

January 5th, 1922

The special meeting of the Council was called pursuant to written notices served on each member of the Council in compliance with Ordinance No. 2-N. S. and there were present Councilmen Turner, Cuneo, Parks, Utter and Mayor Ulrich, Absent: Councilmen None

The purpose of this meeting was for a further discussion of the revaluation of the City for assessment purposes and any other business that may come before the Council.

In the Matter of Removal of City Dumps:

A petition signed by several property owners living in the vicinity of the Modesto City dumps requesting the City Council to take immediate steps to have the City dumps removed claiming that in its present location it is a nuisance was filed. Mr. E. H. Williams representing the petitioners addressed the Council on the subject of the petition and suggested that if the Council wanted data as to other possible sites, the committee of the petitioners would canvass the situation. Councilman Turner moved that the Mayor appoint a committee of two of the Council to look into the matter and to confer with the petitioners. The motion was duly seconded, carried and so ordered whereupon the Mayor appointed Councilmen Utter and Parks to look into the matter and report at the next meeting.

In the Matter of Street Work:

A petition was filed by J. H. Courtney asking that the City Council take such steps as were necessary for the paving of Pleasant Street from Jennie to the north end of alley, that "D" Street from 14th Street to "B" Street, that the Alley from Spencer running to Fairview and that Fairview from its north end to Jennie be paved and that Carlson Street from Jennie to Grand be paved. Prior to the filing of this petition another petition in protest of it had been filed by property owners in the same district asking that James Street be eliminated from such proceedings. Councilman Turner moved that both petition and protest be referred to City Engineer Freitas for report at the next regular meeting as to advisability of proceeding with the work, general conditions, valuations of property and etc. The motion was duly seconded, carried and so ordered.

In the Matter of Athletic Field:

Mr. Le Hane appeared before the Council and raised protest against the detail arrangement of the Athletic field, which arrangement was approved by the Council at a recent meeting. Mr. Le Hane stated that the rear of a grandstand with its unsightly appearance would be detrimental to property valuations in the immediate vicinity of it. Mr. Le Hane further suggested a new site for the baseball grounds on this athletic field whereupon the Mayor appointed Councilman Utter to investigate and report at the next meeting as to the advisability of making the change.

In the Matter of Revaluation of City:

This subject which was previously discussed was opened by the Mayor who explained the proposed revaluation arrangement. After a brief discussion with the Mayor, Attorney Carlson went into details and explained for the benefit of the audience as much as he could regarding the details of the proposed plan. The proposed plan of having an outside valuation expert come into this City and equalize the assessments was vigorously opposed by several of the local men some of whom were Mr. Parley, Mr. West and Mr. Campbell. Mr. Campbell in a brief talk stated that he would be glad to have the Council consider his

as a local man for making a revaluation stating that he was sure that he would be able to do it for considerable less money and expense to the City. Mr. Geo. Threlfall, the County Assessor, being present at the meeting was asked to express his views regarding the necessity for a revaluation. Mr. Threlfall feels confident that the real estate values are at present very uniform and stated that there might be room for improvement in the adjustment of values on improvements.

Mr. Campbell was requested to submit figures together with an outline of a general plan which he would follow providing the Council saw fit to award the job to him. He was also requested to submit forms which he would use in the proposed work.

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With the idea of further investigating the merits of having the revaluation of the City made by an outside expert, Councilman Utter moved that the Mayor appoint Commissioner Cuneo to go south to Los Angeles and visit other cities in the southern part of the State where revaluations had been made with a view to determining the success of such action on their part and that Mayor Ulrich or Councilman Turner go and visit several Cities to the north to us and gather information for the same purpose and that their expenses be paid by the City out of the General Fund. The motion was seconded, carried and so ordered.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Wednesday, January 11th, 1922

The Council met in regular session Wednesday January 11th, 1922 and there were present Councilmen Cuneo, Parks, Turner and Utter. Absent: Mayor Ulrich Councilman \_\_\_\_\_ acting as Mayor.

In the Matter of Minutes:

The minutes of the regular meeting of December 28th, the adjourned meeting of December 30th and the special meeting of January 5th were read and ordered approved as read.

In the Matter of Automobile Camp Grounds:

The Realty Board of Modesto represented by Mr. Drake, Mr. Hill, Mr. Fields and Mr. Remont appeared before the Council to petition that some action be taken towards establishing an automobile camp ground in the City of Modesto. After a brief discussion of the subject a committee consisting of Councilman Turner and Parks was appointed by the Acting Mayor to confer with the Realty Board and further investigate the merits of the proposition.

In the Matter of Furnishing Water Outside of City Limits:

Mr. Donkin who owns property just outside of the City limits facing on Caldwell petitioned the Council to permit him to use city water. Other parties, being Mr. L. A. Randolph and Mr. Chapman, having previously consulted the Commissioners on the same subject and decision was held up by reason of the Attorney's opinion as to the City's right to grant such privilege and reserve the right to discontinue it when they saw fit. Councilman Turner moved that the application of Mr. Donkin and Mr. Randolph be granted subject to the City reserving the right to discontinue service whenever it seemed necessary. The motion further provided that should Mr. Donkin and Mr. Randolph or any of the other petitioners expect service through lines previously laid by other parties that the necessary arrangement be made between the applicant and the owners of the line already laid for his connection thereto. The motion was duly seconded, carried and so ordered.

