proposed ordinance regulating the blocking of crossings in the City by trains and that they would set a time to confer with city officials.

15 ADJOURNMENT

Councilman Annan introduced

RESOLUTION NO. 9547-N.S.

which was seconded by Councilman R. Adams, adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: 
REX E. GAILFUS, CITY CLERK

Special Council Meeting
August 29, 1951

The Council of the City of Modesto met in special session at 4:00 P.M. this date, as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, Annan, Mellis, Merrill, Mayor Marks

Absent: Councilmen: R. Adams and Frad

16 SEWER SERVICE REQUEST FOR HOUSING PROJECT

City Manager Miller presented the following proposal to the Council for their consideration on the request of the Housing Authority of Stanislaus County for sewer service to a housing project to be built on the site at Northeast corner of intersection of Robertson Road and Hammond Street; that if the City is to furnish sewer service to the project it be furnished on this basis:

"1-Charge for connection to city's sewer system:

150 units with a connection charge of \$100 per unit \$15,000.00

Estimated cost of an 8" trunk sewer line from project to existing city sewer. (It is understood that the City would build whatever size trunk lines would best serve the interests of the City, but not less than the 8" line required to serve project.)

6,000.00

Total connection cost \$21,000.00

2-Sewer service charge

A service charge of \$1.10 per month for each unit to be paid by the authority to the City, this payment to be started as the units are ready for occupancy, and to be a continuing charge whether or not the units are occupied.

Total annual charge when all units are completed \$ 1,980.00

It is understood that all sewers within the project and to the proposed manhole in Robertson Road at a point approximately 230 feet west of the easterly property line of the project would be built to city standards and paid for and maintained by the Authority."

Mr. J. W. Sinclear, Secretary of the Housing Authority of Stanislaus County, stated that the proposal was satisfactory to the Housing Authority. He further stated that it was the plan to commence the work in the month of December, 1951 so that a portion of the housing project would be complete by April or May of 1952. He also stated that the federal government would want to enter into an agreement with the City and he was informed by City Manager Miller that the City would also require this agreement, whereupon Councilman Annan introduced

RESOLUTION NO. 9548-N.S.

which was seconded by Councilman M. Adams providing that the City of Modesto, in consideration of the offer of the Housing Authority of Stanislaus County to pay to the city of Modesto the sum of \$21,000.00 for the installation of sewer mains and connection fees and to pay the sum of \$1.10 per month per unit, a total of \$1,980.00 per year as a sewer service charge, agree to furnish sewer service to the housing project to be built on the site at Northeast corner of intersection of Robertson Road and Hammond Street, that the City Attorney be authorized to confer with the attorney representing the Housing Authority and to prepare a contract for submission to the Council of the City of Modesto and to the Housing authority and that the foregoing offer and acceptance be conditioned upon approval of a contract suitable to the City of Modesto and the Housing Authority, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Frad

ADJOURNMENT

Councilman Annan introduced

RESOLUTION NO. 9549-N.S.

which was seconded by Councilman M. Adams, adjourning this Council meeting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

absent: Councilmen: R. Adams and Frad

ATTEST: 
REX E. GAILFUS, CITY CLERK

September 5, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Absent: Councilmen: Merrill

APPROVAL OF MINUTES

Councilman Mellis introduced

RESOLUTION NO. 9550-N.S.

which was seconded by Councilman R. Adams approving the minutes of the regular council meetings of August 15 and 22 and of the special meeting of August 29, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad and Merrill

Councilman Frad arrived at the meeting at this time.

REQUEST FOR FUNDS
RETAIL MERCHANTS
BUREAU

Richard Penney, representing the Retail

Merchants Bureau of Modesto, appeared before

the Council and requested a donation of \$1,500 to pay the cost of their Christmas Balloon Parade to be held in the early part of December to usher in the Christmas shopping season. Mr. Penney stated that it was necessary, in order to obtain this event, that word be given as soon as possible or the organization would be tied up by some other city. The Council discussed the possibility of a collection being made from the business concerns of the City to help in this cause, thereby saving the tax payers the necessity of appropriating the entire \$1,500. As this was new business the matter was held over by the Council for consideration and study, to be finally acted upon at the September 12th meeting.

REQUEST PERMIT
ERECT TENT FOR
RELIGIOUS MEETINGS

Mr. W. E. Winchester, representing the Church

of Christ, appeared before the Council and

requested permission to erect a tent on Block 204, adjacent to Burney and LaLoma Streets, for church services, beginning September 16th, and to continue for two weeks. He stated that services would be held during the hours of 7:30 P.M. to 9:30 P.M. every evening. He also stated that the tent would be fire proofed and the lot would be cleared and cleaned when the series of meetings were over. City Manager Miller requested that a letter be filed with the Council setting forth the conditions which permission to hold these services is being requested, Councilman Frad introduced

RESOLUTION NO. 9551-N.S.

which was seconded by Councilman M. Adams granting permit to the Church of Christ to erect a tent to be used for religious services at the above described location, during the period of September 16 through September 30, 1951, providing all regulations of the building code and city ordinances regulating the erection of tents be conformed with and the lot be left in a clean condition which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

REQUEST AMEND ORD.
REGULATE CLOSING
HOUR BOWLING ALLEYS

Attorney Robert B. Fowler, representing James G. Santrizos, co-owner of the Modesto Bowl, appeared

before the Council requesting that Ordinance No. 688-N.S., requiring bowling alleys to close between the hours of 1 o'clock A.M. and 8 o'clock A.M. be amended to permit closing at the hour of 3 o'clock A.M. He stated that modern bowling alleys are equipped and set up in sound proof buildings. He stated it was difficult to close the games at the required time due to the fact that players just starting prior to 1 o'clock A.M. would not finish until after the closing hour. It was brought out by the Council that the later hour might cause a situation to arise whereby cars would be parked on the street interfering with the street cleaning program and they stated that no concessions as to parking of cars after 1 A.M. could be granted. As this was new business the Council suggested that the matter be held over for one week for consideration and action by the Council at their next meeting.

REQUEST CURB CUTS
LESTER V. CRISWELL
BLOCK 85 LOTS 12-16

Lester V. Criswell requested permission to cut the curb in Block 85, lots 12-16, being the property

formerly occupied by the Robertson Hospital at 12th and J Streets and leased by him for a parking lot. He stated that the cuts were arranged so as to save the existing trees in the parkway around this lot and that in the operation of the lot, in his opinion, a 30 foot cut on J Street and a 12 foot cut on 12th Street would be necessary. He stated that he had a two year lease on this lot with an option to continue for three years. The request was held over for one week so that the City Manager and members of the Council could check the location of these cuts.

FINAL ADOPTION
ORD. NO. 1000-N.S.
APPROPRIATE FUNDS
CURRENT EXPENSES

Ordinance No. 1000-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of August 15, 1951, and thereupon printed and

published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

HEARING ON REZONING
PORTION BLOCK 205

Pursuant to setting this date for the hearing of protests to the proposed rezoning of the West 150 feet of Lot 7, Block 205 of the City of Modesto from the R-2 Two Family Residence District to the C-1 Neighborhood Business District and whereas no protests were filed, Councilman Mellis introduced an ordinance being

ORDINANCE NO. 1001-N.S.

entitled: " AN ORDINANCE CHANGING USE DISTRICT AND REZONING FROM R-2 TWO FAMILY RESIDENCE DISTRICT TO C-1 NEIGHBORHOOD DISTRICT" and moved its adoption and passage to print, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

8 AWARD OF BID
ON LAMPS

Pursuant to referral of bids on lamps to the City Manager for study, he recommended at this time that the bid of O. A. Sullivan Electric Company be accepted, as it was the lowest and best bid, whereupon Councilman R. Adams introduced

RESOLUTION NO. 9552-N.S.

which was seconded by Councilman M. Adams, accepting the bid of O. A. Sullivan Electric Company for the furnishing of lamps for the fiscal year 1951-52 and appointing the Mayor, City Clerk and Auditor as signatory officials on contract for the delivery of lamps, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

7 GRANT EXTENSION
KING-KNIGHT CO.
CONVERSION PUMP
AT PUMP STATION
#6

A request was filed by King-Knight Company for a further extension of time to complete their contract for the conversion of electric motor driven pump at Pump Station #6 to a combination gas engine-electric motor drive with automatic controls, due to the fact that they were still unable to secure certain necessary equipment. City Manager Miller recommended the extension and Councilman Annan introduced

RESOLUTION NO. 9553-N. S.

which was seconded by Councilman R. Adams granting an extension to King-Knight Company, until November 1, 1951, for the completion of their contract as set forth above, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

12 REQUEST REMOVAL
USED CAR LOT
HANSON AUTO MART

By order of the Council the request of Hanson Auto Mart to move their used car lot from 101 College Avenue to 1230 Tenth Street was referred to City Manager Miller for investigation and report at the next Council meeting.

11 ESTABLISH NEW POSITIONS
AND SET WAGE SCALES FOR
CERTAIN EMPLOYEES

City Manager Miller filed a report on the proposed reorganization of the Public Works and Finance operations of the City. He stated that the report filed by the Public Administration Service in June 1951, recommended that the Public Works Department be reorganized into six divisions, that Public Works Director be the City Engineer and Superintendent of Streets and that he give over all direction to the divisions under his control. Mr. Miller stated that a reorganization of this general nature would result in a greatly improved operation and a more efficient use of funds assigned to the City's Public Works program. He further stated that this reorganization could best be accomplished with the assistance of the person who is to be responsible for its operation. He believed the salary for the Director of Public Works should be established at a range beginning at \$650 per month and increasing to \$750 or \$800 per month. He also recommended that the salary for the Assistant City Engineer be established at a range beginning at \$475 per month and increasing to \$575 or

\$600 per month. Mr. Miller also concurred in the recommendation of the Public Administration Service that a Finance Office of the general type outlined in their report should be created and a Finance Officer be appointed and that the salary range be established beginning at \$525 per month and increasing to \$625 or \$650 per month. Councilman M. Adams stated that he believed that the salary ranges for the engineering positions should go up to the highest amounts suggested so that the City could obtain the best men available. The Council agreed that this should also be done in the case of the Finance Officer, Councilman Mellis introduced

RESOLUTION NO. 9554-N.S.

which was seconded by Councilman M. Adams, approving the creation of the new positions of Public Works Director and Finance Officer as outlined in the report of the Public Administration Service and establishing the salary range for the following employees:

Public Works Director ----- \$650 to \$800

Finance Officer ----- \$525 to \$650

Assistant City Engineer ----- \$475 to \$600

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

EMPLOYMENT ATTORNEY
FULL TIME BASIS

Mayor Marks stated that the question had arisen as to whether the City needed a full time City Attorney to replace the present system of two part time attorneys who were allowed to have private practice. It was the opinion of the Council that the City would save considerable money by the employment of a full time attorney. Mayor Marks offered the full time position, without private practice, to Attorney Halley who refused the offer. He then stated that the offer would be made to Assistant City Attorney Winger and he indicated that he thought a full time attorney could be employed for a salary in the neighborhood of \$500 to \$600 per month. The matter was held over for decision at a later meeting.

COMMUNICATION FROM
R.C. MILLER, MAYOR
EL MONTE

A communication from Mayor R. C. Miller of El Monte concerning a proposed highway through the City and the problem it presents to the City was read by City Manager Miller and ordered filed.

INCREASE SALARY
FRED M. JOHNSON
ASSISTANT CITY
ENGINEER

City Manager Miller reported that Fred M. Johnson, Assistant City Engineer, had filed his resignation with him, effective Sept. 15, 1951 and that he had offered to continue on a part time basis until the new Public Works Director had taken over the duties of the Public Works Department. Councilman R. Adams stated that he wished to express his appreciation of the work that Fred M. Johnson had done for the City. City Manager Miller suggested to the Council that the salary of Fred M. Johnson be increased for the present time and while he continued in office of assistant City Engineer, to \$710 per month, the established rate for the City Engineer, Councilman Annan introduced

RESOLUTION NO. 9555-N.S.

which was seconded by Councilman M. Adams, establishing the salary of \$710 for Fred M. Johnson, Assistant City Engineer, effective as of September 1, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None
Absent: Councilmen: Merrill

REPORT ON PARKING
CARS ON PUBLIC
STREETS

City Manager Miller reported that there had been a drive to obtain the cooperation of all hotels and lodging houses in eliminating parking of cars on the paved streets between the hours of 1:00 A.M. and 5:00 A.M. and that he is asking the Police Department to give this phase of enforcement whatever attention it requires to insure reasonable compliance. In the discussion of the matter, it was brought out that the Police Department had been cooperating with the Street Cleaning Department on this problem.

ADJOURNMENT

Councilman Frad introduced

RESOLUTION NO. 9556-N.S.

which was seconded by Councilman Annan, adjourning this Council Meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting

September 12, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

APPROVE CLAIMS FOR
MONTH OF AUGUST

Claims against the City of Modesto for the month of August, 1951, having been heretofore audited and found to be correct, Councilman R. Adams, introduced

RESOLUTION NO. 9557-N.S.

which was seconded by Councilman M. Adams ordering that all of the said claims so audited and approved be and the same are hereby allowed, with reference being made to the Auditor's Cash Record for further details relative to the amounts of withdrawals from the various funds as follows:

General Fund -----	\$104,134.17
Water Fund -----	8,818.23
Library Fund -----	2,506.51
Bond Red. Int. Fund -----	563.75
Parking Meter Fund -----	<u>2,368.48</u>
	\$118,391.14

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

Councilman Merrill arrived at this time.

2
HEARING ON USE PERMIT
GRANTED E.N. REID RE:
JEWELRY REPAIR AT 704
MUIR ROAD

Pursuant to setting this date for the hearing of protests to the granting of a use permit by the Planning Commission to E. N. Reid for operating a jewelry repair business at 704 Muir Road, the City Clerk reported he had received a letter from Attorney A. R. Friedman in which he stated that he was representing E. N. Reid and due to certain circumstances he would be unable to attend this meeting and in fairness to his client he asked that the matter be continued until either September 19 or October 3 when he could be present to represent his client. Several people living in the vicinity of 704 Muir Road appeared before the Council. Fred Curtis living at 618 Ashby Avenue stated that he was opposed to any violation of the restrictions in regard to business in this district. Attorney Ronald E. Bates stated that he felt the action of the Planning Commission in granting this permit was questionable in that the City zoning ordinance zoned this property as a single family residence district and deed restrictions in the district allow no business to be operated there. He stated that he thought the city should help enforce such restrictions. Mr. Robert P. Bomberger stated that he was interested in this matter in that he was the developer of the tract and that he felt responsible to the property owners who had purchased property in this tract with the understanding that it was a highly restricted area. He stated that he could not see why the Planning Commission would violate these restrictions. Frank Loria, residing at 624 Helen Avenue, stated that legally in his opinion the Planning Commission had a right to rule as they had done but that he considered the ruling a violation of the restrictions and irregular. The Mayor asked a show of hands of those opposed to the granting of the use permit. Those opposed numbered 12 and those favorable none. Mr. Reid stated that the people he had contacted in this area who were favorable to the use permit did not appear as he had told them that the hearing would be postponed as requested in the letter of Attorney A. R. Friedman. By order of the Council the hearing was continued until the Council meeting of October 3, 1951 at 4:00 P.M.

13
HEARING ON ZONING
OF UNINHABITED TRACT

Pursuant to setting this date for hearing for the proposed zoning of the Uninhabited Tract annexed to the City as R-1 Single Family Residence District and R-2 Two Family Residence District, Mr. Corbin F. Fairfield, 915 W. Roseburg Avenue, appeared before the Council and voiced a protest to the zoning of his property into two different classifications. City Manager Miller suggested that the Council formally state their position and Councilman Mellis introduced

RESOLUTION NO. 9558-N.S.

which was seconded by Councilman Frad stating that the Council go on record in favor of the granting of a use permit extending the R-2 Two Family Residence District classification to all of Mr. Fairfield's property in the area if at a later date he should so request by making application for such permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

4
ORDINANCE ZONING
UNINHABITED TRACT

Councilman Mellis introduced an ordinance being
ORDINANCE NO. 1002-N.S.

entitled: "AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700-N.S. BY ADDING ADDITIONAL MAP" and moved its adoption and passage to print and publish which motion was duly seconded by Councilman Frad and

upon roll call the ordinance was ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

COMMUNICATION FROM ASSISTANT CITY ATTORNEY ELMER L. WINGER

A communication from Assistant City Attorney Elmer L. Winger declining the offer of the Council for the position of City Attorney, on a full-time basis with no private practice, was read by Mayor Marks and ordered filed.

FREE PARKING FOR DELEGATES TO CONVENTIONS

John Fairweather, Manager of the Modesto Chamber of Commerce, appeared before the Council and requested that the Council consider authorizing a windshield sticker which would be prepared by the Chamber of Commerce and would permit delegates to conventions in this city to obtain free parking in the new off-street parking lots. The proposal made by Mr. Fairweather was taken under consideration by the Council.

LIGHTING BUSINESS AREAS

Mr. Fairweather also presented a copy of a resolution passed by the Board of Directors of the Modesto Chamber of Commerce requesting that the Council "immediately initiate steps for an improvement district for the purpose of lighting the business areas in the City of Modesto and investigate the possibilities of extending the original limits to include at least the portion from 5th to 9th Street on I, from 5th to 9th Street on H, and on 7th Street from I to G Street." Mr. Fairweather stated that the Chamber of Commerce committee was composed of Carl A. Wille, Chairman, Everett Kinnear and Carter Harrison. It was suggested that the Engineer and the City Manager consult with this committee and report to the Council at a later date.

CLOSING HOUR OF BOWLING ALLEYS

Attorney Robert B. Fowler appeared before the Council in behalf of the owners of the Modesto Bowl, 1120 13th Street, and stated that in order to clarify the situation as brought out in the prior meeting of September 5th, it was his opinion that the matter of parking cars on the city streets between the hours of 1:00 A.M. and 5:00 A.M. should not be confused with the request for the new closing hour of 3:00 A.M. for bowling alleys, as it was a different matter altogether. Mayor Marks informed Mr. Fowler that since the Modesto Bowl maintains a bar, this might have some bearing on the decision as to the closing hour of the alleys. He expressed the thought that some regulations might be worked out so that minors would not be allowed in the bowl after a certain hour. The entire matter was held over for consideration by the Council.

REQUEST OF WESTON W. BARNES FOR USED CAR LOT LICENSE

The application of Weston W. Barnes, d.b.a. Wes. Barnes Motor Company to operate a used car lot at 601 10th Street was held over for study and report to the Council by the City Manager.

REPORT ON REQUEST
FOR CURB CUTS
L. V. CRISWELL

City Manager Miller reported on the request referred to him by the Council of L. V. Criswell for curb cuts for a parking lot in Block 85, lots 12-16, located at 12th and J Streets. He stated that he had checked the locations of the proposed cuts on this property and recommended that the cut on J Street be granted, subject to his determination of exact location and that the curb cut requested on 12th Street also be granted if further study shows it to be necessary and desirable, Councilman Frad introduced

RESOLUTION NO. 9559-N.S.

which was seconded by Councilman M. Adams authorizing the installation of a curb cut on the J Street side of the parking lot of L. V. Criswell in Block 85 under the supervision of the City Manager and authorizing the City Manager and City Engineer to study the proposed curb cut on 12th Street and supervise its construction providing it meets with their approval, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REQUEST TO OPERATE
USED CAR LOT AND FOR
CURB CUT-FOSTER AND
GONZALVES

Application of John D. Foster and Henry Gonzalves to operate a used car lot at 1409 10th Street, Block 61, lots 11-12 and request for permission to cut the curb at this location was considered by the Council, Councilman Mellis introduced

RESOLUTION NO. 9560-N.S.

which was seconded by Councilman R. Adams approving the application and bond of said applicants to operate a used car lot at above described location and granting permit for a 12' curb cut under the supervision of the City Engineer and City Manager, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

CURB CUTS FOR
USED CAR LOTS

The matter of allowing curb cuts for all used car lots was discussed by the Council and the City Clerk was instructed to send a letter to the used car association to be distributed to all the used car dealers asking them to appear before the Council of September 26th at 7:30 P.M. and show cause why they could not operate with entrances to their lots from the alley in the rear when this is possible. Councilman Annan introduced

RESOLUTION NO. 9561-N.S.

which was seconded by Councilman Merrill rescinding Resolution No. 9560-N.S. granting John D. Foster and Henry Gonzalves permission to operate a used car lot at 1409 10th Street and permission to cut the curb at this location and granting said applicants permit to operate a used car lot only, but not granting the curb cut, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

15 PARKING OF BICYCLES
NEAR STATE THEATER

Councilman R. Adams reported that bicycles were being piled on the sidewalks on J Street at 13th Street adjacent to the State Theater where the former bicycle rack had been installed. He suggested that something be done by the Police Department to clear up this situation as it was detrimental to the adjacent store owners. City Manager Miller reported that the Police Department had been working on this situation and that in his opinion the matter could be controlled if necessary by picking up the bicycles and taking them to the Police station but that every effort should first be made to advise the owners of the regulation. Chief Pickering reported that he had recently been moving these bicycles to the rear of the theater and that the theater manager had informed him that a slide was being prepared which would be thrown on the screen instructing the owners of the bicycles to park these bicycles in the rear of the theater. It was the opinion of the Police Chief the matter would be taken care of satisfactorily in the immediate future.

14 ANNEXATION PETITION
TRACT SOUTH OF
TUOLUMNE RIVER ON
CROWS LANDING ROAD

Attorney Jared W. Hawkins filed petitions with the Council for the annexation of a tract of land south of the Tuolumne River, adjoining Crows Landing Road, signed by property owners, Councilman Mellis introduced
RESOLUTION NO. 9562-N.S.

which was seconded by Councilman Merrill accepting the petitions as filed and instructing the City Clerk and the City Engineer to check the descriptions of the property and the validity of the petitions and report to the Council at the meeting of September 19th, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13 REQUEST OF ED BLAKELY
RE IMPROVEMENT CURB AND
GUTTER

City Manager Miller reported that the request of Ed Blakeley, representing the Hancock Oil Company, for a curb cut in Block 101, lots 14-16 inc. was really a request for the installation of curb and gutter and that the matter had been taken care of.