In the Matter of Mr. Courtney's petition:

Mr. J. H. Courtney appeared before the Council and asked permission to take the name of Carlson Street off of his petition in which he asked for the paving of several other streets. By unanimous action of the Council, the Clerk was authorized to strike the name of Carlson Street off of Mr. Courtney's petition at the request of Mr. Courtney, Mr. Davis and Mr. Ashworth and to attach a rider to the petition stating the above fact.

In the Matter of Awarding Contract for the paving of Sixth Street from "I" to "K" Streets:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 131, and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file one bid which opened, read as follows including the action of the Council in said matter:

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF SIXTH STREET FROM "I" TO "K":

Grading	@	\$.05 per sq. ft.
Paving	@	\$.22 per sq. ft.
Gutter	@	\$.20 per sq. ft.
Curb	@	\$.70 per lin ft.
Headers	@	\$.12 per lin ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 131-S. P. Resolution of Award No. 131 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Appointment of Policewoman:

At several of the previous meetings of the Council the W.C.T.U. have appeared before the Council and requested that a policewoman be appointed to work with the police force of our City. After carefully considering the matter the Council entertained a resolution introduced by Councilman Turner being

RESOLUTION NO. 717-W. S.

RESOLUTION NO. 717-N.S.

RESOLVED, that for the protection of public health and safety a policewoman be appointed to act on the police force of the City of Modesto and to co-operate with the other members of the force and be under the supervision of the Chief of Police.

BE IT FURTHER RESOLVED that the salary of this appointed policewoman shall be \$25.00 per month effective from January 15th, 1922.

The foregoing resolution was introduced at a regular meeting of the Council held on the 11th day of January 1922 by Councilman Turner, who moved its adoption, which motion being duly seconded, it was carried by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

In the Matter of Petition for Street Light at corner of Myrtle and Alice:

A petition presented and signed by several property owners in the neighborhood of Myrtle and Alice asks that the Council take steps to see that a street light is installed at that intersection. After considering the petition it was determined that there were no materials on hand at the present time but that in the course of a short time Needham Avenue would be improved and considerable street lighting equipment would be required in the improvement of this street and provision would at that time be made for extending a street light over the intersection of Myrtle and Alice Streets. The Clerk was authorized to notify the signers of this petition to that effect.

In the Matter of Southern Pacific Company Lease for Borden Storm Sewer Crossing:

It develops that in order to run a connection from the present storm sewer to Borden Company's plant to carry off waste water it is necessary to cross underneath the S.P. tracks. The necessary consent having been given by the Modesto Irrigation District to the City of Modesto for laying their storm sewer at a point where the railroad crosses Lateral No. 4 of the Modesto Irrigation District in the bottom of the lateral, the S.P. Company have executed a lease in duplicate which was adopted by the Council by a resolution being

RESOLUTION NO. 718-N.S.

The Resolution was adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

In the Matter of Plumbers License:

O. J. Reynolds filed application together with necessary bond for plumbers license in the City of Modesto. After due consideration Councilman Utter moved that the license be granted. The motion was seconded and carried by a vote of all present.

In the Matter of Report on Conditions at City Dumps:

Councilman Utter having been previously appointed a committee of one to look into the matter of a new location for the city dumps reports that at the present time no new

location was in sight. A suggestion was made that the City investigate the merits and cost of an incinerator whereupon Councilman Utter was retained on the Committee to further investigate the report his findings.

In the Matter of Reports of Department Heads:

Reports from the Police and Health Department were read and ordered placed on file with the City Clerk.

In the Matter of Sale of Improvement Bonds of the City of Modesto issued under the Improvement Act of 1915;

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 86. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 132-S. F.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR.

WHEREAS, the City Council of the City of Modesto, did on the 16th day of December, 1921, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessment levied for certain work done and improvement made in block 343 fully described in Resolution of Intention No. 120 in pursuance of the "Improvement Act of 1911", and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$1,345.57.

I, the undersigned hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto at a regular meeting of said Council, held on the 11th day of January, 1922, by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

H. A. Love

City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 224-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE AND ACQUISITION BY THE CITY OF APERATUS AND EQUIPMENT FOR REPAIRING ITS PAVED STREETS, AND APPROPRIATING FUNDS THEREFOR and which was read, introduced, adopted and passed to print on the 28th day of December, 1921, and having been published as required by law, Councilman Turner moved the final adopted of the Ordinance. The motion was seconded, the Ordinance adopted, final, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Cuneo Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 135-S.P.

Resolution Ordering Plans and Specifications.

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvements to be made in said City, to-wit:

That Magnolia Avenue from the north line of Needham Street northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District, be graded to the official sub-grade: also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete Base Two and one half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic Wearing Surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That corrugated Iron Part Circle and concrete Culverts, be constructed on the northeast gutter line, the southeast gutter line, the northwest gutter line, the southwest gutter line of Morris and Magnolia Avenues, on both sides of Magnolia Avenue extended and produced: also on the northeast gutter line, and southeast gutter line, the northwest gutter line, the southwest gutter line of Magnolia Avenue and Stoddard Avenue. On the east side of Magnolia Avenue and Stoddard Avenue. On the east side of Magnolia Avenue across Stoddard Avenue and Magnolia Avenue. On the west side of Magnolia Avenue across Stoddard Avenue from the northwest gutter line southeasterly to the southwest gutter line of Magnolia and Stoddard Avenues. On the northeast gutter line, the southeast gutter line, the northwest gutter line, the southwest gutter line of Magnolia Avenue across Wright Street along the gutter line of Magnolia Avenue extended and produced; also on the northeast gutter line, the southeast gutter line, the northwest gutter line, the southwest gutter line of Magnolia Avenue and Alice Street, on both sides of Magnolia Avenue across Alice Street along the gutter line of Magnolia Avenue extended and produced; also

That concrete electroliers of the kind known by the trade name "Marbelite" Type 700) complete with globe, wires, pipe conduit, and other necessary and suitable appliances, to-wit: pull in boxes, and concrete structure around each post twelve (12) feet long and five (5) feet wide for the protection thereof for the purpose of lighting said street be constructed at the following points; on the center line of Magnolia Avenue at points 25.2 feet, 220.2 feet, 415.2 feet respectively north of the north line of Needham Street; on the center line of Magnolia Avenue at point 25 feet, 200 feet, 375 feet respective north of the north line of Alice Street. At points 25 feet north of the north line of Wright Street and 25 feet south of the south line of Stoddard Avenue; on the northwest curb line of Stoddard Avenue and Magnolia Avenue; on the east curb line of

Magnolia Avenue 197.83 feet north of the north line of Stoddard Avenue; on the west curb line of Magnolia Avenue 405.16 feet north of the north line of Stoddard Avenue; on the southeast curb line of Magnolia Avenue and Morris Avenue; on the west curb line of Magnolia Avenue 131.5 feet north of the north line of Morris Avenue; on the east curb line of Magnolia Avenue 263 feet north of the north line of Morris Avenue; on the west curb line of Magnolia Avenue 385 feet north of the north line of Morris Avenue.

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 11th day of January, 1922, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: ~~XXXX~~ Mayor Ulrich

Attest: L. A. Love  
City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

Resolution No. 136-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 135 by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

Resolution No. 137-S. P.

Resolution of Intention No. 135

Providing for the grading and paving with Asphaltic Concrete base two and one-half inches in thickness and a Warrenite-Bituminous wearing surface one and one-half inches in thickness and curbed on both sides to the official grade with a cement concrete curbing and for the construction of cement concrete gutters, etc and that corrugated iron part circle and concrete culverts and electric lighting equipment be constructed as more fully set forth in said Resolution of Intention which was introduced and adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Cuneo, Mayor pro-tem

Noes: Councilmen None

Absent: Mayor Ulrich

In the Matter of Lighting Equipment

Councilman Utter moved that a head as shown on page of type 1200 American Concrete Company's catalogue of 1921 be adopted as standard for street lighting and replace present heads used on Gasolobras which City take over the lighting standards which are at present controlled by Modesto Gas Co.

In the Matter of Claims:

The claims for the month of December were duly audited and withdrawals were made from the following fund accounts as follows:

Library	\$1,005.05
General	11,727.34
Water	4,133.28
Storm Sewer	293.29
Personal Property Tax Trust Fund	1,441.12
Bordens Storm Sewer Fund	323.25
Tree Dist. #61	29.38
Tree Dist. #62	4.99
Tree Dist. #70	9.38
Bond Red. & Int	8,400.00
St. Bond Red. & Int.	.65

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Athletic Field on Aviation Ground:

A further discussion was entered into regarding the detail arrangements of the athletic field on the southwest portion of the aviation field. It was moved by Councilman Utter that all former action taken regarding the location and arrangements of the Municipal Athletic Field be rescinded and that a new plan as per suggestions offered be made by the City Engineer and submitted for approval and that the City Engineer make a new map of his plan and file a copy of same with the City Clerk.

In the Matter of Supplies for Electric Department:

Attention of the Council was drawn to the fact that the time is drawing near when the City will be able to take over the gasolobras which are now stationed along several of the most traveled thoroughfares in the City whereupon Councilman Turner moved that the Commissioner of Supplies be empowered to order such extra and additional supplies as will be needed at the time the City takes this equipment over.

In the Matter of Repairs to Hangar:

Attention of the Council was called to the fact that the repairs which were to have been made on the hangar by Mr. Tutthill some time ago had not been made whereupon Councilman Turner moved that the Street Superintendent be authorized to make the necessary repairs to the hangar and to further collect the rent from Mr. Tutthill.

No further business appearing the Council on motion adjourned to meet Wednesday evening January 18th at 7:30 o'clock P. M. at the City Hall.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Wednesday January 18th, 1922

The Council met pursuant to adjournment from the regular meeting of January 11th, 1922, and there was present Councilmen Parks, Cuneo, Turner, Utter and Mayor Ulrich.