12 BUDGET FOR FISCAL
YEAR 1951-52

City Manager Miller submitted to the Council for their consideration a tentative city budget setting forth estimated revenue and proposed expenditures for the fiscal year 1951-52 which included a budget message which was summarized and explained by him. Councilman Frad introduced

RESOLUTION NO. 9563-N.S.

which was seconded by Councilman Mellis setting the date of September 26, 1951, at 7:30 P.M. at the City Hall as the time and place for the hearing on the proposed budget, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ADJOURNMENT

Councilman Frad introduced

RESOLUTION NO. 9564-N.S.

which was seconded by Councilman Mellis adjourning this Council meeting now in session, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST: (Signature)
REX E. GAILFUS, CITY CLERK

Council Meeting
September 19, 1951.

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: Mellis, M. Adams, Frad, R. Adams, Annan

Absent: Councilmen: Merrill and Mayor Marks

Councilman Annan was appointed Acting Mayor by the Council

APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9565-N.S.

which was seconded by Councilman Frad, approving the minutes of the regular meeting of September 5, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Mellis, M. Adams, Frad, R. Adams, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

CURB CUTS TO USED CAR DEALERS

A group of automobile dealers appeared before the Council expressing their opposition to any action

which would deprive them of street entrances to their used car lots. Acting Mayor Annan explained that the purpose of the investigation of these curb cuts was to help create more parking spaces on the city streets. He also discussed the cost to the City of providing parking spaces, making reference to the cost of off-street parking facilities. Councilman M. Adams suggested that a report on the present number and location of curb cuts be prepared by the Chief of Police by the next meeting. Councilman R. Adams informed the dealers who were present that the Council's purpose in studying this matter was mainly to help solve a particular problem which existed in regard to parking in the city and it was not the intention to interfere with business. Acting Mayor Annan informed the dealers that the Council had set September 26 as the date for discussion of this matter and that all dealers would be informed of the meeting.

CLAIM FOR DAMAGES C. E. MCKINZIE

A claim for damages in the amount of \$10,000 was filed by C. E. McKinzie for injuries sustained on July 8, 1951

and involving Police Sergeant Norman A. Sturm, at the intersection of 11th and B Streets, Councilman Mellis introduced

RESOLUTION NO. 9566-N.S.

which was seconded by Councilman R. Adams recommending that the Council reject the claim of C. E. McKinzie for \$10,000, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

absent: Councilmen: Merrill and Mayor Marks

CANVASS BALLOTS ON
MAZE COURT ADDITION
ANNEXATION ELECTION

The Council proceeded to canvass the ballots of the Special Election held on Friday, September 14, 1951 for the annexation of the Maze Court Addition, Councilman R. Adams introduced

RESOLUTION NO. 9567-N.S.

which was seconded by Councilman Mellis

WHEREAS, a special election was held on the 14th day of September 1951, in Maze Court addition, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the City limits of said City, and which territory is particularly described as follows, to-wit:

All that certain real property situated in the County of Stanislaus State of California, described as follows:

Beginning at a point on the corner of Lot 1 of the Spencer Colony, as filed for record on December 16, 1904, in Volume 2 of Maps, page 3, Stanislaus County Records, which point is also on the City Limits line on Maze Blvd., and the section line common to Section 30 and 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence westerly along said section line to its intersection with the east line of Lateral No. 5 of the Modesto Irrigation District, thence proceeding northeasterly along said east line of Lateral No. 5 to its intersection with Lateral No. 4, thence continuing along the southeast line of Lateral No. 4 to its intersection with the Section line common to Sections 29 and 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, which line is also the City Limits line on Franklin Street, thence southerly along said section and City Limits line to the section corner common to Sections 29, 30, 31, and 32, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence westerly along the Section line common to Sections 30 and 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the City Limits line on Maze Blvd., to the point of beginning; and

WHEREAS, the said City Council of the City of Modesto finds after due examination that due notice of said election was published in the Turlock Daily Journal, a newspaper of general circulation printed and published outside the City of Modesto, but in Stanislaus County, California, which said notice appeared in said newspaper on August 16th, 23rd, 30th and September 6th, all in the year 1951, and that prior to said publication in said newspaper a date was set giving due notice that owners of property in said Maze Court Addition could appear before said City Council on the 1st day of August, 1951, to protest the holding of said election; and it further appearing to the said Council and the said Council so finds that all other requirements of the Annexation Act of 1913 and all other requirements of the Election Laws of the State of California have been duly and regularly followed and that all the procedures adopted and employed in the annexation proceedings and in the holding of said election is proper and legal; and

WHEREAS the City Council of the City of Modesto is now sitting as a Canvassing Board to canvass the results of said election and has received all of the returns of said election and finds that the same are now in proper form and have opened and canvassed the same and ascertained the result of said election as hereinafter stated; and

WHEREAS, after the holding of said election, the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not

such new territory hereinabove described shall be annexed to the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owed by said City prior to the date of the filing of the petition asking that such election be called or theretofore authorized,

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED BY THE COUNCIL OF THE CITY OF MODESTO that the said Special Election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears and the Council so finds that at said Special Election the total number of votes cast at the polls was and is 36; that the number of votes cast at said polls in favor of annexation was and is 25; that the number of votes cast at said polls opposed to annexation of said territory was and is 11.

That said City Council sitting as such Canvassing Board further finds that the measure, to-wit, "Shall the Maze Court Addition be annexed to the City of Modesto?" received a majority of the votes cast in favor of annexation and that therefore said measure carried.

which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

AUTHORIZE PAYMENT
ELECTION OFFICIALS

Councilman Frad introduced

RESOLUTION NO. 9568-N.S.

which was seconded by Councilman R. Adams, authorizing the City Clerk to pay \$8.00 to each election official who served at the special election of September 14, 1951 for the annexation of the Maze Court Addition which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

ORDINANCE APPROVE
ANNEXATION MAZE COURT
ADDITION TO CITY

Councilman M. Adams introduced an ordinance being

ORDINANCE NO. 1003-N.S.

entitled: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY KNOWN AS 'MAZE COURT ADDITION' TO THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

AUTHORIZE PAYMENT
ON PIPE LINE IN
COLLEGE MANOR TRACT

Councilman M. Adams introduced

RESOLUTION NO. 9569-N.S.

which was seconded by Councilman R. Adams, accepting bill of sale from Walter P. Wesson, Jr., and Mary J. Wesson, husband and wife, for the sale of the pipe line located in the College Manor Tract to the City for the sum of \$2,650.00. The City Clerk was directed to record this bill of sale with the Recorder of Stanislaus County and to draw a warrant in payment to Walter P. Wesson, Jr., and Mary J. Wesson in

amount of \$2,650.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

5 GALAS BROS. REQUEST
CLOSING HOUR DANCE
IN HOTEL COVELL EXTEND
2:00 A.M.

A letter was filed by Galas Bros. operating the restaurant in Hotel Covell, informing the Council that they had recently remodeled the Fable Room which is located in the basement of the Covell Hotel. They stated that this room is being set aside on Saturday for use by the general public and they would like to have permission to extend the time of dancing to 2:00 A.M. The matter was held over for one week and report by the City Manager.

1 REQUEST WESTON W.
BARNES FOR USED
CAR LOT

The request of Weston W. Barnes to operate a used car lot at 601 10th Street was considered by the City Council. As this lot had previously been used as a used car lot, Councilman Mellis introduced

RESOLUTION NO. 9570-N.S.

which was seconded by Councilman M. Adams authorizing the City Manager to approve the application providing he found that all the regulations of the City were complied with, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

1 REQUEST OPERATE
USED CAR LOT
EDWARD BUNCH-
TROY BUNCH

The application of Edward Bunch and Troy Bunch to operate a used car lot at 730 H Street was referred to the City Manager.

11 HEARING ON ANNEXATION
PORTION RICE COLONY

As no protests were filed against the proposed annexation of a portion of lots 2 and 7 of the Rice Colony to the City of Modesto, Councilman M. Adams introduced an ordinance being

ORDINANCE NO. 1004-N.S.

entitled: "AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A PORTION OF LOTS 2 and 7 OF THE RICE COLONY TO THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

12 COMMUNICATION FRANK
ANDREWS RE: FIRE
PROTECTION SERVICE
OUTSIDE CITY

A letter from Frank Andrews was read by acting Mayor Annan concerning the use of City fire equipment for protection of property outside the city, requesting that the practice be stopped. This letter was ordered filed.

FINAL ADOPTION ORD.
NO. 1001-N.S. ZONE
PORTION BLOCK 205

Ordinance No. 1001-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 5, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

AGREEMENT SCHOOL
DISTRICT FOR NURSING
SERVICE

Councilman M. Adams introduced

RESOLUTION NO. 9571-N.S.

which was seconded by Councilman Frad approving an agreement between the City of Modesto and the Modesto City Board of Education for nursing services in the Modesto area schools for the period beginning September 1, 1951 and continuing until July 1, 1952, providing for the payment to the City of \$9,850.00 for nursing services, plus \$300.00 for transportation, and appointing the Mayor and Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

COMMUNICATION ROBERT N.
ESSA RE: TRAFFIC NEAR
ENSLLEN SCHOOL

A letter from Robert N. Essa was read by Acting Mayor Annan, complaining of the traffic conditions existing at the intersections of Enslen and Coldwell near the Enslen School. He requested the Council to consider the installation of stop signs at this intersection due to the danger to children in this neighborhood since the opening of school. The letter was referred to the City Manager for report at a later meeting.

REQUEST PERMIT OPERATE
ADDITIONAL TAXICABS
LEONARD SMITH

A request was filed by Leonard Smith, operating Smitty's Taxicab, for permission to operate two additional taxicabs. In the discussion of the request, it was suggested that if there was a valid need for these additional cabs by Mr. Smith that he should be allowed the permits. The matter was held over for recommendation to the Council by the City Manager and the Police Chief.

SET DATE HEARING
ELECTION NORTHWEST
ADDITION

The City Clerk reported that petitions presented to the Council requesting that an election be called in the "Northwest Addition" for the purpose of determining whether this area shall be annexed to the City of Modesto were signed by not less than one-fourth of the qualified electors residing in the territory as shown by the County Registration of Voters; ~~that the territory as shown by the County Registration of Voters;~~ that the territory described does not form a part of any other municipal corporation, that the territory is inhabited and that the petitions are in proper form and that the provisions of the Annexation Act of 1913 have been complied with, Councilman R. Adams introduced

RESOLUTION NO. 9572-N.S.

which was seconded by Councilman Frad declaring that it is the intention of the Council to call a Special Election to submit to the electors residing in this territory the question whether or not they desire to have this territory annexed to the City. November 15, 1951 was set as the date for the holding of the election. The date of October 10th 1951 in the City Hall at 7:30 P.M. was set as the time and place for any persons owning real property within the territory proposed to be annexed and having

any objections to the proposed annexation to appear and show cause why this territory should not be annexed. Written protests against the proposed election must be filed not later than the hour set for hearing of objections. The City Clerk was directed to publish a copy of this resolution at least once a week for two successive weeks prior to the hearing in the Modesto Bee, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

18 COMMUNICATION RECREATION
COMMISSION REAPPOINTMENT
BESSIE SINGLETON

A letter from the Recreation Commission was read by Acting Mayor Annan requesting the reappointment of Bessie Singleton as a member of the Commission. This communication was referred to the City Manager.

19 COMMUNICATION JUNIOR
CHAMBER OF COMMERCE

A letter from the Modesto Junior Chamber of Commerce expressing appreciation to the Council for their cooperation in the recent Community Fair was read and ordered filed.

20 PETITIONS ANNEXATION
TRACT SOUTH OF MODESTO
ON TUOLUMNE RIVER

Pursuant to receiving petitions for annexation of a tract of land lying south of the Tuolumne River adjacent to the city limits on the Crows Landing Road Councilman Frad introduced

RESOLUTION NO. 9573-N.S.

which was seconded by Councilman M. Adams recommending that the Planning Commission, the Greater Modesto Committee and the City Manager submit reports regarding this proposed annexation to give the City Council any information that they may have as to how this annexation would effect the plans for larger annexation to the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Acting Mayor Annan

Noes: Councilmen: None

Absent: Councilmen: Merrill and Mayor Marks

21 SIGNS ON SIDEWALKS
REQUEST BY RETAILER'S
ASSOCIATION

Councilman R. Adams stated that Fred J. LaValley, President of the Retailer's Association had requested him to bring before the Council the matter of allowing merchants to paint advertising slogans on the sidewalk of the city streets. This matter was referred to the City Manager.

22 LEAGUE MEETING
IN LODI

Acting Mayor Annan read a notice from the Council of the City of Lodi, reminding the Council of the pre-conference session of the Central Valley Division of the League of California Cities, to be held in Lodi, Thursday, October 11, 1951.

23 There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST:


REX E. GAILFUS, CITY CLERK

September 26, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Absent: Councilmen: None

APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9574-N.S.

which was seconded by Councilman Frad, approving the minutes of the regular meeting of the Council of September 12, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

CURB CUTS IN
BUSINESS DISTRICT
USED CAR LOTS

A large group representing the Modesto Automobile Dealers Association and the Used Car Dealers of Modesto

appeared before the Council in response to a request by the Council for them to appear and discuss the matter of solving a parking problem in the City by the elimination of some unnecessary curb cuts in the business district. The Modesto Automobile Dealers Association presented a report stating the elimination of present curb cuts would be objectionable to them as it would seriously handicap the operation of their business. They set forth various reasons in their report in support of the above contention. The Used Car Dealers also set forth several reasons why they thought that doing away with the street entrances would be "useless and ineffective" and they vigorously opposed any attempt to alter the present situation. Mayor Marks informed them that Modesto was ahead of most other cities in solving her parking problem and that under the present plan the city should eventually have parking lots to solve the parking problem in the city for all time. Several remarks were made by Council members on methods of helping the situation by opening their lots and parkways for parking in the evening, Sundays and holidays and having signs inviting people to park in their lots when they were not in use. Mayor Marks informed those present that the matter was entirely in the discussion stage and that the City was trying to create additional parking spaces and that it was not the intention of the Council to pass any regulations which would hinder any business in its operation. He also thanked those present for coming to the meeting and suggested that they help the Council in working with their people for the solution of this problem. City Manager Miller stated that the Police Department had prepared a map showing all curb cuts in the central business area and he was convinced quite a number of parking spaces could be added very easily by using curb cuts that are not now being used or are not necessary. He suggested that the City be given time to study the whole parking problem and that no action be taken at this time in regard to the used car dealers' curb cuts. The matter was referred to the City Manager for study and report to the Council.

GRANT CURB CUT TO
FOSTER & GONSALVES
USED CAR LOT

In response to the request of John D. Foster
and Henry Gonsalves, operating a used car lot
at 1409 10th St. for a 12' curb cut, Councilman Annan introduced

RESOLUTION NO. 9575-N.S.

which was seconded by Councilman Merrill recommending that the curb cut be granted to said applicants under the supervision of the City Manager and City Engineer and that curb cut at 1405 10th St. adjoining this property be abandoned, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REPORT ON PETITION
ANNEXATION SLAUGHTER
HOUSE DISTRICT

Following the referral of the request for annexation of the Slaughter House District, south of Modesto to the Greater Modesto Committee, Chairman Leon C. Glover appeared before the Council and presented a report recommending that this district be annexed to the City as soon as possible and that the Council, in serving this area, give consideration to constructing sewer lines across the river adequate to handle the volume of sewage from the entire South Modesto area. Councilman R. Adams expressed the opinion that the Greater Modesto Committee should be thanked for the good work they have done so far in the proposed annexation program. Mayor Marks thanked Leon C. Glover for the work the Committee is doing and for the prompt answer to the Council in regard to this proposed annexation.

REQUEST LEONARD SMITH
FOR TWO ADDITIONAL
TAXICAB PERMITS

Several taxicab owners appeared before the Council and protested to the issuing of any additional taxicab permits. Joe Sequeira stated that he has 8 permits and that at the present time he was using only 5 cabs during the week and 6 or 7 on week ends. Joe Secreto stated that he has 6 taxicab permits and at the present time he was only operating 4 cabs. They stated that business at the present would not warrant their using the full number of permits which they have. Chief of Police Pickering filed a report showing that there were 20 taxicab permits and that only 15 cabs were regularly in operation. He stated that in his opinion the additional permits are not necessary. As there seemed to be some confusion on the part of some of the taxicab owners in regard to this request, the matter was referred to the City Manager to report the facts to the Council with his recommendation at the next meeting.

REQUEST TRANSFER
USED CAR LOT
HANSON AUTO MART

City Manager Miller reported on the request of the Hanson auto Mart for permission to move their used car lot from 101 College Avenue to 1230 10th St. He stated that he had checked the proposed location at 1230 10th St. and recommended that the request be granted. The Council granted permission for the transfer of the used car lot, provided the curb cut on M Street is eliminated and authorized the City Manager to supervise the elimination of one curb cut at this location.

REQUEST REMOVAL TREE
KBOX RADIO STATION

Cecil Lynch, Manager of KBOX Radio Station appeared before the Council in support of his request for the removal of a tree at their new broadcasting studios located at 1507 Tenth Street. Councilman Merrill stated that he had previously inspected the location of this building and suggested that the trees be trimmed to conform with the entrance to the new building and stated that he was opposed to taking this tree out. It was brought out at the meeting that two trees could be removed at this location and new trees which would be more suitable could be planted. City Manager Miller pointed out that in some business districts in some cities, the merchants and the city were cooperating in planting suitable trees. Mayor Marks suggested that some policy be arrived at in regard to trees in the business district, as in his opinion certain trees were detrimental to a business location. It was his opinion that both trees should come out and new trees that would conform with the new building should be planted. It was suggested that the Council members inspect the location and that the matter be brought up again at the next meeting.

RECREATION COMMISSION
LETTER RE: TENNIS
FACILITIES AT GRACE-
ADA PARK

A letter was filed by the Modesto City Recreation Commission with the Council recommending that the request for grandstand, showers and rest rooms at Graceada Park be included in the 1951-52 Recreation budget. Lee M. Brooks, Superintendent, reported that the Commission was very grateful to the Council for the budget as passed but they were very anxious that this specific request be allowed as it was their opinion that the work done by the Modesto Tennis Club was a great help to the recreation program and to the children of the City of Modesto. City Manager Miller stated that in as much as the committee were not here and that there were some protests to any additional building improvements in this park that the matter be carried over to another meeting. In conclusion Mayor Marks stated that there were four reasons why this item had been removed from the Recreation budget:

- 1 - Some people in the neighborhood of the Park did not want any additional building improvements in the park.
- 2 - That it had not been decided definitely whether any additional tennis facilities should be built in this park.
- 3 - One recreation building in the Westside Park was still not completed.
- 4 - Should the people in Modesto supply additional recreational facilities for the citizens of the Greater Modesto area at this time?

City Manager Miller stated that it was urgent that the budget be adopted and the tax rate set so that tax bills could be completed, but that this project could be considered later. On this basis the matter was held over for further consideration.

REQUEST OF GALAS BROS.
HOLD PUBLIC DANCE IN
FABLE ROOM

City Manager Miller reported that he had checked the request of Galas Bros. to operate a public dance in the Hotel Covell Fable Room and although he thought this place was a proper place for a public dance, there were some places that would cause trouble. He suggested that specific standards should be set up for all places where such dances would be permitted. He suggested that these places should be sound proof, meet the fire-proofing requirements relating to dance halls, be properly ventilated and should furnish an officer who should be on duty at all times. The City Attorney was authorized by the Council to work with the City Manager and the Chief of Police in preparation of an ordinance relative to the necessary requirements in obtaining a dance permit.

PAYMENT STANDARD MATERIALS
INC. - SEWER LINE DOWNEY
HIGH SCHOOL

Councilman M. Adams introduced

RESOLUTION NO. 9576-N.S.

which was seconded by Councilman Frad, authorizing final payment to the Standard Materials, Inc. of \$3,918.00, on the construction of a sanitary sewer line on Lucern Avenue to the Downey High School on Coffee Road, and the Auditor is hereby directed to draw warrant in payment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

HEARING ON PROPOSED
1951-52 BUDGET

A hearing was held on the proposed budget for the fiscal year 1951-52 and as no protests were filed, Councilman Mellis introduced an ordinance, being

ORDINANCE NO. 1005-N.S.

entitled: "AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1952, and PROVIDING FOR CERTAIN TRANSFERS OF FUNDS" and moved its adoption and passage to print, which motion being duly seconded by Councilman Merrill, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

TAX RATE SET
FOR 1951-52

Councilman M. Adams introduced an ordinance being

ORDINANCE NO. 1006-N.S.

entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1951-1952", and moved its adoption, and passage to print and publish, which motion being duly seconded by Councilman Frad, it was upon roll call carried and the ordinance ordered published as above By the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REPORT ON FIRE
PREVENTION

City Manager Miller filed a report made by Jack Wemyss, Chief of the Fire Department on the conference of the Pacific Coast Inter-Mountain Association of Fire Chiefs held at Portland, Oregon, August 7-10, 1951. He also asked Fire Chief Wemyss to report on the new fire prevention activities of the Fire Department. Mr. Wemyss stated that under the new program the men and equipment had commenced a program of visiting all schools and business houses with the fire equipment for the purpose of studying the premises and structures of the buildings so that in case of fire the firemen would be familiar with the buildings, entrances, special problems, etc. He stated that after completion of installation of radio equipment in all the trucks they would be able to proceed more rapidly with this program. He also stated that this program was meeting with the approval of the merchants and firemen. City Manager Miller stated that the City of Modesto had a class 3-B rating at the present time and this was due to the efficient fire

department and to a #1 water system which had been improved a great deal in the last 10 years. He stated that a new survey by the Board of Fire Underwriters would be made probably after the first of the year and that he thought that the city might advance at least to a class 3-A rating. He reported that Mr. Adams of the Board of Fire Underwriters of the Pacific had advised him that the outside fire contracts were counted as "demerits" in grading the city. It was agreed that a study of the outside fire protection contracts should be made in order that in the survey the class rating of the city would not be jeopardized.

TRAFFIC REGULATION
NEAR SCHOOLS

A request for improvement of traffic conditions near the Enslin School filed by Robert N. Essa was referred to City Manager Miller and he reported to the Council that every effort was being made to protect the school children in the vicinity of the city schools and he appealed to the press to help by urging the drivers of the automobiles to cooperate in this matter. He stated that the situation would never be satisfactory until all these areas were inside the city limits, and until everyone did their part, the City, the County, the Highway Patrol, the Schools, the drivers, the parents and the children. The three "E's", properly carried out would help in the solution of this problem:

- 1 - Engineering
- 2 - Education
- 3 - Enforcement

All three of these can be given by the City providing these districts were entirely within the City limits. He stated that he was asking the County, State Highway Patrol and the Schools to help in this matter.