Absent: Councilmen None

In the Matter of Improving Dry Creek and West Side Parks:

Representatives from the Chamber of Commerce appeared before the Council to ask that the City take some action towards the improvement of Dry Creek and West Side Parks in the way of planting ornamental shrubbery and trees and that an appropriation of approximately \$600.00 be made for that purpose this year. After due consideration the Council expressed themselves as favoring the movement, however they are desirous of taking the matter up with the park commission for their consideration.

In the Matter of Improvement of Municipal Athletic Field:

Members of a committee representing the Municipal Athletic Association appeared before the Council to ask the Cities support in financing a campaign for the improvement of the athletic field. It was shown that they proposed to spend in the neighborhood of \$3,500.00 for improvements and that the Chamber of Commerce have approved the movement and extend a credit of one-half that amount to them for the above mentioned purpose. Councilman Turner moved that an expenditure of \$1750.00 representing one-half of the total amount which is contemplated to be obtained for improvements on the Municipal Aviation Field by the Municipal Athletic Association be guaranteed by the City. The motion was duly seconded, carried and so ordered.

In the Matter of Revaluation of the City of Modesto:

Commissioners appointed at previous meetings to investigate the matter of re-valuation in the City of Modesto reported but up to the present time their investigations are not complete whereupon Councilman Turner moved that final action be deferred on this matter until such time as investigations have been completed and the Council feel competent to act. The motion was seconded and so ordered.

In the Matter of Athletic Field:

Mr. H. B. Maxey appeared before the Council and endeavored to show that the new site which had been suggested at the last meeting was inadequate for the purpose it was intended and offered further suggestion as to the placing of the athletic field. A lengthy discussion was entered into by the members of the Council and citizens generally after which a motion was made by Councilman Turner to the effect that the matter be left in the hands of Councilman Utter and City Engineer Freitas who should be appointed as a committee to confer with a committee from the Modesto Athletic Association to arrange a further detail of arrangements for this proposed athletic field. The motion was seconded, carried and so ordered whereupon the Mayor appointed the committee above suggested.

In the Matter of Protests against Auto Camp Ground at Enslan Park:

A petition of protest was filed with the City Clerk on January 17th and presented to the Council at this meeting. The signers of this petition protest vigorously against the City Council adopting Enslan Park as an auto camp ground whereupon Councilman Cuneo moved that the petition be placed on file for further reference. The motion was seconded, carried and so ordered.

In the Matter of Contract for Electric Lamps:

The period for renewing the contract for incandescent fixtures is at hand and contracts were submitted by Sullivan Electric Co and Lentz & Harrington. After due consideration Councilman Turner moved that the contract for the year 1922 be awarded to Lentz and Harrington. The motion was carried by a vote of all members present.

In the Matter of Alteration in Building within Fire Limits:

Dr. Milton appeared before the Council to ask permission to make certain alterations at his residence at 715 - 12th which building is in the fire limits. It was explained that the alterations are necessary and urgent and shown that the making of such alterations would in no way increase the fire hazard whereupon Councilman Parks moved that the request be granted. The motion was carried by a vote of all members present.

In the Matter of Improving Beard Park:

Mr. Morris Chairman of the City Park Commission came into the meeting at this point and the matter of planting shrubbery and trees taken up earlier in the evening by the Chamber of Commerce was presented to him. After due consideration of the matter, Councilman Turner moved that the City Park Commission be empowered to proceed with the development of the Beard Park by planting about three hundred trees and improving the grounds with an expenditure not to exceed \$650.00 and that this amount asked for be allotted to them for this purpose over and above the amount asked for by them in their 1921-1922 budget. The motion was seconded and carried by a vote of all members.

In the Matter of Closing Davis Street between Semple and Johnson Street:

On November the 5th, 1919 Mr. Burgess presented a petition to the Council requesting that Davis Street between Semple and Johnson be closed and according to the present findings the petition was favorable acted upon and the necessary proceedings were ordered drawn up. However the records fail to show that they were ever regularly passed upon by the Council whereupon the following resolution was introduced being

Resolution No. 138-S. P.

Resolution of Intention No. 136

A Resolution of Intention to close a portion of Davis Street in the City of Modesto.

WITNESAS, the public interest and convenience require the work hereinafter specified to be done,

NOW? THEREFORE, Be It Resolved that it is the intention of the Council of the City of Modesto to order the work done and improvement made which is described as follows:

That that portion of Davis Street lying between the westerly line of Semple Street and the easterly line of Johnson Street be closed in whole.