PARKING ZONES NEAR
GREYHOUND BUS DEPOT

City Manager Miller reported that the Chief of Police had inspected the two 10 minute parking zones on the south side of G Street just south of the Greyhound Bus Depot and that a 10 minute parking sign was being replaced. It was suggested that there should be a 10 minute parking zone in front of the bus depot on Tenth Street and that at least one of Joe's Taxi Stands should be around the corner of G Street. Chief Pickering stated that the taxi stands in front of the depot were available for public loading and unloading when the cabs were absent from their stands. Several suggestions for a correction in this situation were presented by the Council. City Manager Miller was instructed to work out a solution and present it to the Council at a later meeting.

MEETING WITH SOUTHERN
PACIFIC COMPANY

City Manager Miller reported on a meeting with the Southern Pacific Company officials in regard to delay in traffic caused by trains blocking the street intersections in the city, which report showed that some progress toward the solution of this problem in the City was being made. City Manager Miller reported that A.S. McCann, Superintendent of the Western Division of the Southern Pacific Company had stated that to the fullest extent possible, the following would be done:

- 1 - Eliminate the necessity of two freight trains from meeting within the City of Modesto and thereby blocking the crossings
- 2 - Eliminate the stopping of west bound freights from entering the west bound siding within the City limits during the daylight hours and that everything would be done to keep this siding free at night as well.
- 3 - Keep local freight movements to a minimum during the rush hours.

Mr. McCann had stated that additional crossings would merely aggregate the problem rather than solve it. Mayor Marks emphasized the need for a long range program to be worked out jointly between the city and the railroad company. Mr. Miller emphasized the need to work cooperatively in respect to the installation of additional trackage particularly in South Modesto and the development of this area for industrial purposes. Mr. McCann had stated that he would ask Mr. Leverty of this industrial development section to contact Mr. Miller in this regard.

17
REQUEST BUNCH BROS.
USED CAR LOT

A request for permission to operate a used car lot at 730 H Street by Edward and Troy Bunch having been referred to the City Manager, he reported that as no curb cut would be necessary at this location he recommended that request be granted. Councilman Annan introduced

RESOLUTION NO. 9577-N.S.

which was seconded by Councilman M. Adams granting permit to said applicants to operate a used car lot at 730 H Street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

18
LETTER SCIOTS ON
CITY OBTAINING ROOSE-
VELT SCHOOL

A letter from the Sciots urging the Council to take every step to obtain Roosevelt School site for a civic center was read and ordered file.

19
REQUEST STOP SIGN
FIFTH AND K STREETS

Petition for a stop sign at the intersection of Fifth and K Streets was received by the Council and referred to City Manager Miller. He stated that under the proposed arterial street plan there would be a stop sign at this intersection.

20
STOP SIGN REQUEST
10th & N STREETS

Petition for a stop sign at the intersection of 10th & N Streets was received by the Council and referred to City Manager Miller. He stated that he believed this problem would be helped by the proposed arterial street system. City Manager Miller stated that while stop signs should be installed where a thorough study indicated that they were warranted that the drivers and pedestrians must also accept their share of the responsibility for traffic safety.

21
LETTER AMERICAN MUNI-
CIPAL ASSOCIATION

A letter addressed to City Manager Miller from the American Municipal Association regarding their annual meeting in Washington D.C. On December 10-12, 1951 was read to the Council. Mr. Miller stated that he did not wish to attend this meeting but that he wished the Councilmen to be informed of the meeting in case any of them felt that they could attend.

22
REQUEST FUNDS
CHAMBER OF COMMERCE

A communication from the Modesto Chamber of Commerce requesting that the sum of \$500.00 be allocated to them from the amount allocated for "Industry, Jobs and Business" in the 1951-52 budget for the City of Modesto, was read, Councilman Merrill introduced

RESOLUTION NO. 9578-N.S.

which was seconded by Councilman Annan, authorizing the City Auditor to draw a warrant for \$500.00 to the Chamber of Commerce, to assist in the problem of "Industry, Business and Jobs", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

23
There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
October 3, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Absent: Councilmen: None

APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9579-N.S.

which was seconded by Councilman Mellis, approving the minutes of the regular Council meeting of September 19, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

2
REMOVAL TREES FRONT
KBOX RADIO STATION

Attorney Ralph M. Brown, representing the KBOX Radio Stations, requested that the trees in front of this station, at 1507 Tenth St. be removed and he stated that new ornamental trees, recommended by the City, to conform to those proposed for this neighborhood, would be planted. Councilman Merrill stated that he agreed to the removal of the trees if new trees of the recommended type were planted, Councilman Mellis introduced

RESOLUTION NO. 9580-N.S.

which was seconded by Councilman R. Adams, recommending that the two Maple trees be removed and that ornamental trees, as recommended by the City be planted to replace them, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

HEARING ON USE PERMIT
GRANTED E.N. REID BY
PLANNING COMMISSION

attorney A. R. Friedman, representing E.N.
Reid, appeared before the Council and asked

that the action of the Planning Commission in granting the use permit to Mr. Reid at 704 Muir Road be upheld. He stated that the business was minor, that it could be classified as a hobby and that there would be very little noise and no indication of a business at this location. He also stated that the Planning Commission had made a thorough investigation of the business planned at this address and that he thought they had acted properly in granting the permit. He presented a petition signed by persons living in this vicinity stating that they had no objections to the use permit. Ronald E. Bates and Frank Loria spoke for a large group of people opposed to the granting of this use permit. They stated that this permit could be an opening wedge for other business to operate in this highly restricted area. Mr. Loria filed three supplemental petitions signed by property owners in this district asking that they use permit be rescinded by the Council. Several of the members of the group spoke to the Council asking that the decision of the Planning Commission be rescinded. After discussion by the Council, Councilman R. Adams introduced

RESOLUTION NO. 9581-N.S.

which was seconded by Councilman Merrill rescinding the issuance of the use permit, as it had been shown that it is detrimental to the public welfare, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: M. Adams

Absent: Councilmen: None

4 REQUEST CURB CUT JULES
LOEB, BLOCK 111 LOTS
17-20-Inc.

Jules Loeb, owner of the building in Block 111, lots 17-20 inc., northwest corner of 14th and J Streets, appeared before the Council and requested that a curb cut be allowed on the 14th St. side of this property so that a parking lot, approximately 50' x 140' could be created in the rear of the new Bank of America Office. Mayor Marks requested that Mr. Loeb address a letter to the City Manager setting forth the size and location of the curb cut which would be considered by the Council upon the recommendation by the City Manager.

5 CLOSING HOUR OF
BOWLING ALLEYS

Attorney Robert B. Fowler appeared before the Council in regard to the request of the Modesto Bowl for a 3:00 A.M. closing hour. He stated that the owners of the Bowl were favorable to a 2:00 A.M. closing hour with the privilege of extending this hour to 3:00 A.M. during the tournament season. Mr. Fowler was instructed to put in writing the latest request and present it to the Council for their consideration.

6 FINAL PASSAGE ORD.
NO. 1002-N.S. CLASSIFY
UNINHABITED TRACT #1

Ordinance No. 1002-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of September 12, 1951 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REPORT ON ANNEXATION
SLAUGHTER HOUSE ADDI-
TION BY PLANNING COM-
MISSION

A report was filed by the Modesto City Planning
Commission recommending that the Slaughter House
District petitions for annexation be favorably

received. The City attorney was instructed to prepare an agreement so that the area
would pay the costs of extension of the sewer lines to this addition. Councilman
Frad introduced

RESOLUTION NO. 9582-N.S.

which was seconded by Councilman Merrill setting the date of hearing on the proposed
annexation of the Slaughter House area for November 14, 1951, at 7:30 P.M. at the City
Hall as the date and place for the hearing of protests, which resolution was regularly
adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

LETTER FRANK ANDREWS
FRANCHISE ELECTRIC
SYSTEM

A letter from Frank Andrews was read. It suggested
that the City enter into a franchise with the Modesto

Irrigation District on a year to year basis so that the City might take over the dis-
tribution of the electricity inside the city limits when it seemed necessary to do so.
Mr. Andrews also spoke on the matter. Mayor Marks informed Mr. Andrews that the City
Manager was working with Clifford E. Plummer, Engineer of the Modesto Irrigation District
in regard to this matter and that the subject of a franchise would be checked carefully
by the City Manager and the City Attorney.

RENEWAL LEASE ON
AIRPORT PROPERTY
M. E. GARBER

Councilman Merrill introduced

RESOLUTION NO. 9583-N.S.

which was seconded by Councilman M. Adams, approving a renewal of the lease with M. E.
Garber for the rental of a portion of the Municipal Airport property to extend the lease
for a period of one year from October 31, 1951 and appointing the Mayor, City Clerk and
Auditor as signatory officials, which resolution was regularly adopted by the following
vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

RECOMMENDATION EXTEND
WATER SERVICE DISTRICT

Acting City Engineer Fred M. Johnson recommended
that the district served water by the City of Modesto
be extended to include the following area:

155' east of the center line of Ramona Avenue between Helen Avenue
and Fairmont Avenue

whereupon Councilman Mellis introduced

RESOLUTION NO. 9584-N.S.

which was seconded by Councilman Frad recommending that the above described district
be served water by the City of Modesto, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

// REPORT OF THE GREATER
MODESTO COMMITTEE

Dr. Leon C. Glover, Chairman of the Greater

Modesto Committee presented a report and recommendation of the Committee concerning unification. He expressed his appreciation for having been appointed to the committee and also his appreciation for the work done by the members of the committee and for assistance rendered by many others, Councilman Frad introduced

RESOLUTION NO. 9585-N.S.

which was seconded by Councilman M. Adams, expressing the appreciation of the Council for the work that had been done by the committee up to this time, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

City Manager Miller stated that the Committee had done an almost impossible job and he thought that the work was in mighty good hands.

12 RESCIND RESOLUTION NO.
9175-N.S. APPOINT DIS-
ASTER OFFICIALS

Upon the recommendation of City Manager

Miller, Councilman R. Adams introduced

RESOLUTION NO. 9586-N.S.

which was seconded by Councilman Mellis recommending that Resolution No. 9175-N.S. entitled: "A RESOLUTION APPOINTING DISASTER OFFICIALS AS PROVIDED BY ORDINANCE NO. 950-N.S." be rescinded and the City Manager be appointed Commander of the Disaster Council and the Police Chief be appointed Vice-Commander, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13 TENNIS FACILITIES AT
GRACEADA PARK

City Manager Miller requested the Council

to visit the Graceada Park in the vicinity of the tennis courts where a representative of the Tennis Club would be present to explain the proposed improvements that had been requested adjacent to the tennis courts. He requested that if improvements were considered in this park that both the specific kind of improvements and the type of use should be clearly understood. He also suggested that the interested people should sit down together and see if a mutually satisfactory solution could be worked out.

14 TRAFFIC COUNT AT
INTERSECTION MORRIS
AND MCHENRY AVE.

Councilman Dan Mellis inquired as to what progress was being made in the traffic count

at the intersection of McHenry and Morris Avenues. He stated that traffic conditions at this corner were very bad and he asked that something be done to solve this problem as soon as possible. City Manager Miller reported that the State had made a count at the intersection and that a final report had not yet been received.

There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
October 10, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

APPROVAL OF MINUTES

Councilman M. Adams introduced

RESOLUTION NO. 9588-N.S. (9587 not used)

which was seconded by Councilman Annan approving the minutes of the regular meeting of September 26, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

CURB CUTS IN BUSINESS DISTRICT

Councilman Annan stated that he would like to see

the City go on record as not in favor of approving any additional curb cuts for new used car lots. The purpose of this request is not to eliminate the number of used car lots but to create more parking spaces on the street. There was considerable discussion on the matter of curb cuts for all different types of business in the business district. There was a suggestion that the matter be held over until the Council had received a report from the Used Car Dealers Association in regard to their suggestions on a solution to this problem.

REQUEST INSTALL ADVERTISING BENCHES AT BUS STOPS

Attorney A. A. Cardoza appeared before the Council

representing a client, requesting that he be allowed to install advertising benches at bus stops in the city. He stated that his client wished to install about 100 benches and was willing to pay 50¢ per month on each bench to the City for the privilege of maintaining advertising on these benches. It was brought out that benches were now being used in the cities of Oakland, Vallejo and Santa Cruz. The matter was referred to City Manager for his consideration and recommendation to the City Council at the meeting of October 24, 1951.

REQUEST AMEND ORDINANCE PERMIT SMOKING IN THEATERS

A letter was read from Bert Henson, District Manager

of the Modesto Theaters requesting that the City consider the amending of the city ordinance prohibiting smoking in the city theaters. His letter brought out that this ordinance was causing a loss in their business, as theaters adjacent to the City allowed smoking either in the entire theater or sections of the theater. His letter also stated that their theaters were completely fire proofed and that janitor services followed every evening performance which would cut down a great deal the possibility of fire from this cause. The matter was referred to the City Manager for study and report at a later meeting.

HEARING ON ANNEXATION OF NORTHWEST ADDITION

The City Clerk reported that no written or oral

protests had been filed against the proposed annexation of the Northwest Addition to the City of Modesto. Several persons appeared

before the Council and expressed their approval of the annexation of the tract and the Council thanked them for their interest in this proposed annexation, whereupon Councilman Mellis introduced

RESOLUTION NO. 9589-N.S.

which was seconded by Councilman Merrill, calling a special election for the annexation of the Northwest Addition to the City of Modesto to be held on the 15th day of November, 1951 and ordering the City Clerk to publish the Notice of Election in a newspaper of general circulation in Stanislaus County, outside the City of Modesto at least once a week for a period of four successive weeks, next preceeding the date of the special election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

6
MODESTO BEE REQUEST
REMOVE TREES

A request was filed by the Modesto Bee for permission to remove two trees on the H Street side of their property in Block 105. One tree is directly in front of the entrance to their new building and will spoil the appearance of the building. City Manager Miller recommended that this request be granted as one new tree would be planted and this would leave three trees properly spaced on the H Street side of their property, whereupon Councilman Annan introduced

RESOLUTION NO. 9590-N.S.

which was seconded by Councilman M. Adams authorizing the removal of these trees and the planting of a new tree as recommended by the City of Modesto, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

7
CALL FOR BIDS ON
AUTOMOTIVE EQUIPMENT

Councilman M. Adams introduced

RESOLUTION NO. 9591-N.S.

which was seconded by Councilman Annan, authorizing the City Clerk to call for bids on various types of trucks and passenger vehicles, said bids to be opened at the regular meeting of the Council on October 24, 1951 at 7:30 P.M. at the City Hall, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

8
CALL FOR BIDS ON
BROOM MATERIAL

Councilman Mellis introduced

RESOLUTION NO. 9592-N.S.

which was seconded by Councilman R. Adams, authorizing the City Clerk to call for bids on approximately 8 tons of Palmyra Fibre and 1 ton of Gutter Broom wire to be used in the making of brooms, said bids to be opened at the regular meeting of the Council on October 24, 1951 at 7:30 P.M. at the City Hall, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

REQUEST EXTENSION TIME
COMPLETE CONTRACT
STOCKTON CONSTRUCTION
COMPANY

A request was filed by Stockton Construction Company for an extension of time for completion of their contract for the construction of a sanitary sewer line on Emerald Avenue, between Mark Twain School and Franklin School. City Manager Miller recommended that this extension be granted as the Franklin School is not completed and that it had been shown that the request was necessary due to the delay of supplies, whereupon Councilman Annan introduced

RESOLUTION NO. 9593-N.S.

which was seconded by Councilman Merrill granting the request of the applicants and extending the date of completion from October 15 to November 3, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

REQUEST EXTENSION TIME
COMPLETE CONTRACT
STANDARD MATERIALS INC.

A request was filed by Standard Materials, Inc. for an extension of two weeks for completion of their contract for the construction of a sanitary sewer line on Lucern Avenue. City Manager Miller recommended that this extension of time be granted due to the fact that there has been slow delivery of pipe and extremely bad ground conditions. Councilman Annan introduced

RESOLUTION NO. 9594-N.S.

which was seconded by Councilman M. Adams, extending the date of completion of said contract to October 29, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

Councilman Frad arrived at this time.

REQUEST FOR CITY
WATER AND SEWER
SERVICE-HOWARD D.
SEABLUM

A request was filed by Howard D. Seablom for water and sewer service at his new home at 932 Ramona Avenue. City Manager Miller asked that the Council consider a method of taking care of these requests during the interim period until the completion of the unification program. There was considerable discussion concerning the advisability of furnishing this service and it was suggested this service be granted when feasible, to owners of property who have petitioned the Council for annexation. Councilman R. Adams introduced

RESOLUTION NO. 9595-N.S.

which was seconded by Councilman Merrill, authorizing the granting of this service when feasible where a petition has been presented to the Council requesting that they proceed with annexation of this property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

12 Acting City Engineer Johnson reported that a request had been filed with him for sewer service on property located adjacent to the City sewer line on Emerald Avenue but not adjacent to the City limits. This was referred to City Manager Miller to report at a later meeting.

13 SOUTH MODESTO IMPROVEMENT ASS'N REQUEST AREA BE EXCLUDED FROM OVER-ALL UNIFICATION PROGRAM VOTE

A report was filed by the South Modesto Improvement Association, signed by Thomas Berry, President, in which he requested that the South Modesto area "not be included in any over-all unification program vote, but that they be granted the right and privilege to vote separately on any plan to determine the type of government they may want in that area." He explained that the Association was not opposed to the unification program but were making this request as they felt that it would not be fair to their area or to the other areas which will be included, if they were not allowed to vote separately. Several persons in the audience spoke against having this area included in the over-all program. Mayor Marks stated that the City does not determine the area that petition for annexation. This is done by those petitioning. Mayor Marks, members of the Council and City Manager Miller pointed out that the Greater Modesto Committee, under Dr. Leon Glover have assembled a great deal of information and that this should be made available to all the people for their consideration before any decision is made by the people in this area or by the City Council. They were informed that the City did not intend and did not wish to force this district or any other district into any program that they did not feel was in their interest. Councilman Merrill introduced

RESOLUTION NO. 9596-N.S.

which was seconded by Councilman M. Adams, recommending that the request from the South Modesto Improvement Association be referred to the Greater Modesto Committee for their study and recommendation to the Council at their meeting to be held on October 24, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

14 REQUEST PERMIT OPERATE USED CAR LOT - JOHN DOLMAJIAN

A request to operate a used car lot at 1530 9th Street was filed by John Dolmajian.

City Manager Miller recommended that this be granted subject to a reduction in the size of the curb cut on the 9th Street side and also a study be made of the parking possibilities on the P Street side of the lot, which does not have a curb at this time. Councilman Annan introduced

RESOLUTION NO. 9597-N.S.

which was seconded by Councilman R. Adams granting the permit to the said applicant, subject to the conditions as stated above, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

157
CLOSING HOUR OF
BOWLING ALLEYS

Pursuant to the request of the Council, Attorney Robert B. Fowler, representing the Modesto Bowl, filed a letter setting forth the amendments they desired to Ordinance No. 688-N.S., which regulated the closing hour of bowling alleys in the City, namely:

- 1 - That the language of Section 14 be changed to permit the operation of a bowling alley in the City of Modesto until the hour of 2:00 A.M.
- 2 - That said ordinance contain a provision that if a series of games has commenced prior to 2:00 A.M. that that series may be completed even though running past the appointed hour.
- 3 - That the ordinance likewise contain a provision to the effect that when and if tournaments are held and scheduled at the bowling alley that upon request of the proprietor or owner of said alley or alleys the Council can by special resolution extend the time for bowling unto the hour of 3:00 A.M.

Councilman Merrill introduced

RESOLUTION NO. 9598-N.S.

which was seconded by Councilman R. Adams authorizing the City Attorney prepare an amendment to Ordinance No. 688-N.S. to conform with the request as set forth in the letter presented by Attorney Robert B. Fowler, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

APPROVE AGREEMENT WITH
SCHOOL DISTRICT FOR
AFTER SCHOOL RECREATION

Councilman Frad introduced

RESOLUTION NO. 9599-N.S.

which was seconded by Councilman Mellis, approving the agreement between the City of Modesto and the Modesto City Board of Education for "after-school recreation" for the period from September 15, 1951 to June 15, 1952, and appointing the Mayor and City Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

RESCIND RESOLUTION
NO. 9582-N.S. SET DATE
HEARING ON ANNEXATION
SLAUGHTER HOUSE ADDITION

Councilman Frad introduced

RESOLUTION NO. 9600-N.S.

which was seconded by Councilman Merrill rescinding Resolution No. 9582-N.S. entitled: "A RESOLUTION SETTING THE DATE OF HEARING ON THE PROPOSED ANNEXATION OF THE SLAUGHTER HOUSE AREA TO THE CITY OF MODESTO", which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

SET DATE HEARING ON
ANNEXATION SLAUGHTER
HOUSE ADDITION

Councilman Frad introduced

RESOLUTION NO. 9601-N.S.

which was seconded by Councilman M. Adams, setting the date of November 14, 1951 at the hour of 7:30 P.M. in the Council Chambers of the City Hall as the time and place for the hearing of protests to the proposed annexation of the Crows Landing Road Industrial Area (Slaughter House Addition) to the City of Modesto and the City Clerk is directed to publish a copy of this resolution at least twice in the Modesto Bee and in the Turlock Daily Journal and mail written notice to each person to whom land within the territory proposed to be annexed is assessed in the last equalized county assessment roll, which

resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

17
PARKING AUTHORITY
RECOMMENDING UNIFORM
PARKING METER FINE

A letter was received by the Council from the City of Modesto Parking Authority recommending that the fine for parking for off-street parking lots and for public streets be set at \$1.00 in order that fines on parking lots and on streets would be the same. City Manager Miller recommended that a uniform fine should be established at either \$1.00 or 50¢. Some discussion was held and there was a difference of opinion as to how much the actual fine should be. One suggestion was made that any change should be made January 1, 1952. City Manager Miller informed the Council that the enforcement of these parking regulations was being stepped up. Mayor Marks suggested that the matter be held over for study by the City Manager and report to the Council at a later meeting.