And the said City Council does hereby determine and declare that said public work and improvement is of more than local or ordinary public benefit and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be

the district affected and benefited by said work and improvement, and that, therefore, the entire damages, costs and expenses of said work and improvement, if any, shall be and are hereby made chargeable against and shall be assessable upon said land and said district, which said district is within the City of Modesto, County of Stanislaus, State of California, and the exterior boundaries of the lands affected and to be benefited by said work and improvement are described as follows:

Beginning at the Northeasterly corner of Lot Eleven (11) in Block Five Hundred Seventy-two (572) of the City of Modesto; thence in a southerly direction along the westerly line of Sample Street to the southeasterly corner of Lots Two (2) in Block Five Hundred Seventy-one (571); thence in a westerly direction along the southerly line of said Lot Two (2) across the alley in a line with the southerly line of said Lot Two (2) to the southeasterly corner of Lot Forty-five (45) in Block Five Hundred Seventy-one (571); thence westerly along the southerly line of Lot Forty-five (45) to the Easterly line of Johnson Street; Thence northerly along the easterly line of Johnson Street to the northwesterly corner of Lot Fourteen (14) in Block Five Hundred Seventy-two (572); thence in an easterly direction along the northerly line of Lot Fourteen (14) and Lot Eleven (11) and along the Northerly line of said lots produced through the alley in Block Five Hundred Seventy-two (572) to the northeasterly corner of Lot Eleven (11) in Block Five Hundred Seventy-two (572), the point of commencement, saving and excepting and excluding from said district all public streets, avenues and roads therein included and contained.

All of the herein proposed work shall be done in pursuance of an Act of the Legislature of the State of California entitled "An Act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose." approved March 6th, 1889.

The street and block numbers referred to are those designed and delineated upon the official map of the City of Modesto adopted on January 14th, 1920 and on file in Vol. 10 of Maps in the County Recorder's Office of Stanislaus County, California.

The Street Superintendent is hereby directed to post notices of said contemplated work and improvement as required by said Act and to cause such a notice to be published for a period of ten days in the Modesto Morning Herald, a daily newspaper published and circulated in said City, which daily newspaper is hereby designated for that purpose by the City Council.

The foregoing Resolution was adopted by the following vote:

Ayes: Councilmen Gunes, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 18th day of January, 1922 by the vote indicated above.

Dated: January 18, 1922.

E. A. Love

City Clerk

In the Matter of Railroad Reservation Auto Park:

It now develops that the City in connection with the Chamber of Commerce are ready to proceed with the work of improving the railroad auto park on 9th between I and K. It was shown that they do not have necessary funds with which to proceed with this work whereupon the Clerk was authorized by the Council to write to the Southern

Pacific Company and ask that they comply with section 10 of their lease wherein they agree to assume \$2400.00 of the expense of placing said premises in condition for auto parking.

No further business appearing the Council on motion adjourned to meet again Friday evening January 20th to further discuss the details of the Municipal Athletic Field and railroad park.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Friday Evening January 20th, 1922

The Council met pursuant to adjournment and there was present Councilmen Cuneo, Parks, Utter and Mayor Ulrich Absent: Councilmen Turner

In the Matter of Athletic Field Site:

Discussion was again renewed as to the location for the Athletic Field which is to be established on the north end of the Aviation Field. After due deliberation Councilman Cuneo moved that the Athletic Park be located in the southwest corner of the Exposition Park as shown on the map submitted by the committee representing the Municipal Baseball Association. He further moved that the fence which would eventually be erected to enclose the field be made as attractive as possible. He further moved that the northwest portion of the Aviation Field be leveled off by the City and be maintained as a practice field for athletic sports such as baseball, football, etc. The motion was seconded by Councilman Parks and carried by the following vote:

Ayes: Councilmen Parks, Cuneo and Mayor Ulrich

Noes: Councilman Utter

Absent: Councilman Turner

Mr. Roy B. Maxey, chairman of the committee for the baseball association, expressed the sentiments of the association in regard to the fencing by stating that it was their intention to construct the fence which should surround the athletic field so that it would be attractive and ornamental and that it would also be painted and be kept free from signs and posters.

In the Matter of Revaluation of the City Property:

This matter was again taken under advisement by the Council. The mayor made a report which covered his investigations made on a recent trip south. After a brief discussion the Council were apparently agreed that should a revaluation be made of the improvements only that it would not be necessary to call in the assistance of an outside expert but that the matter could probably be handled just as well by local men. The City Assessor made a suggestion for the handling of this problem by obtaining the cooperation of the County Assessor whereupon Councilman Utter moved that a committee be appointed to confer with the County Assessor Monday evening and discuss the details of the proposed arrangements. The motion was seconded, carried and so ordered whereupon the

Mayor appointed a committee consisting of Councilmen Cuneo and Turner and City Assessor Love to meet and confer with the County Assessor as above related.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest:   
City Clerk

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Council, City of Modesto  
Wednesday Jan. 25th. 1922

The Council met in regular session Wednesday January 25th, 1922 and there was present: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich Absent: Councilmen None  
In the Matter of Minutes:

The minutes of the regular meeting of January 11th and the adjourned meetings of January 18th and 20th were read and ordered approved as read.

In the Matter of Pacific Gas & Electric Co's Right of Way:

Mr. Northcutt representing the Pacific Gas & Electric Company petitioned the Council for a right of way for their pole line through a piece of City property which property is known as the City of Modesto sewer farm. No objection could be seen to granting this right of way whereupon Councilman Cuneo introduced

RESOLUTION NO. 719-N. S.

which upon roll call was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sewer and Water in Block 30:

Mr. Walter Beard appeared before the Council to petition that the City construct sewer and water mains in the alley of Block 30, he showing that extensive improvements are being made in that block and such sewer and water lines are badly needed. Councilman Cuneo moved that the water department be instructed to make the necessary installation of water mains and that the laying of the sewer be held up until further investigation is made. The motion was carried by a vote of all members present.

In the Matter of Petition against Athletic Field Site:

Mr. Joe Cross an Attorney representing several of the property owners in the vicinity of the Municipal Aviation Field presented a petition in their behalf protesting against the present location of the athletic field and further protesting against the erection of a board fence around such field and the annoyance to which they will be subjected if the field is allowed to exist as planned. The Council listened to the petition and arguments by Mr. Cross, Mr. Le Hane and Mr. Maxey after which Councilman Parks moved that the action of the Council on the evening of January 20th regarding the location of the Athletic Field Site be sustained. The motion was seconded by Councilman Turner and was carried by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Councilman Cuneo then moved that a committee be appointed to see that plans and specifications be submitted for whatever work is to be done on the athletic field and that the committee appointed be authorized to see that such plans are lived up to during the construction of any improvements placed on the property and furthermore that trees be planted along the line of Roselawn and South Avenue around the Aviation and Athletic Field. The motion was duly seconded, carried and so ordered.

In the Matter of Awarding Contract for the Improvement of 11th Street between "F" and "B" Street from the northeast line of Eleventh to Tenth Street:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 132 and all due and legal proceedings having been thereafter had under and pursuant to said resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file one bid for each piece of work which opened, read as follows including the action of the Council in said matter:

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF 11th ST BETWEEN "F" AND "B" AND "B" STREET FROM 11th to 10th:

Grading	@	\$.05 per sq. ft.
Paving	@	\$.17 per sq. ft.
Gutter	@	\$.20 per sq. ft.
Curb	@	\$.70 per lin. ft.
Headers	@	\$.12 per lin. ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted. and thereupon introduced Resolution No. 132-S.P. Resolution of Award No. 132 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Awarding Contract for the Improvement of Maynell:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 133 and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council, and said resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session proceeded to publicly open, examine and declare the same, There was on file one bid which opened, read as follows including the action of the Council in said matter:

Grading	@	\$.10 per sq. ft.
Paving	@	\$.17 per sq. ft.
Gutter	@	\$.20 per sq. ft.
Curb	@	\$.70 per lin ft.
Headers	@	\$.12 per lin ft.
8" Vit. Sewer pipe		\$.55 per lin. ft.
Storm water inlets		\$25.00 each
Manholes	@	\$55.00 each

The bid being duly considered, Councilmen Turner moved that the bid be held up for further investigation by the City Engineer.

In the Matter of Filing Assessment List and of the time fixed to Show cause Why Bonds should not be issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 121, Assessment No. 97, and no written objections being presented, the Council thereupon under Resolution No. 140-S. P. determined the assessments which are unpaid in the aggregate amount of the same and the denomination of the bonds. The following is the resolution of the Council in the matter duly passed and ordered entered upon its minutes:

Resolution No. 140-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 10th day of August, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 121 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessment and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty (all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 25th day of January, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$932.97.

NOW, THEREFORE, BE IT RESOLVED:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list is on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$932.97

Be It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$932.97 in the aggregate; that said bonds shall be issued in ten series of 1 bond in each series, shall each and all be dated the 6th day of January, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July, respectively, of each year; and that the first payment of interest shall not become due until six months before the

maturity of the first series of bonds, that is, on January 2nd, 1923; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

No. of Bond	Amount of Bond	Maturity
No. 1	91.47	July 2, 1923
No. 2	93.50	July 2, 1924
No. 3	93.50	July 2, 1925
No. 4	93.50	July 2, 1926
No. 5	93.50	July 2, 1927
No. 6	93.50	July 2, 1928
No. 7	93.50	July 2, 1929
No. 8	93.50	July 2, 1930
No. 9	93.50	July 2, 1931
No. 10	93.50	July 2, 1932

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening, the 8th day of March, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury: that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Turner who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 25th day of January, 1922.

L. A. Love,  
City Clerk

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 134 coming up for consideration and more than 15 days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 134.

Resolution No. 141-S.P.

In accordance with certain plans and specifications heretofore adopted on the 28th day of December, 1921 and pursuant to Resolution of Intention No. 134 was introduced and upon roll call was declared adopted by the following vote

Ayes: Councilmen Gunes, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 142-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Needham Street from the center line of Ninth Street easterly to the center line of McHenry Avenue be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete Base three (3) inches in thickness and a Barrenite-Bitulithic Wearing surface two (2) inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters: excepting therefrom any of said work already done to the official line and grade: excepting, however, from the aforedescribed work such portions as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; also