20
PARKING AUTHORITY OPPOSE
COMMERCIAL SIGNS ON CITY
PARKING LOTS

A report was read from the City Parking authority recommending that the application of Foster & Kleiser Sign Company, to install a sign along the southern boundary of the 9th Street Parking Lot, be denied and recommended that no signs be authorized which would overhang or overlook any of the city parking lots.

21
PARKING AUTHORITY RE-
COMMEND ADDITIONAL PARK-
ING METERS

A report was read from the City Parking Authority recommending that the Council consider the installation of two hour parking meters on G Street between 9th and 12th Streets, on 12th Street, between G Street and H Street and on 13th Street between J Street and H Street. This recommendation was referred to the City Manager for his consideration and report.

22
GIRL SCOUT CLUB-
HOUSE OPERATION

The Council directed Lee Brooks, Superintendent of Recreation, to contact the City Manager and Council members and arrange a meeting at the Girl Scout Club-House to consider the request of the Girl Scout Club for the City to take over the management of their clubhouse in Beard Brook Park.

23
AUTHORIZE CLERK TO
ISSUE CHECKS TO
MURIEL E. COLE

Councilman Annan introduced
RESOLUTION NO. 9602-N.S.

which was seconded by Councilman Merrill authorizing the City Clerk to pay to Mrs. Muriel E. Cole the monies which were due her husband, Davy C. Cole, deceased, formerly employed in the Police Department after a letter had been placed on file by Mrs. Cole, with the City Clerk requesting the checks be made payable to her, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

34
CONSIDERATION REPORT
OF GREATER MODESTO
COMMITTEE

Whereas, the Greater Modesto Committee, a citizens committee set up to develop a program for uniting Modesto, has, after extensive study, submitted to the City Council a report on the unification of the Greater Modesto Community into one city, and

Whereas, there is included in the report a program for uniting the Greater Modesto area, and

Whereas, the committee has made some twenty recommendations relating to the City's policy on this matter, Councilman Frad introduced

RESOLUTION NO. 9603-N.S.

which was seconded by Councilman Merrill recommending that the City Council accept this report for consideration, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

APPOINTMENT OF
CITY ATTORNEY

Councilman Frad introduced

RESOLUTION NO. 9604-N.S.

which was seconded by Councilman M. Adams, appointing Allen Grimes, City Attorney, effective November 15, 1951, at a salary of \$700.00 per month, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: 
REX B. GAILFUS, CITY CLERK

Council Meeting

October 17, 1951

No Council meeting was held on this date as all City Council members, except Councilman Frad, were attending the convention of the League of California Cities in San Francisco and therefore a quorum was not present.

ATTEST: 
REX B. GAILFUS, CITY CLERK

Council Meeting

October 24, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M., as provided by Section 1 of Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

APPROVAL OF MINUTES
OF COUNCIL MEETING

Councilman M. Adams introduced

RESOLUTION NO. 9605-N.S.

which was seconded by Councilman Frad, approving the minutes of the regular meetings of October 3 and October 10, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

OPEN BIDS ON BROOM
MATERIAL

City Clerk Gailfus reported that four bids for
broom material had been received and by order

of the Council these bids were referred to the City Manager for study and recommendation.

OPEN BIDS ON TRUCKS
AND PASSENGER VEHICLES

City Manager Miller reported that due to an error
in the specifications for automotive equipment,

setting the limit on factory price on passenger cars, items 15 through 19, he recommended that the bids not be publicly opened and that they all be rejected and that the call for bids be re-advertised with the factory price increased to \$1750 on these items, bids to be received not later than 12 noon, October 29 and opened at that time, and that the Council meet at 4:00 P. M. Monday, October 29, 1951 in adjourned session to consider the new bids, Councilman Annan introduced

RESOLUTION NO. 9606-N.S.

which was seconded by Councilman M. Adams, rejecting all bids on trucks and passenger vehicles, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

CALL FOR NEW BIDS ON TRUCKS
AND PASSENGER CARS

Councilman Frad introduced

RESOLUTION NO. 9607-N.S.

which was seconded by Councilman Mellis, authorizing the City Clerk to call for bids on trucks and passenger cars, said bids to be opened at an adjourned meeting of the Council to be held at 4:00 P. M. Monday, October 29, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

AMEND RESOLUTION NO. 9607-N.S.
CALLING FOR BIDS ON TRUCKS
AND PASSENGER CARS

Councilman Frad introduced

RESOLUTION NO. 9608-N.S.

which was seconded by Councilman Mellis,
amending Resolution No. 9607-N.S. to provide the bids on the trucks and passenger cars be filed with the City Clerk by 12:00 Noon, Monday, October 29, 1951, at which time they would be opened and tabulated and the summarization of the bids would be considered by the Council at 4:00 P.M. on the same day, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REPORT BY CITY MANAGER
ON INDUSTRIES AND JOBS

City Manager Miller filed a report with the
Council on the subject of Industries and Jobs

following a meeting with George A. Erickson, Industrial Agent for the Southern Pacific, James Rich, Modesto Agent for the Southern Pacific, Mayor Marks, President Moon and Secretary Fairweather of the Chamber of Commerce, Mr. Henderson of the City Planning office and Mr. Prather, the County Planning Engineer in which a discussion was held concerning the possibility of bringing new industries into the Modesto area. City Manager Miller recommended to the Council that the city officials work with county officials, the Chamber of Commerce and with representatives of utilities, industry and labor in every way possible to:

1-Obtain proper zoning which would designate and protect adequate industrial areas. If this is not done promptly these areas will be lost as industrial sites and with them will be lost the needed jobs.

2-Proceed now with the development of plans for the extension of industrial sewers and adequate thoroughfares to these areas so that when the Unification Program is approved the city can make the necessary improvements as quickly as possible.

Councilman Merrill introduced

RESOLUTION NO. 9609-N.S.

which was seconded by Councilman Frad, recommending that the City officials work with the county officials, the Chamber of Commerce and with representatives of utilities, industry and labor to carry out the policy as set forth in the report, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7 REPORT GREATER MODESTO
COMMITTEE REQUEST SOUTH
MODESTO IMPROVEMENT ASSOCIATION

Following referral of the request of the
South Modesto Improvement Association to

the Greater Modesto Committee asking for a separate vote for their district in any over-all unification program, the following report was filed by the Committee:

"We have studied this proposal at considerable length and two representatives of this association have been before the committee. The people in South Modesto have not yet been provided with the facts regarding Unification. The next step in our program is to provide all the people of Greater Modesto with all the facts.

The Committee's program and studies have been based on the principle of the total unification of the Greater Modesto area. Our whole program is based on the assumption that this must and will be one City. Any commitments which you, as members of the City Council of Modesto, would be willing to make must necessarily be based on the same assumption. We feel that the whole point of unification would be lost if the program is approached in parts rather than as a whole. We cannot have unity in pieces. As a consequence it was formally moved and seconded and voted that the Committee recommend to the Council and to the people of the Greater Modesto area that the question of unification would be decided all at one time by one election. In short we believe in unity---united we stand, divided we fall."

After some discussion, Councilman Frad introduced

RESOLUTION NO. 9610-N.S.

which was seconded by Councilman Merrill expressing the confidence of the Council in the work of the Committee and commending them for the good job they had done to date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Mayor Marks invited any persons present to give their ideas on the matter and after a considerable discussion both for and against this recommendation, Councilman Mellis introduced

RESOLUTION NO. 9611-N.S.

which was seconded by Councilman Frad recommending that the Council accept this report of the Greater Modesto Committee and approve the recommendation that the

unification program be carried out all at one time by one election, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

FOSTER & KLEISER COMPANY
REQUEST PERMIT INSTALL
POSTER PANELS

A request was filed by Foster & Kleiser Company for permit to construct two poster panels at the Southeast corner of 11th and

K Streets and a permit to relocate an existing panel on the Southern Pacific Company property on the west side of Ninth Street, 100 feet north of P Street and to add one panel at this location. This request was referred to the City Manager for study and recommendation to the Council.

9 EXTEND WATER SERVICE
DISTRICT

Acting City Engineer Johnson recommended that the water service district should

be extended 660 feet west of College Avenue between Roseburg and Orangeburg Avenue in order to serve a new residential district. Mr. Johnson stated that it would be a simple matter to extend the line into this district and as the district was included in the Northwest Addition, proposed to be annexed to the City at an election to be held on November 15, 1951, Councilman Mellis introduced.

RESOLUTION NO. 9612-N.S.

which was seconded by Councilman M. Adams recommending that the water lines be extended into the above described district and the residences in this area be served with city water, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

12 REPORT CITY MANAGER REQUEST
INSTALL ADVERTISING BENCHES

City Manager Miller reported on the request of A. A. Cardoza, Attorney, for

permit for a client to install advertising benches in the city and he recommended to the Council that before any change in the ordinance be considered to allow this type of advertising, that the matter be given most careful consideration, as the granting of this request might lead to a series of similar requests. Councilman Frad introduced

RESOLUTION NO. 9613-N.S.

which was seconded by Councilman M. Adams, refusing the request as a City ordinance prohibited this type of advertising, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

// REQUEST CITY OPERATE
GIRL SCOUT CLUBHOUSE

Upon the request of City Manager Miller, Lee Brooks, Superintendent of Recreation

reported to the Council that in consideration of the request of the Girl Scouts for the City to take over the operation of the clubhouse in Beard Brook Park, they would like free rental for the meetings of their scout troupes with the privilege of free rentals for some other organizations. He stated that they would like to turn over all

equipment to the City of Modesto with the exception of some few items. The Council requested that the City Manager confer with the Scout Committee and work out a proposed agreement.

12 REQUEST CURB CUT
BLOCK 111-JULES LOEB

A request for a curb cut in Block 111, lots 17 to 20 inc. was filed by Jules Loeb, Acting City Engineer Johnson reported that no trees would have to be removed and that some grading of the approach to the lot would have to be done. He also suggested that the cars enter from Fourteenth Street and leave by way of the alley. Councilman Mellis introduced

RESOLUTION NO. 9614-N.S.

which was seconded by Councilman Merrill, granting request providing the recommendation as set forth above by the Acting City Engineer were complied with that the necessary grading be done, and that the cut be installed to the satisfaction of the Acting City Engineer, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13 REQUEST CHANGE RATES AT
MUNICIPAL GOLF COURSE

Mr. Nelson Betker appeared before the Council and filed a request from the Modesto Men's Golf Club that greenfees be changed due to the fact that the Municipal Golf Course has been operating with a deficit for the past years. The report recommended some increase in rates. This request was referred to the City Manager for his recommendations to the Council.

14 MAJOR SYSTEM OF
ARTERIAL STREETS

City Manager Miller filed a report on the first stage of the major arterial street system with the Council. Copies of this report were presented to each Councilman for their study. The report includes details of the proposed stop signs and street markings and a map showing the proposed routes. Mr. Miller recommended the adoption of the first stage of the major arterial street system as outlined on the map. Councilman Annan suggested that a study of Ninth Street be made in regard to the making of left turns onto the street. City Manager Miller stated that this would be checked.

THANK SOUTHERN PACIFIC CO.
COOPERATION RELIEVE BLOCKING
TRAFFIC AT RAILROAD CROSSINGS

Councilman Frad reported to the Council that since the matter of the blocking of traffic by trains stopping at intersections had been taken up with the Southern Pacific Company officials, a great improvement had taken place and he recommended that a letter be addressed to the Southern Pacific Company by the City Manager, thanking them for their cooperation in this matter. Councilman Frad introduced

RESOLUTION NO. 9615-N.S.

which was seconded by Councilman Annan recommending that the Council go on record thanking the Southern Pacific Company for their cooperation in helping to solve the above problem, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REPORT ON ROOSEVELT SCHOOL A report was filed by Councilmen R. Adams and Dan Mellis

on the proposed purchase by the City of Roosevelt School property and it was their recommendation that a solution to the matter would be for the School Board to sell the property to the City and in turn the City could lease back to the School Board suitable floor space which would satisfy their needs. It was suggested by Councilman Mellis that the School Board and the Council hold a joint meeting in which the matter could be considered again.

16 ADJOURN MEETING

Councilman Frad introduced

RESOLUTION NO. 9616-N.S.

which was seconded by Councilman Mellis, adjourning this meeting until 4:00 P. M. Monday, October 29, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST:

Rex E. Gailfus
 REX E. GAILFUS, CITY CLERK

Adjourned Council Meeting

October 29, 1951

The Council of the City of Modesto met

in adjourned regular session this date at 4:00 P.M.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

AWARD BIDS ON PASSENGER CARS AND TRUCKS

Pursuant to readvertising for bids for passenger cars and trucks, the City

Manager presented a summarization of the bids received to the Council and Councilman Mellis introduced

RESOLUTION NO. 9617-N.S.

which was seconded by Councilman R. Adams accepting the following which were the lowest valid bids:

Item No.	Bidder	Type of Equipment	Amount Bid F.O.B. Modesto
1	Helm Chevrolet Co.	3/4 T Pickup-dump body	\$1,912 36
2	Griswold & Wight	3/4 T Pickup-dump body	1,410 08
3	Griswold & Wight	1/2 T Pickup	1,225 33
4	Helm Chevrolet Co.	1/2 T Pickup	1,291 85
5	Helm Chevrolet Co.	1/2 T Pickup	1,186 85
6	Griswold & Wight	1/2 T Pickup	1,225 33
7	Griswold & Wight	1/2 T Pickup	1,300 00
8	Griswold & Wight	1/2 T Pickup	1,250 33
9	Wm. J. Silva Co.	Cab & Chassis-dump body	2,366 10
10	Griswold & Wight	Cab & Chassis-dump body	2,442 40
11	Griswold & Wight	Cab & Chassis-dump body	2,910 24
12	Griswold & Wight	Cab & Chassis-dump body	2,985 24
13	Helm Chevrolet Co.	Suburban	2,013 81
14	Helm Chevrolet Co.	Sedan Delivery Type Panel	1,402 80
15	Griswold & Wight	Standard 4 door sedan	449 78
16	Griswold & Wight	Standard 4 door sedan	1,386 28
17	Griswold & Wight	Standard 4 door sedan	1,330 28

18	Griswold & Wight	Standard 4 door sedan	\$1,330 28
19	Helm Chevrolet Co.	Standard 4 door sedan	<u>732 24</u>
		Total	\$30,151 58

and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders and to draw warrants in payment to the successful bidders upon delivery and acceptance of the equipment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
 Noes: Councilmen: None
 Absent: Councilmen: None

2 AWARD BIDS ON BROOM MATERIAL

Councilman Annan introduced
 RESOLUTION NO. 9618-N.S.

which was seconded by Councilman M. Adams, accepting the bid of George L. Avery on approximately 8 tons 26" Palmyra Fibre at \$224 93 per ton, one ton of 26" Gutter Broom Wire of \$570 40, which was the lowest bid, and authorizing the City Clerk to return the bidding checks to the unsuccessful bidders and to draw warrant in payment upon delivery of equipment, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks
 Noes: Councilmen: None
 Absent: Councilmen: None

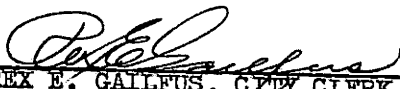
3 REQUEST FOR PERMIT INSTALL POSTER PANELS

Warren Munford, Public Relation Representative of Foster & Kleiser Company appeared before

the Council and requested that the Council take action on their request for permit to install two poster panels at the southeast corner of 11th and K Streets and to relocate an existing panel on the Southern Pacific Company property on the west side of Ninth Street, 100 feet north of P Street and to add one panel at this location. Several members of the City Council stated that they were opposed to any additional billboards being erected within the city. City Manager Miller reported on what other cities were doing in regard to these signs. The Council instructed Mr. Miller to check up on this matter and work out a suggested policy for the Council to follow.

- 1-Whether any additional billboards would be allowed in the city hereafter
- 2-The best way to handle requests for permits to install billboard
- 3-Location where they would be allowed, if they were permitted

4 There being no further business to come before the Council, the meeting was duly and regularly adjourned.


 REX E. GALLFUS, CITY CLERK

Special Council Meeting
 October 31, 1951

The Council of the City of Modesto met in special session this date at 11:30 A.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks
 Absent: Councilmen: Merrill

1 MAJOR SYSTEM OF ARTERIAL STREETS

A report having been filed by City Manager Miller with the Council for their study on the first stage of Major System

of Arterial Streets, Councilman Annan introduced

RESOLUTION NO. 9619-N.S.

which was seconded by Councilman Frad authorizing the City Attorney to proceed with the preparation of the legislation necessary to adopt the first stage of the Major System of Arterial Streets as set forth in the report by City Manager Miller, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

POLICY COUNCIL ON
RECOMMENDATION OF
GREATER MODESTO COMMITTEE

The Council having considered the recommendations of
the Greater Modesto Committee for the uniting of this

community into one city, Councilman Mellis introduced

RESOLUTION NO. 9620-N.S.

which was seconded by Councilman M. Adams that the Council adopt the following statement of policy:

"The City Council has considered the report of the Greater Modesto Committee and the Committee's recommendation which were submitted to the Council on October 3, 1951.

These recommendations were submitted in two groups:

1-Recommendations which apply even before unification and

2-Recommendations which are related to unification.

The Council hereby accepts and approves the first group of eight recommendations as a basis for immediate action, and authorizes the City Manager to take action to carry out these recommendations.

The Council furthermore accepts and approves the second group of twelve recommendations as the basis upon which the City will proceed when unification is accomplished.

In accepting these recommendations and in committing the City Council to the program recommended by the Greater Modesto Committee, it must be clearly understood that any such commitments are and can only be made on the basis of Modesto being united into one City at one time. The whole program was developed on that basis and cannot be achieved except by a United Modesto

The improvements desired will be made with the utmost dispatch, but it must also be understood that the financing of some of the programs proposed will require approval by a vote of the people. If the people approve these improvements will be made. It is and will be the policy of this City Council not to force any improvements onto anyone except where they are desired by a majority of the people. It is and will be the Council's policy, however, to provide these improvements as the people want them.

On the basis of this program the City Council again invites the people of the surrounding areas to join with the people in the present city so that we can all move forward together as one strong, united community, and a resolution to that effect was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

REPORT ON SALARIES
CITY EMPLOYEES

City Manager Miller reported that he was proceeding with the study of salaries and would have a report to present to the Council in the near future which would take into consideration

- 1-Adjustment of some salaries so that they would more nearly fit the position.
- 2-Adjustment in differential between comparable positions
- 3-Adjustment in salaries of employees holding key positions
- 4-The establishment of a five day week where possible.
- 5-The amount of money available at this time for this purpose

4 FREE PARKING FOR CONVENTION DELEGATES City Manager Miller reported that he had a request for free parking for delegates for conventions scheduled for the City of Modesto. The matter was held over for a recommendation from the Parking Authority and final report by the City Manager.

5 ADJOURNMENT There being no further business to come before the Council, the meeting was duly and regularly adjourned.


 REX E. GAILFUS, CITY CLERK

Council Meeting

November 7, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

1 AMEND ORDINANCE NO. 602-N.S. In order to conform with the proposed reclassification of city employees, City Manager Miller recommended that section 5 of Civil Service Ordinance No. 602-N.S. and all ordinances amending said section be repealed. Councilman Merrill introduced an ordinance being

ORDINANCE NO. 1007-N.S.

entitled: "AN ORDINANCE REPEALING SECTION 5 OF ORDINANCE NO. 602-N.S. (CIVIL SERVICE) AND REPEALING ORDINANCES NOS. 639-N.S., 687-N.S., 766-N.S., 791-N.S., 849-N.S., 905-N.S. AND 964-N.S. (AMENDMENTS TO ORDINANCE NO. 602-N.S.) and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Frad

Councilman R. Adams arrived at this time.

2 CIVIL SERVICE CLASSIFICATIONS A report was filed by City Manager Miller recommending new classifications and recommending salaries for all positions and also authorizing the City Manager to hire employees at lower salaries or at the maximum salaries when necessary.

Councilman Mellis introduced

RESOLUTION NO. 9621-N.S.

which was seconded by Councilman R. Adams, adopting the classification schedule and recommendations of the City Manager as set forth in his report, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Merrill, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

Councilman Frad arrived at this time.

CHANGE IN RULES AND
REGULATIONS GOVERNING
HOURS AND DAYS OF WORK

The City Manager recommended that the Civil Service
rules and regulations (Rule 11, section 5 and 5a)

be amended to provide a five day work week for specific employees and to change hours
of work and read as follows:

Section 5-WORK WEEK: The basic work week for full time city employees shall be as
follows:

72 hours: Fire Department
48 hours: Police Department, except clerical, Library, janitor only
40 hours: Police Department, clerical, Public Works Department, except clerical
38 hours: Library, except janitor, Police Court, Recreation Department
37½ hours: Health Department, Office of City Attorney, Office of City Clerk,
Office of City Manager, Planning Office, Public Works Department, clerical

Employees for whom necessity requires a different work week than provided for
herein shall work according to regulations prepared by the City Manager and
approved by the Council.

Section 5A-OFFICE HOURS: Office hours for City departments and offices shall be as
follows:

Police Department and Fire Department: open 24 hours a day, all days of the
year

Health Department, Office of the City Attorney, Office of the City Clerk,
Office of the City Manager, Planning office, Public Works Department.
Open: 8:30 A.M. to 5:00 P.M. Monday through Friday
Closed: Saturday, Sunday and Holidays

Police Court
Recreation Department
Open: 9:00 A.M. to 5:00 P. M. Monday through Friday
9:00 A.M. to 12:00 noon Saturday

Closed: Sundays and holidays

Library
During school term, adult facilities
Open: 9:00 A.M. to 9:00 P.M. Monday through Saturday
2:00 P.M. to 5:00 P.M. Sunday (reading and reference only)
Closed: Holidays

During school term, childrens' facilities
Open: 1:00 P.M. to 6:00 P.M. Monday through Friday
9:00 A.M. to 5:00 P.M. Saturday

Closed: Sundays and holidays

During School Vacations, adult facilities
Open: 9:00 A.M. to 9:00 P.M. Monday through Saturday
Closed: Sundays and holidays

During School Vacations, childrens' facilities
Open: 9:00 to 5:00 P.M. Monday through Saturday
Closed: Sundays and holidays

Councilman M. Adams introduced

RESOLUTION NO. 9622-N.S.

which was seconded by Councilman Merrill authorizing changes in the civil service rules
and regulations as set forth above, which resolution was regularly adopted by the
following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4 GRANT PERMIT OPERATE
USED CAR LOT-ED MARTIN

Councilman Annan introduced
RESOLUTION NO. 9623-N.S.

which was seconded by Councilman Frad approving application and bond of Ed Martin to
operate a used car lot at 1305 10th Street providing the necessary sanitary facilities
be maintained and the necessary city licenses be secured, which resolution was regularly
adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

PAYMENT TO STANDARD
MATERIAL INC. ON SEWER
LINE ON LUCERN AVENUE

Councilman M. Adams introduced
RESOLUTION NO. 9624-N.S.

which was seconded by Councilman Merrill, accepting the contract as completed by the Standard Materials Inc. on the sanitary sewer line on Lucern Avenue between Coffee Road and El Camino and branch lines on El Terino and El Camino and authorizing payment of \$8,386 50 and directing the City Clerk to file a Notice of Completion with the County Recorder, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

6 REQUEST REMOVAL OF TREES
BAXTER HAGOPIAN

Baxter Hagopian appeared before the Council and requested that several Sycamore trees in front of his home at 617 Sycamore Avenue, be removed as they were continually causing trouble from dropping leaves, etc. He suggested that they be replaced with some other better trees. It was brought out that Sycamore Avenue was lined on both sides, full length, by Sycamore trees so that it would not be in the best interest to replace these particular trees. Mayor Marks suggested that the City Manager investigate the possibility of trimming these trees in order to solve this problem without removal.