That concrete electrolliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, and other necessary and suitable appliances for the purpose of lighting said street be constructed at the following points; on the south curb line of Needham Street at a point where the center line of alley running north and south through Block 506 extended and produced intersects the south curb line of Needham Street: on the northwest curb line of Nellie Avenue and Needham Street: on the north curb line of Needham Street at a point 165 feet west of the west line of Nellie Avenue; on the northwest curb line of Myrtle Avenue and Needham Street: on the south curb line of Needham Street at a point 55 feet east of the northeast line of Tenth Street: on the north curb line of Needham Street at a point 92 feet west of the west line of Olive Avenue; on the south curb line of Needham Street at a point 26 feet west of the southwest line of Eleventh Street: on the north curb line of Needham Street at a point 3 feet east of the east line of alley through Block 510 extended and produced; on the south curb line of Needham Street at a point where the center line of Orange Avenue extended and produced intersects the south curb line of Needham Street: on the north curb line of Needham Street at a point 3 feet east of the east line of alley through Block 515 extended

and produced: on the southeast curb line of Virginia Avenue extended and produced and Needham Street; on the north curb line of Needham Street at a point 3 feet west of the west line of alley in Block 516 extended and produced: on the south curb line of Needham Street at a point 60 feet east of the northeast line of alley through Block 89; on the northeast curb line of Needham Street and Hackberry Avenue; on the northwest curb line of Poplar Avenue and Needham Street: on the south curb line of Needham Street at point of intersection with center line of alley through Block 528 extended and produced: on the south curb line of Needham Street at a point 80.77 feet east of the east line of Park Avenue extended and produced; on the south curb line of Needham Street at a point where the southeast curb line of "L" Street intersects the south curb line of Needham Street: On the northwest curb line of Needham Street and Sycamore Avenue; on the south curb line of Needham Street at a point 5 feet east of the west line of alley through Block 534 extended and produced intersects the south curb line of Needham Street: on the north curb line of Needham Street 35 feet west of the west line of Magnolia Avenue; on the center of triangular park at the intersection of Magnolia Avenue, K Street and Needham Street: on the north curb line of Needham Street at a point 3 feet east of the east line of alley through Block 549 extended and produced; on the south curb line of Needham Street at point of intersection with the center line of Elmwood Avenue extended and produced: on the north curb line of Needham Street at a point 140 feet east of the center line of Elmwood Avenue; on the south curb line of Needham Street at a point 282 feet east of the center line of Elmwood Avenue.

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto the 25th day of January 1922, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

L. A. Lowe

City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

Resolution No. 143-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 137 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Resolution No. 144-S.P.

Resolution of Intention No. 137

Providing for the grading and paving of Needham Avenue with an asphaltic concrete base three (3) inches in thickness and a Warrenite-Bitulithic wearing surface two (2) inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters, etc. and also for electrical street lighting equipment as more fully set forth in said Resolution of Intention was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Application for Plumbers License:

W. G. Tilgham presented to the Council an application for plumbers license, the application being accompanied by the necessary bond in the amount of \$2500. After due consideration Councilman Turner moved that the license be granted. The motion was duly seconded, carried and so ordered.

In the Matter of Revaluation of Improvements:

The discussion of making a revaluation of the improvements of the City of Modesto was again entered into. Councilman Cuneo moved that the Council go on record as favoring a revaluation of the improvements in the City of Modesto according to plans discussed and also that a committee be appointed to investigate the matter further and work out a plan for making this revaluation and find the necessary qualified help to work with the City Assessor in doing it. The motion was seconded, carried and so ordered whereupon the members of the Council suggested that Councilman Cuneo and Mayor Ulrich act as the committee. The committee thus appointed duly accepted the appointment. Councilman Utter then moved that the committee be empowered to employ two competent men to take charge of the measuring of buildings. The motion was carried by a vote of all members present.

In the Matter of Purchase of Sewer Pipe:

Attention of the Council was called to the fact that the supply of sewer pipe was exhausted whereupon Councilman Cuneo moved that the Commissioner of Supplies be authorized to buy another car load of sewer pipe. The motion was seconded, carried by a vote of all members present.

In the Matter of Resurfacing Streets:

In line with a subject brought up several weeks ago the Street Superintendent reported that there are forty-one blocks of pavement in the business district of the City which need resurfacing. It was shown that to neglect this work would mean an additional expenditure of many thousand dollars in the course of two or three years whereupon Councilman Cuneo moved that the Engineer be instructed to prepare plans and specifications for resurfacing the streets and intersections as shown on the report made by the Street Superintendent. The motion was seconded, carried and so ordered.

In the Matter of Leave of Absence of Councilman Turner:

Councilman Turner explained that within the next thirty days it was likely he would be making a trip east for business reasons and that in all probabilities he would not return within from forty to sixty days. Councilman Cuneo moved that Councilman Turner be granted a leave of absence for the period of time mentioned above which motion was duly seconded, carried and so ordered.

No further business appearing the Council on motion adjourned to meet Wednesday Evening February 1st, 1922.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

-----  
Council, City of Modesto

Wednesday, February 1st, 1922

✓  
The Council met pursuant to adjournment and there was present Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Paving High Street Between Downey and "H" :

Some several weeks ago a petition was filed by the property owners in the neighborhood of James and Downey in which it was asked that the short portion of High Street between "H" and Downey be paved at the same time that Downey Avenue and James Street are paved. Attention was called to the fact that this little piece of street was omitted from the proceedings under Resolution of Intention No. 122 and it is the feeling of the Council that the work should be done. Councilman Cuneo moved that the City Engineer be instructed to confer with the owners of the property facing this particular portion of the street and urge them to take advantage of an opportunity to have the work done by private contract. The motion was duly seconded, carried and so ordered.