Councilman Frad left the council meeting at this time.

7 BEGGING ON CITY STREETS

Councilman Merrill reported that several blind men at various times with guide dogs solicited on the streets of the city and he suggested that an ordinance be adopted to prevent this soliciting on the streets or that the present ordinance be amended. Chief Pickering was instructed to check the matter and to prepare an amendment to the ordinance for consideration by the Council.

8 MEETING OF THE EAST SIDE
IMPROVEMENT DISTRICT

Mr. Peter Ruffino, 815 Sycamore Avenue, appeared before the Council and stated that at a large meeting of the East Side Improvement District much trouble was caused by some people at the meeting trying to take too much part in the meeting, thereby raising a lot of confusion. He stated that some members of the Greater Modesto Committee were at the meeting. He was informed that only a few members of the committee, some of them living in the district, were present. He was informed that these meetings were being held outside the city limits and that the Council had no jurisdiction.

9 BLOCK L STREET BY
CHRISTIAN CHURCH

Councilman R. Adams brought to the attention of the Council the fact that L Street was being blocked temporarily during construction, by the board walk of the new Christian Church. He thought that the building had proceeded to a degree where it might be no longer necessary to block the street with this building material. The City Clerk was instructed to confer with Tom Hermida, Building Inspector and to address a letter to the officers of the Christian Church asking that this be removed as soon as possible.

10 REQUEST COUNCIL ACT
ON ORDINANCE REGULATE
DANCES IN CITY

John Stephens appeared before the Council and requested that they act as soon as possible on a new ordinance regulating dances in the city until 2 A.M. City Manager stated that the ordinance was being prepared and would be presented in the near future. He stated that the ordinance was being redrawn in order that it would be adequate and

would be a good ordinance for protection of the public interest. He also suggested that in order to clear the matter of the request already before the Council for the operation of the Hotel Covell "Fable Room", that a resolution be introduced at this time temporarily allowing this dance. Councilman Merrill introduced

RESOLUTION NO. 9625-N.S.

which was seconded by Councilman M. Adams, authorizing the Hotel Covell to operate their dinner dances until 2 A.M. on a temporary basis until the new ordinance was adopted as the Hotel Covell dinner dance hall met with all the regulations which were to be set forth in this ordinance, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

11 IMPROVEMENT OF BUILDING
ON TENTH STREET

City Manager Miller reported that he had taken notice and was pleased with the improvements that the property owners on Tenth Street and also on other streets had made in the fronts of their buildings. Councilman Mellis introduced

RESOLUTION NO. 9626-N.S.

which was seconded by Councilman Merrill recommending that the Council publicly go on record as commending those businessmen for their public spirit and thanking them for making these improvements as it has substantially improved the appearance of the business district, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

12 PERMIT TO OPERATE JUNK
YARD GRANTED BY PLANNING
COMMISSION

Cyril McC.Henderson reported to the Council that the Planning Commission had granted a use permit to Val Marsalli to operate a junk yard in Block 29, lots 11 and 12, at 409 7th Street, with the understanding that a six foot fence would be constructed around the yard and that the used material be stacked in such a manner that it would not be visible from the street and from the surrounding property. Some objections were expressed by members of the Council on this permit and they were informed that any resident of the district wishing to protest to this use permit had a right to appeal to the Council within 90 days following the action of the Planning Commission.

13 RESOLUTION ADOPTED ON
UNIFICATION PROGRAM BY
STANISLAUS COUNTY
CENTRAL LABOR COUNCIL

Mayor Marks read a resolution introduced by the Stanislaus County Central Labor Council in regard to the unification program in which they expressed their support of the program. This resolution was ordered filed.

14 ADJOURNMENT

There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST:


REX E. GAILFUS, CITY CLERK

Council Meeting

November 14, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: Annan

1 APPROVAL OF MINUTES

Councilman R. Adams introduced

RESOLUTION NO. 9627-N.S.

which was seconded by Councilman Merrill approving the minutes of the Council meetings of October 24 and October 29, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

2 REQUEST AMEND ORDINANCE
PERMIT SMOKING IN THEATRES

Bert Henson, District Manager of the Modesto

Theatres, appeared before the Council and requested

that they proceed with legislation in regard to smoking in city theatres as soon as possible. Jack Wemyss, City Fire Chief stated that he and Mr. Henson had agreed on the necessary regulations in order to allow smoking in these theatres with the maximum amount of safety. He stated that the ordinance could be set up to allow smoking in certain locations and rooms in the theatre buildings. Councilman Mellis introduced

RESOLUTION NO. 9628-N.S.

which was seconded by Councilman M. Adams authorizing the City Attorney to work with the City Fire Chief and draft an ordinance to cover this matter for consideration of the Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

3 Councilman R. Adams requested more cooperation from the theatres in the matter of regulating the parking of bicycles on the streets in front of the theatres. Mr. Henson stated that he and the managers of all the local theatres had been cooperating with the city to the fullest extent and would continue doing so in order to solve this bicycle problem. Some consideration of an up-right bicycle rack being used was discussed.

4 OFFER SELL PARK
SITE-RICHARD J.
GIDDINGS

Richard J. Giddings appeared before the Council and offered a five acre tract on Orangeburg Avenue near

Bronson Avenue to the city for use as a park at a price of \$6500.00. He stated that the property had cost \$13,000 and that the old buildings will be removed and that the location was an ideal area for a future park area in a highly developed neighborhood. City Manager Miller stated that this five acre tract was just outside the city limits but was contiguous to the city and he thought that the generous offer of this property should be accepted with thanks. He stated acquisition fitted in with the recommendations of the Greater Modesto Committee and that money was available in the reserve for such a purpose. Councilman Merrill introduced

RESOLUTION NO. 9629-N.S.

which was seconded by Councilman M. Adams authorizing the City Attorney to proceed with the necessary steps in order to purchase this property, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

✓ ACCEPT REQUEST FOR
PERMISSION TO COMMENCE
PROCEEDINGS TO ANNEX
TERRITORY

A letter signed by 66 residents of the Greater Modesto Area was filed by Leon C. Glower, Chairman of the Greater Modesto Committee,

requesting consent to initiate proceedings to annex the territory, as shown on map attached to the letter of request, to the City of Modesto, Councilman R. Adams introduced

RESOLUTION NO. 9630-N.S.

which was seconded by Councilman Frad accepting the request for permission to commence proceedings to annex this territory to the city and indicating its intention to consent to commencement of proceedings contingent upon approval of the proposed boundaries by the Stanislaus County Boundary Commission and upon receipt of a favorable report from the Modesto City Planning Commission and referring the request to the Planning Commission for a report, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

✓ WITHDRAW PETITION
ANNEXATION PORTION
WEIL COLONY

Attorney Carlos J. Badger representing the Church of Jesus Christ Latter Day Saints appear-

ed before the Council and informed them that the church was planning to construct a church building on lot 14 of the Weil Colony just outside the city limits. At this time he wished to officially withdraw the petition filed on November 8, 1951 asking for annexation of this territory to the City of Modesto and requested that the Council go on record as favoring the zoning of this area to R-3, Multiple Family Residence District when it finally was annexed to the City so that it might be used for church purposes. He stated that construction would start as soon as material was available. City Manager Miller suggested that the matter be referred to the City Planning Commission for study and suggested to Mr. Badger that the approval of the County Planning Commission be obtained. The matter was referred to the Planning Commission by the Council.

✓ PROTEST PERMIT GRANTED
BY PLANNING COMMISSION
FOR JUNK YARD

R. S. Lawrence owner of lots 11 to 16 Inc. in Block 28, 301 7th Street, filed a written protest

against the granting of a permit for the operation of a junk yard on lots 11 and 12, Block 29, located at 409 7th Street and stated that his actions was taken as an appeal from the granting of this permit by the Planning Commission. Cyril Henderson, Secretary of the Planning Commission informed the Council that the use permit had been granted by the Planning Commission subject to the construction of a six foot fence; no junk could be piled higher than the top of said fence and also subject to the ninety day period in which a protest could be made to the Council.

Councilman Frad introduced

RESOLUTION NO. 9631-N.S.

which was seconded by Councilman M. Adams, setting the date of Wednesday November 28, 1951 at 7:30 P.M. in the City Hall as the time and place of hearing by the City Council on the protest and appeal to the Council on this use permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

7 STOP SIGNS REQUESTED
YALE AVENUE

Robert P. Bomberger appeared before the Council and requested the Council consider the placing of two stop signs on both ends of Yale Avenue between College Avenue and Tully Road as he stated the street was being used for very fast traffic leaving the city and going into the College Garden area. He was instructed to contact the City Engineer and City Manager in regard to this matter.

8 STOP SIGN ON PRINCETON
AVENUE AT VIRGINIA AVENUE

Chief of Police Pickering reported that he had checked with Captain Don Halterman of the California Highway Patrol and Oliver Deatsch County Surveyor regarding the installation of a stop sign on Princeton Avenue at Virginia Avenue. He stated that the County had planned to install a stop sign on the northeast corner of Virginia and Griswold Avenue, stopping traffic entering Virginia Avenue and he recommended that the City place a stop sign on the southwest corner of Princeton and Virginia Avenues across the Tidewater tracks stopping traffic entering Virginia Avenue, Councilman M. Adams introduced

RESOLUTION NO. 9632-N.S.

which was seconded by Councilman Mellis authorizing the placing of this sign as requested on a temporary basis pending the completion of the over-all traffic survey, both the City and County signs to be installed at the same time, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

9 MAJOR ARTERIAL
STREET SYSTEM

City Manager Miller presented a map of the proposed inner part of the Major Arterial Street System and recommended approval of this plan which would allow the removal of some stop signs and the installation of others. This latest map included all the inner streets, except Washington Street from H Street to 7th Street. Mr. Miller stated that this plan would change the present traffic conditions and he stated that some changes would have to be made later and that the proposal was made with this in mind, Councilman M. Adams introduced

RESOLUTION NO. 9633-N.S.

which was seconded by Councilman R. Adams accepting the map as presented and instructing the City Attorney to prepare the necessary legislation so that the City Manager could proceed with the various stop signs as set forth in the plan, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

10
PAYMENT TO STOCKTON
CONSTRUCTION COMPANY
SEWER LINE ON EMERALD
AVENUE

Councilman M. Adams introduced
RESOLUTION NO. 9634-N.S.

which was seconded by Councilman Frad accepting the sanitary sewer line on Emerald Avenue between Mark Twain and Franklin Schools from the Stockton Construction Company, contractors and authorizing progressive payment of \$8,233 20 and directing the City Clerk to record Notice of Completion with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

11
LETTER FROM SOUTHERN PACIFIC
COMPANY

City Manager Miller read a letter from A. S. McCann, Superintendent of the Southern Pacific

Company acknowledging receipt of a copy of the resolution adopted by the Council expressing appreciation for their cooperation in helping to alleviate blocking of crossings in the City.

HEARING OF PROTESTS
ON ANNEXATION OF CROWS
LANDING ROAD INDUSTRIAL
DISTRICT

As this was the date of hearing of protests to the proposed annexation of the Crows Landing Road Industrial District and no protests were

received, the matter was held over pending consumation of agreement between the City and the owners of property in this tract for sewer service.

13
AMEND RESOLUTION
ESTABLISHING
CLASSIFICATIONS

City Manager Miller requested that Resolution No. 9621-N.S. be amended to include the following

additional classifications:

<u>Position</u>	<u>Maximum Monthly Salary</u>
Poundmaster	\$265 00
Library Page	45 00

and the following changes in positions be made:

POLICE COURT

<u>Position</u>	<u>Changed to</u>
Secretary	Court Clerk
Court Clerk	Deputy Court Clerk

Councilman Frad introduced

RESOLUTION NO. 9635-N.S.

which was seconded by Councilman Merrill recommending that Resolution No. 9621-N.S. be amended as recommended above, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

14
REQUEST FOR SEWER
AND WATER SERVICE
HOWARD D. SEABLON

Following a prior request by Howard D. Seablom, 932 Ramona Avenue for water and sewer service

the Council decided since boundaries for over-all unification elections must be fixed months in advance and since Mr. Seablom's offer to annex to the city immediately could not be accepted, it was the decision of the Council that it would be unfair to make Mr. Seablom install a septic tank at a great cost when a city sewer line was across the

street and it would be unfair to have him pay a \$150 00 water connection fee as provided by the ordinance for property outside the city limits, since he was willing to come into the city. At the request of City Manager Miller, Councilman Merrill introduced

RESOLUTION NO. 9636-N.S.

which was seconded by Councilman M. Adams setting forth the interim policy of the Council for the period during which the proceedings on unification were under way to grant water and sewer service where it is feasible so long as all the costs are covered by the property owners themselves and where the parties concerned have agreed to annex to the city as soon as possible and authorizing the City Attorney to prepare the necessary amendments to provide the same charges for these parties as though they were in the city, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

15 ESTABLISH TWO HOUR
PARKING TENTH STREET
FROM M STREET TO
NEEDHAM AVENUE

Ralph M. Brown requested two hour parking on Tenth Street between O Street and Needham Avenue.

Police Chief Pickering suggested that two hour parking start at 10th and M Streets and continue to Tenth Street and Needham Avenue. He stated that nine months of the year it is almost impossible to get parking space in the three blocks mentioned. Councilman R. Adams introduced

RESOLUTION NO. 9637-N.S.

which was seconded by Councilman M. Adams establishing two hour parking on Tenth Street between M Street and Needham Avenue on both sides of the street, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

16 REQUEST CITY INSTALL
BENCHES AT BUS STOPS

A letter was filed by Agnes Trueblood, 802 California Street, requesting that the Council consider placing benches at the following bus stops, Tenth and H Streets, Eleventh and I Streets and Twelfth and I Streets. This request was referred to the City Manager for study and report to the Council at a later date.

17 LEASE ON PORTION OF
SEWER FARM-ELVIN YORK

A request of Elvin York for a lease of approximately 57 acres of land on the sewer farm was presented by the City Manager to the Council. Councilman M. Adams introduced

RESOLUTION NO. 9638-N.S.

which was seconded by Councilman Frad authorizing the lease with the addition of a clause to protect the city in case it was necessary for the city to take over the land during the life of the lease and appointing the City Manager, City Clerk and City Auditor as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

18 RESIGNATION OF CITY
ATTORNEY FRANCIS
W. HALLEY

City Attorney Francis W. Halley filed a letter of resignation, effective as of November 15, 1951,

Councilman Frad introduced

RESOLUTION NO. 9639-N.S.

which was seconded by Councilman M. Adams accepting the resignation with the provision that payment be made for accumulated vacation time to December 1st, 1951 and commended Mr. Halley for a very good job as City Attorney, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Annan

STOP SIGNS ON MAZE
BOULEVARD AT FRANKLIN
STREET

Acting City Engineer Johnson brought to the attention of the Council that the city should

install a stop sign on the north side of Maze Boulevard, stopping south bound traffic on Franklin Street as this was now a part of the City. Traffic is already stopped on the south side. This was referred to the City Manager to be considered in the over-all traffic survey.

GRANT PERMIT FIRE
DEPARTMENT HANG
CHRISTMAS LIGHTS

Fire Chief Wemyss informed the Council that the Chamber of Commerce had requested the Fire Depart-

ment to hang the Christmas lights early this year so that they could be officially lighted on Saturday, November 24. The Council granted Fire Chief Wemyss permit to use the city fire trucks and firemen for this purpose.

PARKING METER FINES

City Manager Miller presented to the Council, a

letter received from J. Lee Robertson, Police Judge, calling their attention to the lack of uniformity in traffic fines. Judge Robertson in his letter brought out the fact that the ordinance covering violation of meters installed on the streets called for a penalty of 50¢ whereas violation of a similar ordinance covering meters installed on public parking lots called for a penalty of \$1.00. In the discussion concerning the amount of the fine for violation of meters on the street, it was brought out that a \$1.00 fine would simplify the procedure of paying this fine in that envelopes could be used in which \$1.00 could be mailed into the traffic court. It was also brought out with the \$1.00 fine, it would create uniformity in that the parking lot fine was \$1.00 for the same offense. Councilman R. Adams stated that he was not in favor of raising the fine, that he did not think that the situation would be improved by the raising of this fine and that the purpose of the meter enforcement was not to raise money. The main purpose was to enforce the ordinance. Councilman Mellis introduced

RESOLUTION NO. 9640-N.S.

which was seconded by Councilman Merrill recommending that the ordinance be amended to establish a \$1.00 meter fine, effective January 1, 1952 with the understanding that return envelopes be provided with each parking citation, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: R. Adams

Absent: Councilmen: Annan

Chief Pickering stated that he was now operating three motorcycles and three men during the day in policing these parking meters. City Manager Miller asked for comments from the members of the Council regarding the degree of enforcement they thought desirable and acceptable to the general public and reported

that at present the Police Department was short three or four men and that the enforcement of violations of meters would be considerably improved when these men had been added to the force.

22 There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting

November 21, 1951

The Council of the City of Modesto met in regular session as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

1 PETITION REMOVE
POPLAR TREES

A petition signed by seven residents of the east side of Poplar Avenue, between Needham Avenue and Alice Street, was filed with the Council requesting the removal of the old Poplar trees on the east side of the street "as these trees have outlived their usefulness and are a menace to persons and property from falling limbs." The petition was referred to the City Manager for investigation and report.

2 CANVASS BALLOTS
ON ANNEXATION OF
NORTHWEST ADDITION

The Council proceeded to canvass the ballots of the special election held on Thursday, November 15, 1951 for the annexation of the Northwest Addition. Councilman Mellis introduced

RESOLUTION NO. 9641-N.S.

which was seconded by Councilman Annan

"WHEREAS, a special election was held on the 15th day of November, 1951, in the Northwest Addition, near the City of Modesto, County of Stanislaus, State of California, and contiguous to the city limits of said city, and which territory is particularly described as follows, to-wit:

All that certain real property situated in the County of Stanislaus, State of California, described as follows:

Beginning at a point on the existing city limits line at the intersection of the center line of Orangeburg Avenue and the center line of College Avenue, which point is also the Northwest corner of the Southeast quarter of the Northwest quarter of Section 20, Township 3 South, Range 9 East, M.D.B.& M. thence Westerly along the Northerly quarter quarter section line of said Section 20, and along the Northerly quarter quarter section line of Section 19, Township 3 South, Range 9 East, M.D.B.& M. to a point on the center line of Carver Road, said point being twenty (20) feet West of the Northwest corner of Lot 2 of the Chiquita Colony as filed for record on March 16, 1904 in Volume 1 of Maps, Page 43, Stanislaus County Records; thence Southerly along the center line of said Carver Road and the Southerly projection thereof to the Southwesterly line of State Highway, Route #4 (U.S. Route 99) as shown on the Map filed on May 10, 1939, in Volume 2, Page 130, Record of Surveys, Stanislaus County Records; thence Southeasterly along said Southwesterly boundary of said State Highway, Route 4, to the intersection thereof with the city limits line, said city limits line being the Southerly projection of the center line of Tully Road and being also the West line of Section 29, Township 3 South, Range 9 East, M.D.B.&M.; thence following along the existing city limits line the following courses and distances;

Northerly along the Section line common to said Section 29 and 30, Township 3 South, Range 9 East, M.D.B.&M., to a point twenty (20) feet south of the Section corner common to Section 29, 30, 19 and 20, Township 3 South, Range 9 East, M.D.B. & M.; thence Westerly twenty (20) feet to a point on the South line of Coldwell Avenue and the West line of Tully Road, which point is also on the East line of Lot 1 of the Perdue Tract as filed for record on December 29, 1908 in Volume 4 of Maps, Page 11, Stanislaus County Records; thence Northerly forty (40) feet to a point on the North line of Coldwell Avenue and the West line of Tully Road; thence Westerly along the North line of Coldwell Avenue to a point on the West boundary of Lot 18 of the Evergreen Acres Tract as filed for Record on September 21, 1912, in Volume 7 of Maps, page 9, Stanislaus County Records, thence Northerly along the West line of Lots 18 and 12 of said Evergreen Acres Tract to a point on the South line of Leonard Avenue, thence Easterly along South line of said Leonard Avenue to a point on the Section line common to Section 19 and 20, Township 3 South, Range 9 East, M.D.B. & M. thence Northerly along said common Section line to a point ten (10) feet North of the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 20; thence Easterly along North line of the South ten (10) feet of the Northwest quarter of the Southwest quarter of said Section 20 to a point on the west quarter quarter section of said Section 20 line in College Avenue; thence Northerly along the Westerly quarter quarter section line of said Section 20 to a point on the Westerly extension of the South line of Carla Avenue as shown on the Map of the College Manor Tract No. 2 as filed for record on January 9, 1947 in Volume 16 of Maps, Page 17, Stanislaus County Records; thence Easterly along said South line of Carla Avenue to the center line of Mills Avenue, as shown on the Map of said College Manor Tract No. 2; thence Northerly along the center line of said Mills Avenue to the Northeast corner of the College Manor Tract as filed for record on July 13, 1938 in Volume 11 of Maps, Page 45, Stanislaus County Records; thence Northerly along the center line of Mills Avenue as shown on the map of the Chapin Tract as filed for record August 31, 1946 in Volume 14 of Maps, Page 43, Stanislaus County Records, to a point on the projected South line of Ulrich Avenue as shown on the Map of said Chapin Tract; thence Westerly along the South line of said Ulrich Avenue to the Westerly quarter quarter section line of said Section 20 in College Avenue, thence Northerly along said Westerly quarter quarter section line to the point of beginning.

WHEREAS, the said City Council of the City of Modesto finds after due examination that due notice of said election was published in the Turlock Daily Journal, a newspaper of general circulation printed and published outside the City of Modesto, but in Stanislaus County, California, which said notice appeared in said newspaper on October 17, 24, 31 and November 7, all in the year 1951, and that prior to said publication in said newspaper a date was set giving due notice that owners of property in said Northwest Addition could appear before said City Council on the 10th day of October, 1951 to protest holding of said election; and it further appearing to the said Council and the said Council so finds that all other requirements of the Annexation Act of 1913 and all other requirements of the Election Laws of the State of California have been duly and regularly followed and that all of the procedures adopted and employed in the annexation proceedings and in the holding of said election are proper and legal; and

WHEREAS, the City Council of the City of Modesto is now sitting as a Canvassing Board to canvass the results of said election and has received all of the returns of said

election and finds that the same are now in proper form, and have opened and canvassed the same and ascertained the result of said election as hereinafter stated; and

WHEREAS, after the holding of said election, the election officers thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets, and returns of said election, and it appearing and the Council so finding that the proposition submitted at said election was whether or not such new territory hereinabove described shall be annexed to the City of Modesto, and that said property shall not be subject to any bonded or other indebtedness owned by said City prior to the date of the filing of the petition asking that such election be called or theretofore authorized,

NOW THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED BY THE COUNCIL OF THE CITY OF MODESTO that the said special election held in said territory to determine whether or not said territory should be annexed to and become a part of the said City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears and the Council so finds that at said special election the total number of votes cast at the polls was and is three hundred and twenty-eight (328); that the number of votes cast at said polls in favor of annexation was and is two hundred and twenty-eight (228); that the number of votes cast at said polls opposed to annexation of said territory was and is ninety-eight (98); that the number of votes cast at said polls which were voided was and is two (2)

That said City Council sitting as such Canvassing Board further finds that the measure, to-wit, "Shall the Northwest Addition be annexed to the City of Modesto?" received a majority of the votes cast in favor of annexation and that therefore said measure carried, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Merrill

3 ORD. APPROVE ANNEXATION
OF NORTHWEST ADDITION

Councilman Annan introduced an emergency ordinance being

ORDINANCE NO. 1008-N.S.

entitled: "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY KNOWN AS 'NORTHWEST ADDITION' TO THE CITY OF MODESTO" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman M. Adams, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Merrill

4 PAYMENT ELECTION
OFFICIALS RENTAL OF
POLLING PLACES

Councilman Frad introduced

RESOLUTION NO. 9642-N.S.

which was seconded by Councilman Mellis authorizing the City Clerk to pay each election official \$8.00 for serving at the special election of November 15, 1951 for the annexation of the Northwest Addition to the City of Modesto and to pay \$5.00 for the rental of polling places, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: R. Adams and Merrill

Councilman R. Adams arrived at this time.

5 RENT SPACE FOR CITY
ATTORNEY'S OFFICE

City Manager Miller reported that no space was available for the offices of the City Attorney and that he recommended a lease be entered into between Mrs. T. B. Scott, Elmer Winger and the City of Modesto for the use of suite six of the Scott Building. Councilman Mellis introduced

RESOLUTION NO. 9643-N.S.

which was seconded by Councilman Annan, approving the entering into this lease and authorizing City Manager Miller to sign said lease which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

6 PURCHASE OF ROOSEVELT
SCHOOL BY CITY OF
MODESTO

The question arose as to what progress was being made toward the proposed purchase of the Roosevelt School building for city purposes. Councilman Mellis stated that the School Board had made no final decision. Mr. Mellis also stated that the whole Council in his opinion should act as a committee to meet with the entire School Board to see if they could get a definite answer concerning the purchase of this property. Mayor Marks stated that this school property should not be lost to public ownership. After a discussion regarding the crowded conditions in the City Hall and the dangerous condition of the building of the Police Department and the Recreation Department, Councilman Annan suggested that the City consider going ahead on plans for the construction of its own building and that a letter be addressed from the City of Modesto to the Modesto School Board asking for some definite decision on the matter. City Manager Miller stated that although the Police Court would probably move to the County after January 1, 1952 that this additional space would not be enough to solve the problem.

7 APPOINTING NEW MEMBER
MODESTO CITY PLANNING
COMMISSION

It was suggested that Herbert E. Brooks, resident of the Northwest Addition recently annexed to the City be appointed on the Modesto City Planning Commission. It was suggested that Mr. Brooks be requested to attend the Planning Commission meetings informally until the final legal steps can be taken by the State to approve the annexation of this adoption to the city and until the ordinance can be amended to permit his appointment.

8 APPOINT SIGNATORY
OFFICIALS ESCROW
AGREEMENT

Councilman R. Adams introduced

RESOLUTION NO. 9644-N.S.

which was seconded by Councilman Annan authorizing Ross Miller, City Manager to execute escrow agreement between the Modesto Bank & Trust Company and the City of Modesto for the purchase of lot 17 of Weil Colony, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

9 ORDINANCE APPROPRIATE
FUNDS PURCHASE LOT
17 OF WEIL COLONY

Councilman M. Adams introduced an emergency ordinance being

ORDINANCE NO. 1009-N.S.

entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL PROPERTY" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

10 ACCEPT DEED ON LOT
17 OF WEIL COLONY

Councilman Mellis introduced

RESOLUTION NO. 9645-N.S.

which was seconded by Councilman M. Adams accepting the deed from the Modesto Bank and Trust Company for lot 17 of Weil Colony and the Auditor was directed to draw a warrant in the amount of \$6500 00 to the said Modesto Bank and Trust Company and the City Clerk was directed to record said deed with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

Councilman Merrill arrived at the meeting at this time

// MODESTO BEE REQUEST
CITY ADVERTISE IN PAPER

J. D. Harding, Advertising Manager of the Modesto

Bee, appeared before the Council and requested

that the City of Modesto purchase advertising space in a special section of the Modesto Bee which would be published at the time their new offices were opened, December 1, 1951. He stated that the cost of one page of advertising in this edition would be \$300 00. Mayor Marks stated that as this was new business, the Council would study the matter and made a decision as soon as possible.

12 CONTRACT FURNISH SEWER
SERVICE TO HOUSING
PROJECT

Pursuant to prior consideration of the Council

to enter into a contract with the Housing Authority

of Stanislaus County for the City of Modesto to furnish sewer service to a housing project to be situated on Robertson and Hammond Roads, J. W. Sinclair, Executive Director of the Housing Authority of Stanislaus County appeared before the Council and stated that the contract had been prepared for execution. Under the contract the City would receive \$21,000 00 upon the commencement of the installation of the line and the sewer charge at the present time would be \$1.10 per unit per month with the understanding that this rate could be increased. The term of the contract would be to June 30, 1957 with the option of five year renewals. Councilman Annan introduced

RESOLUTION NO. 9646-N.S.

which was seconded by Councilman M. Adams authorizing the City Manager to execute this contract for the furnishing of sewer service as set forth hereinabove, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13 CITY MANAGER RECOMMEND
ALLEY BLOCK 92 BE ESTAB-
LISHED AS ONE WAY ALLEY

City Manager Miller reported that after con-

siderable study, he recommended that Ordinance

No. 345-N.S. (traffic regulation) be amended to provide for one way traffic in the alley in Block 92, between 12th and 13th Streets and J and K Streets, with traffic

travelling north in the alley. Councilman Annan introduced

RESOLUTION NO. 9647-N.S.

which was seconded by Councilman Frad directing the City Attorney to prepare amendment to Ordinance No. 345-N.S. providing for the above mentioned traffic regulation, which resolution was regularly adopted by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

14 FEES PAID BY
PUBLIC UTILITIES

Councilman Frad suggested that Attorney Allen Grimes make a study of the franchises in relation to public utilities within the City and report his findings and recommendations to the Council.

15 SIGNATORY OFFICIALS
RELEASE TO RALPH
LARSEN & SONS ON
DAMAGE TO ALLEY BLOCK
92

Councilman Merrill introduced

RESOLUTION NO. 9648-N.S.

which was seconded by Councilman M. Adams appointing the City Manager and City Clerk as signatory officials on receipt and release to Ralph Larsen & Son, general contractors, for the payment of \$450 00 to the City for damage to alley in B lock 92 while they were constructing the new Pacific Telephone & Telegraph Building, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

16 LOADING ZONE NEAR
HIGH SCHOOL

City Manager Miller reported that after study by the Police Chief, himself and other city officials regarding a loading zone adjacent to the Modesto High School on Roselawn Avenue, it was their recommendation that starting 20 feet from First Street on the existing curb of Rosedale, the curb be painted yellow for a loading zone. This zone will run 220 feet to culvert entrance into the school yard. Also no parking signs are to be placed at this curb. This proposed regulation met with the approval of James H. Corson, Superintendent of Schools. He stated no action by the Council was needed until the required time limits could be determined.

17 L. J. MADDEX YOUTH
CENTER

Lee Brooks, Superintendent of the Recreation Department reported that the city held \$190 00 in checks, made payable to the City of Modesto L. J. Maddux Youth Recreation Center which had been collected by the L. J. Maddux Memorial Committee and were to be used for the completion of the Modesto Youth Center. He stated that these checks had been held for four months and he recommended that something be done at the present time in order to clear these checks. It was decided to turn these checks over to the L. J. Maddux Youth Center Committee. The Council discussed the present unfinished condition of the building and it was pointed out that the L. J. Maddux Memorial Committee had failed to carry out its commitment to furnish the funds necessary to complete the construction of the building. It was agreed that Mayor Marks and Councilman Frad should contact Mr. Parker Maddux and bring to his attention the present status of the project and receive from Mr. Maddux any suggestions he may have as to the problem of finishing this project.

ADJOURNMENT

There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST:


REX E. GAILFUS, CITY CLERK

Council Meeting

November 28, 1951
The Council of the City of Modesto met in regular

session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Absent: Councilmen: None

APPROVE MINUTES OF
COUNCIL

Councilman R. Adams introduced

RESOLUTION NO. 9649-N.S.

which was seconded by Councilman M. Adams, approving the minutes of the Council meetings of October 31, November 7 and 14, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

2 LETTER FROM C. A.
SWANSON & SONS

A letter from C. A. Swanson & Sons expressing their opposition to the proposed annexation of their property in the East Modesto Industrial Area, was read by Mayor Marks and ordered filed.

3 HEARING ON PROTESTS
TO JUNK YARD AT
409 SEVENTH STREET

As this was the date of public hearing of protests to the use permit granted by the Modesto City

Planning Commission to Val Marsalli to carry on the business of a junk yard at 409 Seventh Street, three petitions were filed with the Council containing approximately 40 names, protesting to the granting of a permit to operate a junk yard at this location. A letter was filed with the Council signed by Sam Fuscoe stating that he was willing to withdraw his application for a junk yard at 409 7th Street and requesting a reasonable time to move out of this location. Due to the fact that Val Marsalli, the party to whom the permit was issued, had not signed the letter requesting withdrawal of the permit, Councilman Mellis introduced

RESOLUTION NO. 9650-N.S.

which was seconded by Councilman R. Adams continuing the hearing for one week until Val Marsalli could be contacted in order to obtain his approval to the withdrawal of the permit, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

4 FINAL ADOPTION ORD.
NO. 1007-N.S.
CIVIL SERVICE

Ordinance No. 1007-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of November 7, 1951 and thereupon printed and published as required by the Charter of the City of Modesto coming on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

5 FREE PARKING ON
PARKING LOTS FOR
CONVENTION DELEGATES

Pursuant to a former request for free parking on the various parking lots for delegates to local conventions, City Manager Miller read a communication from the City Parking Authority approving the trial of this procedure for the 20-30 Club convention. After discussion by the Council, City Manager Miller suggested that the granting of these free permits for use on the City parking lots be allowed temporarily on a trial basis to cover only the convention of the 20-30 Club, December 7 to 9, 1951. Councilman Merrill introduced

RESOLUTION NO. 9651-N.S.

which was seconded by Councilman Annan, authorizing the issuance of a free permit to delegates to the above conference which will allow free parking on the various parking lots during their convention, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

Councilman Frad arrived at the Council meeting at this time.

REQUEST FOR FUNDS
RETAIL MERCHANTS
AND CHAMBER OF
COMMERCE

A request was filed by John H. Fairweather, Manager of the Chamber of Commerce for \$3,187 50 for the Retail Merchants Association and \$1,562 50 for the Modesto Chamber of Commerce, as budgeted in the City budget for the fiscal year 1951-1952. He stated that the merchants of the city were at the present time raising an excess of \$5000 00 to carry on their portion of the Christmas program and other scheduled events. Councilman Merrill introduced

RESOLUTION NO. 9652-N.S.

which was seconded by Councilman Annan, authorizing payment of the above amount to the Chamber of Commerce and the Retail Merchants Association on the basis proposed in their letter and for the purposes in which the city has an interest, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

LETTER DIVISION OF
HIGHWAYS RE: OUTDOOR
ADVERTISING

City Manager Miller read a communication from the State Division of Highways, requesting the assistance of the cities in the plan of the Division to regulate the control of outdoor advertising displays adjacent to freeways. The matter was referred to the City Manager for study and report to the Council at a later date.

BUS LOADING ZONE
ON ROSEDALE AVENUE

Following receipt of a request by the Modesto City Schools for a bus loading zone on Rosedale Avenue, Chief Pickering recommended that the request be granted and that signs be posted prohibiting parking in this zone between the hours of 8:00 A.M. and 4:00 P.M. Councilman Mellis introduced

RESOLUTION NO. 9653-N.S.

which was seconded by Councilman M. Adams, establishing a bus loading zone starting 20 feet from First Street on the west curb of Rosedale Avenue, running southward, 220 feet to culvert entrance into the school yard and directing the Public Works Department to install the proper signs and painting, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

ORD. AMEND ORD. 345-N.S.
ESTABLISH ONE WAY ALLEY
IN BLOCK 92

Councilman M. Adams, introduced an ordinance, being

ORDINANCE NO. 1010-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. (Traffic Ordinance) AS THEREAFTER AMENDED BY ORDINANCES NO. 362-N.S., No. 376-N.S. and No. 667-N.S." (one way alley in Block 92) and moved its adoption and passage to print

and publish, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

10 ADVERTISING IN MODESTO
BEE

Following a study of the matter of the City advertising in a special edition of the Modesto Bee, it was the opinion of the Council that they should not participate in this advertising at this time as no money had been appropriated in the 1951-52 budget for this purpose. The Council expressed their appreciation to the Modesto Bee for giving them the opportunity to participate.

11 SALE OF CITY PROPERTY
BLOCK 588

City Manager Miller reported to the Council that he had requests by persons interested in the purchase of the city property located in Block 588, lots 9 to 12 inc. He stated that he would like to get the facts pertaining to this property for consideration of the Council and would like to obtain their opinion as to whether the property should be sold. The Council indicated that they would approve of the sale of this property providing we had a clear title and had no other use for the property. It was suggested that should this property be sold the money be impounded for use for the purchase of other property or other improvements which might be needed by the city. City Manager Miller was authorized to proceed with the check of the title to this property.

12 SIGNING OF AGREEMENT

City Attorney Allen Grimes reported to the Council that under the new charter the City Council could authorize any city official to sign agreements and contracts. City Manager Miller suggested that the City Attorney be authorized to approve all contracts and agreements as to form. Councilman Frad introduced

RESOLUTION NO. 9654-N.S.

which was seconded by Councilman Mellis authorizing the City Attorney to approve all contracts and agreements, as to form and contents, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

13 STATE PAINT SIGNS ON
MCHENRY AVENUE

City Manager Miller reported that the State Division of Highways had agreed to paint the numbers "25" on the pavement opposite the 25 mile speed limit sign indicating the speed limit where traffic enters the city on McHenry Avenue. They also indicated that they would paint the numbers "35" opposite the 35 mile speed limit sign facing north bound traffic. He stated that this was being done upon our request and that he thought that it would tend to slow down traffic on McHenry Avenue a good deal.

YOUTH CENTER

Mayor Marks reported that Mr. Phil Davies would be at the Youth Center, Friday morning with his contractors and would like to meet with the City Council to know what plans they had for completing the building and what the cost would be.

14 LETTER FIRE DEPARTMENT
RE: SALARY RAISE

City Manager Miller read a letter from the Modesto Fire Department expressing their appreciation for the salary raise given their department.

15
UNUSED CURB CUTS AND
ADDITIONAL PARKING
METERS

Councilman M. Adams asked what progress was being made in the checking of unused curb cuts and wished to know if some of these curb cuts were being replaced. He was informed by Acting City Engineer Johnson that a complete study of the curb cuts had been made and that some of the unused spaces were being used for parking but that legal difficulties as to whether the city or the property owners should replace these curb cuts, had held the matter up. He figured that fourteen or fifteen could be closed at this time. Councilman Mellis suggested the extending of the parking meters to other streets as he thought that this might help solve the traffic problem in the main business district. City Manager Miller reported that the matter would be checked with the City Attorney as to the legal problems for the replacing of those unused curbs at this time. A thorough study should be made of the areas where meters should be installed. He stated that the city already had additional meters which could be used.

16
SERVICES TO ANNEXED
TERRITORIES

Councilman M. Adams requested information as to how soon the various improvements would be available to the residents of the new Northwest Addition recently annexed to the City of Modesto. City Manager Miller reported that the same procedure would be followed in this area as had been followed in the Maze Court area, the residents were now receiving police and fire protection and that trash pick-up was being scheduled. The installation of other facilities would depend upon the desire for these services by the property owners in this tract. Property owners would be contacted. Acting City Engineer Johnson reported that water meters in any annexed territory where city water service was available can be removed upon request of the property owners. Councilman R. Adams suggested that the 10% penalty on water bills might be removed and City Manager Miller stated that the collection of water bills and the removal of the penalty would be considered in a move to simplify the collection and to create good will with the customers. A report would be made later in a proposed change in the collection system.

17
ADJOURNMENT

There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST:


~~REX E. GALLIFUS, CITY CLERK~~

Council Meeting

December 5, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P. M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Absent: Councilmen: Mellis

/
APPROVE MINUTES
COUNCIL MEETINGS

Councilman R. Adams introduced

RESOLUTION NO. 9655-N.S.

which was seconded by Councilman M. Adams approving the minutes of the Council meetings of November 21 and 28, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

2
REQUEST DISPLAY BANNER
ADVERTISE JUNIOR COLLEGE
BASKETBALL TOURNAMENT

The Council considered the request of Fred A. Earle Jr., Director of the Annual State Junior College

Basketball Tournament to be held in Modesto on January 2-5-inc. 1952, for permit to display banner across the city streets, advertising the tournament, for a period of two weeks. On May 9, 1951 the Council passed Resolution No. 9433-N.S. establishing the policy on granting of permits to display banners and decorations over and across streets in the City of Modesto in which they listed the following occasions and the following groups as being approved for the securing of a permit to display banners; Community Chest Drive, California Relays, Fourth of July Celebration, Christmas Celebration. It was the opinion of some of the Council members that this permit should not be granted.

Later in the meeting Fred A. Earle Jr. appeared before the Council and informed them that the Tournament Committee considered the displaying of this banner important to the success of the tournament. He stated that he had no preference as to the location of this banner and suggested that it be placed at the corner of Needham Avenue and 10th Street so as not to interfere with the Christmas decorations. It was suggested that this matter be held over for one week during which time the City Manager would check.

3
REVOKE PERMIT OPERATE
JUNK YARD AT 409 SEVENTH
STREET

Pursuant to holding over the matter of protests to use permit issued to Val Marsalli for the operation of a

junk yard at 409 Seventh Street by the Modesto City Planning Commission in order to obtain the signatures of both partners Val Marsalli and Sam Fusco to the letter agreeing to withdraw their application for the use permit, the City Clerk reported that Mr. Marsalli had signed the request which had been filed with him by Sam Fusco.

Councilman Frad introduced

RESOLUTION NO. 9656-N. S.

which was seconded by Councilman Merrill revoking the use permit granted by the Modesto City Planning Commission to Val Marsalli and Sam Fusco and instructing the owners to remove the junk yard from this location within a period of ninety days from this date, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

4
CHECKS FOR THE MADDUX
YOUTH CENTER

Mayor Marks reported that Leo C. Hammett, Chairman of the L. J. Maddux Youth Center Committee reported that he had additional checks to be used for the completion of the Maddux Youth Center.

Councilman Frad introduced

RESOLUTION NO. 9657-N.S.

which was seconded by Councilman Merrill appointing Mayor Marks as signatory official to endorse these checks and recommending that these checks be deposited in the City Treasury in the L. J. Maddux Youth Center account, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

5 LETTER PROTEST \$1.00
PARKING METER FINE

W. P. Andrews filed a letter with the Council protesting to the raising of the street parking meter fine from 50¢ to \$1.00.

In his letter he stated that he was a heavy contributor to the City Treasury in the payment of fines and he thought the increase would effect a loss of business to Modesto Merchants from people not living in the city limits. The letter was ordered filed.

6 LETTER FROM EAST MODESTO
INDUSTRIAL ASSOCIATION

A letter was read from the East Modesto Industrial Association to the Council stating that they were grateful for the opportunity to meet with the Greater Modesto Committee but that they felt "that the Committee's recommendations are not broad enough in scope and that they only solve one-half of the problem which our group presented to the Greater Modesto Committee." Their letter further petitioned the Council "to take such steps as are necessary to exclude from the proposed unification program the entire East Modesto Industrial District, including not only that area excluded in the recommendations of the Greater Modesto Committee so recently made, but to further exclude that area lying south of the Waterford Road and west of Santa Rosa Avenue." A copy of a letter from the East Modesto Industrial Ass'n to the Greater Modesto Committee on the same subject was also read.

7 REPORT OF GREATER MODESTO
COMMITTEE ON UNIFICATION
PROGRAM

A report was filed by Leon C. Glover, Chairman of the Greater Modesto Committee setting forth the reasons for the changes in the boundaries of the proposed over-all annexation to the City of Modesto as filed on November 12, 1951 and asking the Council to decline consent on the request as filed on November 12, 1951.

8 REQUEST FOR CONSENT TO
COMMENCE PROCEEDINGS TO
ANNEX CERTAIN TERRITORY
TO CITY

A letter requesting consent to initiate proceedings to annex the territory to the City of Modesto as shown on the map attached and asking that consent be declined on the earlier letter of request, dated November 12, 1951 and signed by 59 residents in the Greater Modesto area was filed with the Council by Leon C. Glover, Chairman of the Greater Modesto Committee.

9 REPORT OF PLANNING COM-
MISSION ON PROPOSED UNIFI-
CATION

A report by the Modesto City Planning Commission entitled "Report to the City Council on Proposed Unification of the Greater Modesto Area (Request for consent dated Nov. 12, 1951)" was read and ordered filed. In its report the Commission recommended to the City Council that consent be declined on the request for the annexation of the Greater Modesto area, dated November 12, 1951 in accordance with the request of the proponents expressed in the letter to the City Council dated December 3, a copy of which had been received by the Commission. The Commission stated that it would be glad to report on the second proposal after it has been referred to the Commission.

10 UNIFICATION PROGRAM

George K. Beard and Folke K. Floden, appeared before the Council and requested that not only the industrial area which was considered by the Greater Modesto Committee but all of the industrial area in East Modesto should be excluded from the proposed annexation program. Mr. Beard stated that negotiations were now under way between the Gallo Winery and the Modesto Terminal Company for the disposal of the industrial wastes from the winery. It was pointed out by members of the Council that the Gallo area was immediately adjacent to the city and separated from the Modesto Terminal Company development, developed residential and commercial area. In answer to a question from the Council Mr. Beard stated that they had no plans to provide sewers for the residential and commercial areas lying between the two industrial areas. Mr. Floden spoke in support of the position presented in the letter and by Mr. Beard, and stated that the charge per turkey

for industrial sewage disposal in his plant was only one-third what it was for a similar plant inside the city. City Manager Miller pointed out that such a comparison was not valid because he was talking about two completely different kinds of sewage disposal; that the plants inside the city are served by a modern industrial sewage disposal plant, while the sewage from the East Industrial District is simply run out into a field; that this is not satisfactory sewage disposal; and that he did not believe it was possible for this industrial area to furnish adequate sewage disposal independently at a cost as low as it could be furnished through use of the city's disposal system. The City Manager also explained that most industries are not opposed to being in the city, because they recognize that they are a part of the community, should participate in its affairs, and must have many of the facilities which only the city can furnish. Cities and industries are each dependent upon the other. On the other hand he pointed out that there are some industries which may logically be located outside the incorporated city limits. He stated that the total property tax revenue which the city would receive from all of the outlying area around Modesto which is presently proposed for annexation would be less than the amount of additional State allocations which the city would receive when this area becomes a part of the city. These refunds from the State would be received without any additional cost to the taxpayers in the area, since they are already paying the taxes from which these refunds are made, but these funds are now being allocated to other cities on a population basis. Councilman Annan suggested that this change was far reaching and that he would like some additional time to study the matter. Councilman Frad pointed out that a number of new elements had been brought to light and they needed further study. It was therefore decided by the Council to continue the matter for one week.

MOVING DWELLING AT
1014 12th STREET
EDWARD T. TAYLOR

Edward T. Taylor appeared before the Council in regard to the matter of moving the house at 1014 12th Street.

He stated that it would require the removal of one or more trees. Acting City Engineer Johnson stated that as it was a large two story house, the route for moving the house would have to be worked out. City Manager Miller suggested that a procedure be set up whereby the removal of these trees could be checked prior to the consideration by the Council. The City Manager was instructed to check the above request and report to the Council in one week.

ATTORNEY FRIEDMAN RE:
LICENSE GARBAGE COLLEC-
TION ANNEXED AREA

Attorney Arthur R. Friedman representing two garbage companies serving part of the territory proposed to be annexed to the City of Modesto asked for information from the Council concerning what effect the unification program and annexation of this territory would have on these companies. He stated that the companies were small and probably could not afford the present license required of the garbage companies serving the Modesto area and thought that the Council should consider some method of protecting these concerns following annexation. City Manager Miller suggested that the matter be considered by the Council, himself and the City Attorney and that any other problems of this nature which might arise following annexation be brought to the attention of the Council so that a solution could be worked out prior to the final date of annexation. Mr. Friedman was informed that the City Manager and City Attorney would work with him and keep him informed.

PARKING METER FINE
ON STREETS

The matter of amending Ordinance No. 778-N.S., regulating parking meters on the streets, raising the penalty from 50¢ to \$1.00 was discussed by the Council and it was brought out in the discussion that the proposed \$1.00 fine was not primarily to raise additional revenue but was to help in the elimination of continual citations which would in turn create more parking spaces in

the business district. Envelopes would be provided with the citations so people could mail in the fines. The ordinance was held over for further study.

19 REQUEST FOR INSTALL-
ATION OF BENCHES AT BUS
STOPS

Pursuant to referring the request of Agnes J. Trueblood for the placing of benches at bus stops at 10th and H Streets, 11th and I Streets and 12th and I Streets to the City Manager for investigation and recommendation, he reported at this time that he recommended that no benches be placed at bus stops in the city at this time.

AUTHORIZE PAYMENT
CHESTER D. NATTINGER
FOR ANNUAL AUDITING
SERVICES

Councilman R. Adams introduced

RESOLUTION NO. 9658-N.S.

which was seconded by Councilman M. Adams authorizing the payment of the claim of Chester D. Nattinger, Certified Public Accountant of \$750.00 for auditing services for the year ending June 30, 1951 of the City of Modesto accounts, which resolution was regularly adopted by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

ORD. AMEND ORD. 482-N.S.
REGULATE DANCING IN CITY

Councilman Frad introduced an ordinance being

ORDINANCE NO. 1011-N.S.

entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 482-N.S. ENTITLED "AN ORDINANCE REGULATING THE OPENING, CONDUCTING AND CARRYING ON OF DANCES IN PUBLIC DANCE HALLS IN THE CITY OF MODESTO, PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE SAME AND A PENALTY FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF AND DEFINING CERTAIN WORDS AND PHRASES" BY AMENDING SUBSECTION (4) OF SECTION 4 AND SECTION 6 THEREOF, AND ADDING SECTION 9A THERETO" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman R. Adams, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

~~REQUEST RENDEZVOUS
CLUB PERMIT OPERATE
DANCE~~

~~The request of Edward L. Alloway, operating the Rendezvous~~

~~Club, North 99 Highway, for a permit to dance until 2:00 A.M.~~

~~on a temporary basis providing that they meet the specifications as set forth in Ordinance No. 1011-N.S. and upon the effective date of the ordinance, they should file a new application, which resolution was regularly adopted by the following vote:~~

~~Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks~~

~~Noes: Councilmen: None~~

~~Absent: Councilmen: Mellis~~

18 AGREEMENT WITH STATE
DEPARTMENT OF PUBLIC
HEALTH

Councilman Annan introduced

RESOLUTION NO. 9660-N. S.

which was seconded by Councilman M. Adams appointing the City Manager as signatory official on contract with the California State Department of Public Health for federal allocation to local public health agencies providing for a payment to the City of \$1,514.00 for the fiscal year ending June 30, 1952, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

See page 276A

REQUEST RENDEZVOUS
CLUB PERMIT OPERATE
DANCE

The request of Edward L. Alloway, operating the Rendezvous Club, North 99 Highway, for a permit to dance until 2:00 A.M. was received by the City Council.

Upon the recommendation of Police Chief Pickering, who stated that the Rendezvous Club, with a few exceptions of minor detail, will meet the specification in our new ordinance, and that the manager had promised to correct these few exceptions immediately. Councilman Frad introduced

RESOLUTION NO. 9659-N.S.

which was seconded by Councilman Annan authorizing the Rendezvous Club to operate a dance until 2:00 A.M. on a temporary basis providing that they meet the specifications as set forth in Ordinance No. 1011-N.S. and upon the effective date of the ordinance they should file a new application, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

19 CONTRACT GAS SERVICE
PUMP STATION NO. 6

Councilman Annan introduced

RESOLUTION NO. 9661-N.S.

which was seconded by Councilman M. Adams, approving contract with the Pacific Gas and Electric Company for gas service at the Pump Station No. 6 located at Melrose & Morris Avenues and appointing the City Manager as signatory official, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

20 PROPOSED P. G. & E. RATE
INCREASE

The matter of the request from the City Manager of Stockton for participation of the City of Modesto along with other cities in the San Joaquin Valley in opposing the proposed Pacific Gas & Electric Company rate increase was referred to the City Manager and City Attorney.

21 APPROVE MAP OF COLLEGE VIEW
TRACT

A letter was received from the Modesto City Planning Commission recommending that the final map of the College View Tract in the Northwest area recently annexed to the City of Modesto be accepted by the Council. Councilman Frad introduced

RESOLUTION NO. 9662-N.S.

which was seconded by Councilman M. Adams accepting the map of the said tract and appointing the City Clerk as signatory official and accepting the streets for maintenance as indicated thereon, authorizing the approval of contract on streets and street lights and appointing the City Manager as signatory official on the contract, all subject to the receipt of a payment of \$800.00 by the City of Modesto from Wilbur Grant as provided in the contract, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

22 ORD. REGULATE
SMOKING IN THEATRES

Councilman Annan introduced an ordinance being

ORDINANCE NO. 1012-N.S.

entitled: "AN ORDINANCE REGULATING SMOKING IN THEATRES, MOTION PICTURE THEATRES, HALLS AND OTHER PLACES OF PUBLIC ASSEMBLY, PROVIDING PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ORDINANCE NO. 736-N.S." and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Frad, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Mellis

23 AMERICAN RAILWAY EXPRESS
DELIVERY TO ANNEXED AREA

Councilman Merrill raised the question as to why the American Express Company would not deliver into the newly annexed territory. City Manager Miller stated that he would check with the Company in regard to this matter.

24 There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: REX E. GAILFUS, CITY CLERK



Council Meeting

December 12, 1951

The Council of the City of Modesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

PROTEST TO CONDITION
OF TREES-MRS. LULU RYAN

Mrs. Lulu Ryan appeared before the Council in regard to the condition of the trees adjoining her property in Block 123, portion lots 17-20inc., on 15th Street between J and K Streets. She stated that the trees were very dirty and old and were causing a great deal of trouble to the stores and the roof of her building. Mrs. Ryan stated that if these trees were removed she would be willing to replace them with some kind of ornamental trees. The matter was referred to the City Manager to investigate and report at the next meeting of the Council.

CHANGE RATES
AT GOLF COURSE

Following a request by the Modesto Men's Golf Club that green fees be changed at the Municipal Golf Course since the course has been operating with a deficit for the past years. Councilman Mellis introduced

RESOLUTION NO. 9663-N.S.

which was seconded by Councilman Merrill establishing the following fees at the Municipal Golf course, effective, January 1, 1952

GENERAL RATES:

\$6.00 per month for one monthly family ticket

\$5.00 per month for one monthly individual ticket

\$1.50 per month per student for the students of Modesto Schools and Junior College, to be issued only upon the presentation by holder of a current Student Body card

RATES FOR WEEK DAYS and after 4:00 P. M. Standard Time on Saturdays, Sundays, and Holidays for persons not holding monthly tickets:

\$.50 for 9 holes of play \$1.00 for 18 holes of play or all day, which includes the use of the driving range and practice putting greens

RATES FOR SATURDAYS, SUNDAYS AND HOLIDAYS to 4:00 P. M. Standard time for persons not holding monthly tickets

\$1.50 for play regardless of the number of holes played, which includes the use of the driving range and practice putting greens

Each monthly ticket issued shall terminate on the last day of the month during which it was issued. 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 tickets. The professional Golf Course Instructor and Manager is hereby authorized to post a sign informing all golfers of the change in green fees and Resolution No. 6235-N.S. is hereby rescinded and Rule 3 of Resolution No. 4044-N. S. is hereby amended as set forth, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

AMEND LEASE WITH
NAVY AT AIRPORT

Councilmen Frad introduced

RESOLUTION NO. 9664-N.S.

which was seconded by Councilman M. Adams, approving amendment to the lease between the City of Modesto and the United States of America, Department of the Navy to provide for the inclusion of additional area 100' x 150' lying between the West line of the Municipal Airport property of the City of Modesto, California and the area now under said lease and appointing the Mayor and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4 LEASE AT AIRPORT WITH
M. E. GARBER

Councilman Annan introduced

RESOLUTION NO. 9665-N.S.

which was seconded by Councilman Frad, approving lease between M. E. Garber and the City of Modesto for the rental of 44.97 acres more or less of land situated in the Municipal Airport property for a term beginning on the 1st day of December, 1951 and ending on the 30th day of November, 1952, at a rental fee of 20% of the gross receipts received from the crops to be paid at the time of the sale of said crops, subject to the signing of a release by the Modesto Terminal Company for the use of this land for ponding beds from this date to June 23, 1952 and appointing the City Manager and City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

5 LEASE AT AIRPORT WITH
JAMES C. SORENSEN

Councilman M. Adams introduced

RESOLUTION NO. 9666-N. S.

which was seconded by Councilman R. Adams, approving lease between James C. Sorensen and the City of Modesto for approximately 12 acres of land in the Municipal Airport property for a term beginning April 1, 1952 and ending November 30, 1952, at a rental fee of \$420.00 payable upon execution of agreement, and appointing the City Manager and the City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

6 AGREEMENT BETWEEN CITY
AND STANISLAUS COUNCIL
GIRL SCOUTS

Upon the recommendation of City Manager Miller and the Recreation Director, Councilman Frad introduced

RESOLUTION NO. 9667-N.S.

which was seconded by Councilman R. Adams approving agreement between the Stanislaus Council of Girl Scouts and the City of Modesto providing for the acceptance by the city of the clubhouse in the Beard Brook Park and the maintenance and operation of the same and the payment of \$95.00 to the Stanislaus Council Girl Scouts for certain equipment in the premises and appointing the City Manager and the City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

7 ACCEPT DEED FROM
W. N. AND RUTH
NANKEVILLE

Councilman Annan introduced

RESOLUTION NO. 9668-N. S.

which was seconded by Councilman M. Adams, accepting Deed from William N. Nankeville and Ruth Nankeville for a portion of the Southwest quarter of the Northwest quarter of Section 20, T ownship 3 South, Range 9 East, M.D. B. & M., to be used for alley purposes and located in the College View Tract and directed the City Clerk to record said deed with the Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

LETTER FROM GREATER
MODESTO COMMITTEE

A letter from Leon C. Glover, Chairman of the Greater Modesto Committee was filed with the Council requesting that the Council defer action on the two letters which had been filed by the committee requesting consent to the initiation of proceedings for the annexation of the unincorporated Greater Modesto Area to the City, until Monday, December 17, 1951, so that they could present additional information.

LETTER FROM MODESTO
CITY SCHOOLS

A letter from the Board of Education of the Modesto City Schools was received by the Council in which they set forth considerations for the purchase of Block 90 (Roosevelt School property) by the City of Modesto. The City Council directed the City Manager to acknowledge receipt of the letter and to inform the Board of Education that the Council would consider the proposal.

LETTER MODESTO RETAIL
MERCHANTS BUREAU

A letter from the Modesto Retail Merchants Bureau was read in which they recommended that the Council consider some "courtesy regulations toward out of town individuals" on parking meter violations. The matter was referred to the City Manager for study and report to the Council at a later date.

LETTER MARY L. JOHNSON
PROTEST INCREASE PARKING

A letter from Mary L. Johnson in which she objected to the proposed increase in parking meter fine from 50¢ to \$1.00 was read and ordered filed.

ORDINANCE AMEND ORD.
#778-N.S. INCREASE
PARKING METER FINE

A lengthy discussion on the benefits which would derive from the increasing of the parking meter fine on the streets from 50¢ to \$1.00 was held by the Council in which it was brought out that it would be a great convenience to the public in being able to mail in their fine and it was thought that the increased fine would tend to decrease the number of violations for over-parking in the metered zone. Councilman R. Adams expressed the opinion that the fine should not be raised at this time. He thought that the matter could be solved by some other method. Councilman M. Adams introduced an ordinance being

ORDINANCE NO. 1013-N. S.

entitled: "AN ORDINANCE AMENDING SECTION 11 of ORDINANCE NO. 778-N. S. ENTITLED 'AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC STREETS IN THE CITY OF MODESTO, DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES, REGULATING AND PROVIDING FOR INSPECTION OF THE PARKING OF VEHICLES THEREIN BY THE USE OF PARKING METERS, PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER ZONES, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF" and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: R. Adams

Absent: Councilmen: None

ORDINANCE NO. 1010-N.S. FINAL
ADOPTION AMEND ORD. NO. 345-N. S.
ONE WAY ALLEYS

Ordinance No. 1010-N. S. having been heretofore introduced and ordered printed and published at the regular meeting of November 28, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, coming

on for final adoption at this time, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

14 LETTER FROM GREATER
MODESTO COMMITTEE RE:
ANNEXATION

Following receipt of a letter from the Greater Modesto Committee asking for a delay in action on their letters requesting permission to commence proceedings for the annexation of the Greater Modesto area, the matter was held over until Monday, December 17, at 4:00 P. M. at which time an adjourned meeting of the Council will be held.

15 REQUEST OF JUNIOR
COLLEGE BASKETBALL
TOURNAMENT COMMITTEE
DISPLAY BANNER ACROSS
STREETS

The City Manager reported on the request of Fred A. Earle Jr., Director of the Annual State Junior College Basketball Tournament for permission to display a banner across the street advertising the tournament to be held in the city. He stated that Police Chief Pickering and Assistant Fire Chief Payne had investigated and agreed on a location for the banner to be displayed just north of Needham Avenue, across College Avenue and recommended that permission be granted for the displaying of this banner at this location. Councilman Merrill introduced

RESOLUTION NO. 9669-N.S.

which was seconded by Councilman M. Adams, granting permit to said applicant to display banner at this location with the understanding the Junior College would erect the poles and maintain the banner and it being further understood that the Junior College would obtain permission from the Council whenever a banner is to be placed at this location, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

16 REQUEST LIMITED PARKING
ESTABLISH ON 11th STREET
BETWEEN L AND M

A request was filed by Margaret Cole and Alan Heaston for the establishing of limited parking in front of the Ideal Cleaners and Margaret's Beauty Salon at 1220 and 1222 11th Street, as this property had been zoned for business and all day parking of cars in front of their stores was working a hardship on their customers. The matter was referred to the City Manager for his consideration and recommendation to the Council.

17 CALL FOR BIDS ON
PIPE VALVES AND
FITTINGS

Councilman Mellis introduced

RESOLUTION NO. 9670-N.S.

which was seconded by Councilman M. Adams, authorizing the City Clerk to call for bids for furnishing pipe, valves and fittings in accordance with specifications on file in the office of the Director of Public Works, said bids to be opened on Monday, January 7, 1952 at 2:00 P. M. at the City Hall, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

18 CALL FOR BIDS ON
STREET NAME SIGNS

Councilman M. Adams introduced

RESOLUTION NO. 9671-N.S.

which was seconded by Councilman Annan, authorizing the City Clerk to call for bids for furnishing street name signs in accordance with specification on file in the office of

the Director of Public Works, said bids to be opened on Monday, January 7, 1952 at 2:00 P.M. at the City Hall, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

MOVE DWELLING AT
1014 12th STREET
REQUEST EDWARD T.
TAYLOR

Pursuant to referring the request of Edward T. Taylor to remove certain trees to permit the moving of the two story dwelling at 1014 12th Street to a new location at the corner of Morris and North Olive Avenue to the City Manager and Director of Public Works, they reported that a route had been determined for the moving of this building and recommended that the mover be permitted to remove the large Elm tree in front of the house on 12th Street and the small tree on Stoddard Avenue near the railroad, in order to permit the moving of this house. Councilman Merrill introduced

RESOLUTION NO. 9672-N.S.

which was seconded by Councilman M. Adams authorizing the removal of the Elm tree in front of the house on 12th Street and the tree on Stoddard Avenue and directing the movers be instructed to clean the streets satisfactorily following the moving of this building, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

PETITION RESIDENTS
ON POPLAR AVENUE TO
REMOVE CERTAIN TREES

Pursuant to referral of petition of residents on the east side of Poplar Avenue between Needham Avenue and Alice Street for the removal of the old Poplar trees on this side of the street, City Manager Miller reported that the trees were in such a condition and were so old that he recommended that they be removed whenever the Street Department found they had available time to do this work. It was the opinion of the Council that the City Manager should proceed with this work.

TREES AROUND SEVENTH
DAY ADVERTIST CHURCH
on 17th Street and H Street around the Seventh Day Adventist Church property. The church had asked that these trees be removed and replaced with Modesto Ash. This matter was held over for consideration until the next meeting.

City Manager Miller requested the Council to inspect the trees

TRAFFIC HAZARD GROWTH
OF SHRUBBERY ON SYCAMORE
AVENUE

Councilman Mellis stated that a dangerous traffic condition existed just north of the city limits on Sycamore Avenue due to the thick growth of trees and shrubbery at this intersection and he recommended that the city contact the county in regard to clearing up this shrubbery. Councilman M. Adams suggested that additional care should be given to some areas in the city where the trees seemed to be in a poor condition.

AUTHORIZE PAYMENT TO
LEAGUE OF CALIFORNIA
CITIES

Councilman Frad introduced

RESOLUTION NO. 9673-N. S.

which was seconded by Councilman R. Adams authorizing payment of \$500.00 to the League of California Cities for the annual service charge for the calendar year 1952, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

EXTEND LIMITED PARKING
ON 13th STREET BETWEEN
G AND H STREETS

A report was filed by Police Chief Pickering recommending that the two hour parking limit be extended on both sides

for the full length of 13th Street between G and H Streets. Councilman Annan introduced

RESOLUTION NO. 9674-N.S.

which was seconded by Councilman R. Adams, establishing two hour parking on both sides on the entire 700 block of 13th Street between G and H Streets and directing the Public Works Department to establish the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilman: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

5 PARKING OF BICYCLES
FRONT THEATRES

Councilman R. Adams informed the Council that the bicycle situation in front of the State Theatre was still un-

satisfactory. He stated that he had contacted the manager of the theatre and requested that something be done to correct this situation. He recommended at this time that the City Manager instruct the manager of this theatre to place a bicycle rack in the street while the show was in progress and to remove this rack from the street when the show was closed.

2 APPROVE AGREEMENT WITH
COUNTY ON FUNDS FOR
COMMUNITY RECREATION

Councilman Annan introduced

RESOLUTION NO. 9675-N.S.

which was seconded by Councilman Frad approving agreement between the County of Stanislaus and the City of Modesto for the allocation to the City by the County of \$7470.00 to be used on community recreation for the fiscal year of 1951-52 and appointing the City Manager and the City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

Councilman Annan introduced

RESOLUTION NO. 9676-N.S.

which was seconded by Councilman M. Adams approving agreement between the County of Stanislaus and the City of Modesto for the allocation to the City by the County of \$830.00 to be used on community recreation in the Bret Harte Area outside the city limits for the fiscal year of 1951-52 and appointing the City Manager and the City Clerk as signatory officials, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

21 CITY OF STOCKTON
REQUEST CITY OF MODESTO
PARTICIPATE IN OPPOSING
P. G. & E. ELECTRIC RATE
INCREASE

City Attorney Grimes reported that he had checked into the matter of the request of the City of Stockton for the participation of the City of Modesto in the

protest on the Pacific Gas and Electric Company application for electric rate increase and it was his opinion that the cost of acquiring electrical energy will not be affected by the pending application for rate increase that the city should not spend the \$100.00 requested. He recommended that the City of Stockton should be sent a letter of thanks for requesting us to participate in this matter with them and that they be notified the City of Modesto does not desire to participate in this opposition.

4 PUBLIC DEFENDER

Councilman Frad suggested that some consideration be given by the Council to the establishing of a Public Defender to represent the public interest in the future in cases of this type. It was suggested that the Council might

send a resolution to the League of California Cities asking them to investigate the matter and recommend something to assist in these problems.

7 CONDITIONS OF STREETS Councilman R. Adams reported that there was a bad situation in the street adjacent to the alley near the Sears Building on 10th Street. Councilman Mellis reported two bad holes in the pavement near the Tri-valley Packing Company. City Manager Miller stated that these streets would be checked by the Engineering Department.

30 CHANGE COMMERCIAL ACCOUNT
OF CITY TO MODESTO BANK
AND TRUST COMPANY

Councilman Merrill recommended that the commercial account of the City of Modesto be transferred from the Anglo California National Bank, which bank had had the account for a good many years, to the Modesto Bank and Trust Company. City Manager Miller was instructed to check into this situation of these bank accounts and make a recommendation to the City Council.

31 ADJOURNMENT

Therebeing no further business to come before the Council, this meeting was adjourned until, Monday, December 17, 1951 at 4:00 P. M.

ATTEST: REX E. GAILFUS, CITY CLERK

Adjourned Council Meeting

December 17, 1951

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P. M. as provided by Ordinance No. 959-N.S.

Presents: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

FINAL ADOPTION ORD.
NO. 1011-N.S. REGULATE
DANCE HALLS

Ordinance No. 1011 N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 5, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, Councilman Mellis moved that the ordinance be finally adopted, which motion was seconded by Councilman R. Adams, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

FINAL ADOPTION ORD.
NO. 1012-N.S. SMOKING
IN THEATRES

Ordinance No. 1012-N.S. having been heretofore introduced and ordered printed and published at the regular meeting of December 5, 1951 and thereupon printed and published as required by the Charter of the City of Modesto, Councilman Merrill moved that the ordinance be finally adopted, which motion was seconded by Councilman R. Adams, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams

Councilman M. Adams arrived at this time

3 CONSENT TO COMMENCEMENT
OF ANNEXATION PROCEEDINGS
OF GREATER MODESTO AREA

Pursuant to postponing action by the Council in reference to the two letters filed with the Council requesting that they be given permission to commence proceedings under the Annexation Act of 1913 to annex the Greater Modesto Area to the City of Modesto, a group of people appeared before the Council, some in protest to the inclusion of their property in the area and others in favor of leaving the boundaries as set up originally in the letter of the Greater Modesto Committee of November 12, 1951. Joseph P. Dieu, representing a group of farmers

in the East Modesto area, Attorney Vernon F. Gant, representing a group of farmers and residents of land between Waterford Road and Scenic Drive, and Ervin K. Finney farmer, W. O. Larson, representing the Stanislaus County Farm Bureau were the main speakers objecting to the including of these areas in the proposed annexation. Mr. Gant asked for a hearing before the Greater Modesto Committee for his clients. W. M. Singler, Sam Moran and W. H. Murray were the main speakers in favor of leaving the boundaries as originally filed by the Committee. It was contended by those east of the airport that the land affected would not be used for any other purpose than a farming area because of the industries existing near this area and that in any event even though it were used for an industrial area, it would never be useful for a residential area. In a letter read to the City Council the committee explained its reasons for going back to the original proposal. Their decision was based on additional information regarding the problems of sewage disposal for the East Modesto Industrial area and its effect on the pollution of our underground water supply and the pollution of the Tuolumne River. It was proposed to exclude the industrial area on the basis that it could take care of its own problems and the committee now believe this is not possible. The letter said in part

"The additional information relative to the East Modesto Industrial waste disposal and the solid and reasonable objections of the property owners along the Tuolumne River South of these ponds proves to us that it is necessary for the community to remedy this situation, along with the removal of the sewage disposal ponds of the City. One ponding area is as bad as another and removing only one is doing only half of the job. Furthermore the sewage ponds for the East Modesto Industrial area are up river, and eliminating the disposal of sewage wastes into the river below the City would have little point if the river is polluted from above.

Inasmuch as we have conscientiously studied the problems and needs of Greater Modesto, and without prejudice, we arrived at what we considered was the best and most logical boundaries for the whole community, and since recent discussions have resulted in confusion rather than clarification, the Committee has decided to proceed with its original plan which, in its opinion, is for the best interests of everybody in the long run."

Following a lengthy discussion, Councilman Frad introduced

RESOLUTION NO. 9677-N.S.

which was seconded by Councilman M. Adams giving consent to the commencement of proceedings to annex the territory described in the request of the Greater Modesto Committee, dated November 12, 1951 and consent to the publication by the proponents for annexation of Notice of Intention to Circulate Petition, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

4 CHRISTMAS HOLIDAY City Manager Miller requested the Council to consider the possibility of allowing Monday, December 24th, as a holiday and keeping the offices open on Saturday, December 22, 1951 instead.

5 There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST:


REX E. GAILFUS, CITY CLERK

Council Meeting

December 19, 1951

The Council of the City of Modesto met in regular session this date at 4:00 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Absent: Councilmen: None

FINAL ADOPTION ORD.
NO. 1013-N.S. PARKING
METER PENALTY INCREASE
TO \$1.00 ON STREETS

ORDINANCE NO. 1013-N.S. entitled: "AN ORDINANCE AMENDING SECTION 11 of ORDINANCE NO. 778-N.S. ENTITLED: 'AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC

STREETS IN THE CITY OF MODESTO, DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES, REGULATING AND PROVIDING FOR INSPECTION OF THE PARKING OF VEHICLES THEREIN BY THE USE OF PARKING METERS, PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER ZONES, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF", having been heretofore introduced and ordered printed and published at the regular meeting of December 12, 1951, and thereupon printed and published as required by the Charter of the City of Modesto, Councilman Mellis moved that the ordinance be finally adopted, which motion was duly seconded by Councilman Annan, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent Councilmen: M. Adams, R. Adams and Frad

2 AUDIT POLICE
COURT RECORDS

PURSUANT TO THE TRANSFER of the Police Court to the County, Judge J. Lee Robertson requested that a thorough audit

be made of the court records up to December 31, 1951. City Manager Miller recommended that the audit be made and stated that C. D. Nattinger, Certified Public Accountant had offered to make it for a fee not to exceed \$125.00. Councilman Merrill introduced

RESOLUTION NO. 9678-N.S.

which was seconded by Councilman Annan appointing C. D. Nattinger to make the audit at a price not to exceed the cost of \$125.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: M. Adams, R. Adams, and Frad

3 REQUEST REMOVE TREES
JOHN W. HUSBAND

John W. Husband appeared before the Council and stated

that he was planning to move a house from the corner of 10th and M streets to a location in the northeast section of the city. He stated that the contractor had already checked a route and that they thought that one or two small trees would have to be removed which were on city property and he was willing to replace these trees at his own expense. This being new business, Mr. Husband was instructed to contact City Manager Miller and Director of Public Works Marvin E. Ray in order that they might check into the matter for final approval.

Councilman M. Adams and R. Adams arrived at the meeting at this time.

DUTIES OF CITY
ATTORNEY REORGANIZATION
OF THE POLICE COURT

City Manager Miller reported that he and the City Attorney had met with the County Administrator and a representative

of the District Attorney's Office and discussed the reorganization of the Police Court to be effective January 1, 1952. City Attorney Grimes reported that his office would take over the prosecuting of all violations of the city ordinances and of the charter and the District Attorney of Stanislaus County would take over the prosecution of all

violations of state laws.

5 CALL FOR BIDS ON
DUPLEX PLUNGER PUMP

Councilman Mellis introduced

RESOLUTION NO. 9679-N.S.

which was seconded by Councilman R. Adams authorizing the City Clerk to call for bids for one new Duplex Plunger Pump in accordance with the specifications on file in the office of the Director of Public Works, said bids to be received at the office of the City Clerk until 2:00 P.M. on Monday, January 14, 1952 and to be opened and read in the City Council Chambers at 2:00 P.M. on Monday, January 14, 1952, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: Frad

6 CITY MANAGER J.L. FRANZEN
OF SALEM, OREGON

Mr. J.L. Franzen, City Manager of Salem, Oregon and his wife were introduced to the council by City Manager Miller. Mr.

Franzen has been touring the state and visiting the various city managers and Councils and spoke briefly to the Council concerning the recent annexation program carried on by the City of Salem.

Councilman Frad arrived at this time.

7 LETTER FROM HOUSING
AUTHORITY OF CITY
OF RIVERBANK

A communication from the Housing Authority of the City of Riverbank inviting the Council to a public dedication and open

house at the new rental project, Burney Villa, on January 13, 1952, at 2:00 P.M. was read and ordered filed.

8 ORDINANCE NO. 1014-N.S.
ESTABLISH PLANNING
COMMISSION-REPEAL ORD.
NO. 414-N.S.

Councilman Mellis introduced an ordinance being Ordinance NO. 1014-N.S.

entitled: "AN ORDINANCE ESTABLISHING A CITY PLANNING COMMISSION, DEFINING THE POWERS AND DUTIES OF SAID COMMISSION AND REPEALING ORDINANCE NO. 414-N.S. as AMENDED ", and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Annan, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

City Manager Miller informed the Council that in his opinion the introduction of this ordinance was a step ahead and that long range programming of public improvements is an essential part of a sound planning program.

9 LEGAL ACTION ON COLLECT-
ION OF TIE-DOWN FEES AT
AIRPORT

Councilman Annan introduced

RESOLUTION NO. 9680-N.S.

which was seconded by Councilman Merrill authorizing the City Attorney to take legal action for the collection of delinquent tie-down fees at the Municipal Airport against W.H. Skidgel, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: none

Absent: Councilmen: None

10 REQUEST INSTALL SIGN
ON COLLEGE AVENUE
MODESTO CITY SCHOOLS

A request was received from the Modesto City Schools for permit to install a sign approximately 24" x 30" about 8'

above the ground between the sidewalk and curb on the west side of College Avenue, midway between Stoddard and Coldwell Avenues, to read "Modesto Junior College Office", whereupon Councilman M. Adams introduced

RESOLUTION NO. 9681-N.S.

which was seconded by Councilman Merrill approving the installation of this sign as requested at a location approved by the City Director of Public Works, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

REQUEST M. L. SUTTON
INSTALL CONCRETE

M.L. Sutton, Cement contractor, filed a request with the

Council for permission to install a concrete approach en-

trance to the fire alley for the State Theatre on 13th Street, Block 107, lots 17-20 inc. and on the same block and lots, to fill in with concrete between sidewalk and curb, for property owner Mrs. B. C. Hawkins. He reported that it would be necessary to remove 20½ feet of the curb to install the approach entrance to the fire alley for the theatre. This request was referred to the City Manager for investigation and approval. Councilman R. Adams reported a piece of sidewalk should be replaced in the rear of the State Theatre building and near the location of the above request.

PURCHASE OF ROOSEVELT
SCHOOL PROPERTY

Councilman Mellis and Councilman R. Adams, members of the

committee on the purchase of the Roosevelt School building

property, reported that in the opinion of the committee, the costs to the city which would be involved in the acceptance of the Board's offer are in excess of what the City could pay or could justify to the city taxpayers and that therefore the city should not accept the offer. This was based partly on the understanding that the school felt that they needed 40% of the space for a period of ten years. They recommended that the city convey appreciation to the school board for this offer and the committee members be authorized to prepare this letter. The members of the Council agreed with the committee's position but expressed the feeling that even though the city could not accept this offer at this time that everything should be done to see that this piece of property remain in the hands of the citizens of the community and not be sold to private interests. Councilman Mellis introduced

RESOLUTION NO. 9682-N.S.

which was seconded by Councilman Annan rejecting the offer of the School Board for the purchase of the Roosevelt School property and authorizing the committee to send a letter to the school board setting forth the position of the City Council, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

City Manager Miller reported to the Council on a civic center in Richmond California which was planned and constructed prior and during the war and recommended that anyone interested to be sure and visit this center as it was, in his opinion, and outstanding accomplishment.

13 PARKING ON EIGHTH STREET

It was brought to the attention of the Council that the south end of 8th Street, where it intersects with F Street, due to the railroad tracks, became very narrow and it was recommended that parking be prohibited on the northeast side of 8th Street adjacent to the railroad tracks for 78 feet north from the center line of F Street. Councilman Annan introduced

RESOLUTION NO. 9683-N.S.

which was seconded by Councilman M. Adams establishing "no parking" on the northeast side of 8th Street for 78 feet north from the center line of F Street as this would relieve a traffic problem at this location and directing the Public Works Department to install the necessary signs, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

14 CHECK STRUCTURAL SAFETY OF POLICE DEPARTMENT BUILDING

Director of Public Works, Marvin E. Ray, was instructed to check the condition of the Police Department building and establish the fact as to whether the building was structurally safe and report his findings to the City Council.

15 CLOSE CITY OFFICES ON DEC. 24 and DEC. 31

Councilman Mellis introduced
RESOLUTION NO. 9684-N.S.

which was seconded by Councilman M. Adams authorizing the city offices to remain open on Saturday, December 22 and December 29, 1951 and to remain closed on Monday, December 24 and December 31, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks
Noes: Councilmen: None
Absent: Councilmen: None

Director of Public Works, Marvin E. Ray, introduced Fred E. Lange, the new Assistant Director of Public Works, to the Council and department heads.

16 There being no further business to come before the Council, the meeting was duly and regularly adjourned.

ATTEST: 
REX E. GAILFUS, CITY CLERK

Council Meeting
December 26, 1951

The Council of the City of Maesto met in regular session this date at 7:30 P.M. as provided by Ordinance No. 959-N.S.

Present: Councilmen: M. Adams, R. Adams, Frad, Mellis, Mayor pro tem Merrill
Absent: Councilmen: Annan and Mayor Marks

1 APPROVE MINUTES OF COUNCIL MEETINGS

Councilman: R. Adams introduced
RESOLUTION NO. 9685-N.S.

which was seconded by Councilman Mellis, approving the minutes of the Council meetings of December 5, 12, 17 and 19, 1951, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Mayor pro tem Merrill
Noes: Councilmen: None
Absent: Councilmen: Annan, Frad and Mayor Marks

LETTER FROM McCLATCHY
NEWSPAPERS

A communication from John J. Hamlyn, Counsel for

McClatchy Newspapers was read in which he requested that the McClatchy Newspapers be granted a revocable permit to maintain a curbing along the east side of their building in Block 106, lots 1 to 16 inc., as it is claimed this curbing is in violation of city ordinance No. 232-N.S.. He stated that the McClatchy Newspapers would assume all liability in connection with the curb. As this matter was being handled by Attorney Grimes, he stated that he would have a report to make in a short time. The matter was held over by the Council.

ADOPTION ORDINANCE
REGULATING CLOSING HOUR
OF BOWLING ALLEYS

Pursuant to the filing of a request by Attorney

Robert B. Fowler, representing the Modesto Bowl, owned by J. G. Santrizos, for the amending of Ordinances regulating the closing hour of bowling alleys in the city, to provide a closing hour of 2:00 A.M.; to provide if a series of games has commenced prior to 2:00 A.M. that that series be completed even though running past the appointed hour and to provide that the Council grant, by special resolution, an extension to 3:00 A.M. when tournaments are held, City Manager Miller reported that he had conferred with City Attorney Grimes and Chief of Police Pickering and had received a report from them. They had recommended and Attorney Robert B. Fowler had agreed, that a definite closing time be established and suggested the hour of 2:30 A.M., whereupon Councilman M. Adams introduced an ordinance being

ORDINANCE NO. 1015-N.S.

entitled: "AN ORDINANCE AMENDING SECTION 14 of ORDINANCE NO. 10-N.S. OF THE CITY OF MODESTO AS AMENDED BY ORDINANCE NO. 543-N.S. and ORDINANCE NO. 688-N.S." (establishing a definite closing hour of 2:30 A.M.) and moved its adoption and passage to print and publish, which motion being duly seconded by Councilman Mellis, it was upon roll call carried and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan, Frad and Mayor Marks

FINAL ADOPTION ORD.
NO. 1014-N.S. ESTABLISH
PLANNING COMMISSION
REPEAL ORD. NO. 414-N.S.

Ordinance No. 1014-N.S. entitled: "AN ORDINANCE ESTABLISHING A CITY PLANNING COMMISSION, DEFINING THE POWERS AND DUTIES OF SAID COMMISSION AND RE-

PEALING ORDINANCE NO. 414-N.S., as AMENDED" having been heretofore introduced and ordered and published at the regular meeting of December 19, 1951 and thereupon printed and published as required by the Charter of the City of Modesto, coming on for final adoption at this time, Councilman Mellis moved which was seconded by Councilman R. Adams and it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan, Frad, and Mayor Marks

ACCEPT DEEDS ON WIDEN-
ING OF BURNEY STREET

Councilman Mellis introduced

RESOLUTION NO. 9686-N.S.

which was seconded by Councilman M. Adams accepting deeds from the following persons:

Bernice Wood
Eugene Williford and Alta Williford, husband and wife
Donald E. Schmidt and Margaret June Schmidt, husband and wife
John E. Barrett and Edna M. Barrett, husband and wife
Harry Torge, a singleman
John Meterisian and Margaret H. Metersian, husband and wife
George Krajchovich

on property to be used in the widening of Burney Street and authorizing the City Clerk to record deeds with the County Recorder of Stanislaus County, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan, Frad and Mayor Marks

Councilmen Frad arrived at the meeting at this time.

6 REFUND BUILDING PERMIT FEE N. M. CECIL Pursuant to request of N.M. Cecil for refund of \$37.00 on building permit fee no. 17373, issued on February 13, 1951 for the building of a dwelling and attached garage in Block 235, portion of lots 11-12 in the City of Modesto, City Manager Miller recommended that due to the fact that the work had never been commenced and no inspection had been required of the City that a refund be authorized at this time. The City Manager reported that he and the City Attorney were cooperating to work out a specific refund procedure and would report to the Council at a later meeting. Councilman Mellis introduced

RESOLUTION NO. 9687-N.S.

which was seconded by Councilman M. Adams, recommending that the above refund be made at this time to N.M. Cecil and that the City Clerk be directed to draw warrant in amount of \$37.00, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan and Mayor Marks

7 FINAL PAYMENT TO STANDARD MATERIALS INC. SEWER LINE ON LUCERN Councilman R. Adams introduced RESOLUTION NO. 9688-N.S.

which was seconded by Councilman M. Adams authorizing final payment of \$2,795.50 to the Standard Materials, Inc., contractors on the construction of the sanitary sewer line on Lucern Avenue, between Coffee Road and El Camino and branch lines on El Terrino and El Camino, as the Director of Public Works reported that the 35 day lien period required by the contract has expired and no claims have been filed against the contractor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan and Mayor Marks

8 FINAL PAYMENT TO STOCKTON CONSTRUCTION COMPANY-SEWER LINE EMERALD AVENUE Councilman Frad introduced RESOLUTION NO. 9689-N.S.

which was seconded by Councilman Mellis, authorizing final payment of \$2,744.40 to the Stockton Construction Company on the construction of the sanitary sewer line on Emerald Avenue between Mark Twain and Franklin Schools as the Director of Public Works reported that the 35 day lien period required by the contract has expired and no claims have been filed against the contractor, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan and Mayor Marks

9 RESIGNATION OF COUNCIL-
MAN A. M. FRAD

The following letter of resignation was filed with
the Council by Councilman A. M. Frad

"Honorable Mayor and City Council
of the City of Modesto

Gentlemen:

As you know, during my term of office I have refrained from professional practice before the City Police Court. The merger of the City Police Court and the New Municipal Courts together with the enlargement of the jurisdiction of these new courts raise a question of to whether I should practice before such new courts without restriction.

Accordingly, in order to avoid any ethical problems and any reflection on my position on the Council, I hereby submit my resignation as Councilman of the City of Modesto as of the date hereof.

I wish to thank all of the people with whom I have had dealings, both as to city and other matters, for the wonderful cooperation and assistance given me. My associations have been most pleasant and rewarding. I wish I could now see my way clear to continue service this community.

I do want it clearly understood that the sole reason for my resignation is that I owe it to my clients to appear before the new courts and I wish to remove any question about my right to do so.

Respectfully yours

A.M. FRAD"

Councilman R. Adams introduced

RESOLUTION NO. 9690-N.S.

which was seconded by Councilman M. Adams accepting the resignation with regret that he found it necessary to resign and with sincere appreciation for the service he has rendered to the City, which resolution was regularly adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Frad, Mellis, Mayor pro tem Merrill

Noes: Councilmen: None

Absent: Councilmen: Annan and Mayor Marks

Members of the Council and City Manager Miller expressed their appreciation to Mr. Frad for his services and help in handling the city affairs, pointing out the value of his experience and his knowledge of city affairs to the new Council and Manager. Mayor Marks was authorized to write a letter to Councilman Frad thanking him for this service, which letter would be signed by all the members of the City Council.

10 There being no further business to come before the Council, the meeting
was duly and regularly adjourned.


ATTEST: REX B. GAILFUS, CITY CLERK