In the Matter of Revaluation of Improvements:

In line with previous discussion on the subject the matter of making a revaluation on improvements in the City of Modesto was again entered into. After a lengthy discussion of the subject, Councilman Cuneo introduced an Ordinance being

ORDINANCE NO. 225-N. S.

Entitled "AN ORDINANCE RELATING TO THE ASSESSMENT OF IMPROVEMENTS UPON REAL PROPERTY AND THE APPROPRIATION OF FUNDS FOR THE ENFORCEMENT OF THIS ORDINANCE" which was introduced by Councilman Cuneo who moved the adoption of the Ordinance. The motion was seconded by Councilman Utter and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Parks, Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Councilman Utter thereupon moved that Councilman Cuneo and Mayor Ulrich be retained as a permanent committee with power to act throughout the period necessary to complete the revaluation of improvements. The motion was seconded, carried and so ordered by a vote of all members present.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

The following matter was omitted from the reading of the minutes of this day and was ordered incorporated into the minutes of this meeting by order of the Board February 8th, 1955.

In the Matter of Time of Hearing Protests for Closing of Davis Street:

Councilman Cuneo introduced a resolution being

Resolution No. 145 A - S.P.

a resolution fixing a time for hearing protests on the closing of a portion of Davis Street. The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Council, City of Modesto

Wednesday Feb. 8, 1922

The Council met in regular session Wednesday February 8th, 1922 and there was present Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Absent: Councilman Turner.

In the Matter of Minutes:

The minutes of the regular meeting of January 25th and the adjourned meeting of February 1st were read and approved as read.

In the Matter of Referendum Petition in regard to Athletic Field:

A petition signed by approximately four hundred citizens was presented to the City Clerk on February 4th in twelve sections. The petition demands that the action of the Council taken on the evening of January 20th on a motion by Mr. Cuneo to the effect that the location of the Athletic Field be in the southwest corner of the Exposition Parks as shown on a map submitted by the Committee representing the Municipal Baseball Association be repealed and that unless the Council saw fit to change their attitude in regard to the location of this field and the incidental work to be done that a special election be called for the purpose of determining whether or not the field should be made as the Council provided or not. After consultation with the City Attorney the Council was advised that the petition was out of order and should be set aside whereupon Councilman Utter offered a resolution being

Resolution No. 720-N. S.

to the effect that the petition be placed on file in the City Clerk's office and no further action be taken in regard to it. The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner

In the Matter of Initiative Petition Demanding an Election for Junior College Site:

Under date of February 7th an initiative petition was filed by a committee demanding that the Council of this City call a special election for the purpose of dedicating lands belonging to the City of Modesto the Modesto Junior College District of Stanislaus County for educational purposes. The petition was duly considered whereupon a resolution was introduced by Councilman Utter being

Resolution No. 721-N. S.

providing for a special election to pass upon an initiative ordinance requested by the people setting the date therefor as March 28th, 1922. The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Meat Inspector:

A great deal of complaint has been registered with various members of the Council regarding the procedure necessary to have meat inspected by the State Meat Inspector now located at the two slaughter houses adjacent to the City. It is claimed by the small dealer and jobber that the State Inspector at these slaughter houses refuses to inspect their meats causing them a great deal of annoyance and unnecessary expense. After considering their problems Councilman Cuneo moved that Sanitary Inspector Holtham make arrangements with a man competent to handle meat inspection for the City and any one who may have meat for inspection may bring such meat before the appointed inspector for inspection. He suggested that Sanitary Inspector arrange with some veterinary capable of inspecting meats and that whosoever this meat inspector may be, that he establish a fee of twenty-five cents per head which fee shall be his salary for the meat inspector and furthermore that this meat inspector shall be under the jurisdiction of the City Council and Sanitary Inspector. The motion was duly seconded and carried by a vote of all members present.

In the Matter of Street Work:

The work heretofore authorized to be done by the consent of the City of Modesto under the Street Improvement Act of 1911 in pursuance of the Resolution of Intention No.

135 and more than fifteen days having expired after the last publication of the Resolution of Intention and posting of the Street Superintendent's notice and written protests of the work therein described having been made and delivered as permitted by said act and said protests having been duly considered Councilman Cuneo introduced

Resolution No. 145-S. P.

being a resolution overruling protests .

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner

Councilman Parks then introduced another resolution being

Resolution No. 146-S.P.

which resolution rescinds all of the proceedings on Magnolia Avenue

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

The City Engineer was authorized by the Council to prepare plans and specifications for the paving of Magnolia from Needham Street to Stoddard Avenue and to prepare another set of plans and specifications for the paving of Magnolia from Stoddard to the Canal.

In the Matter of Awarding Contract for the Paving of James Street from Jennie to Spencer:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described, which Resolution is entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 134 and all due and legal proceedings having been thereafter had and under pursuance to said Resolutions, as appears by the records of said Council and said Resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolutions and notices for receiving,

opening, examining and declaring such bids and proposals; the Council now in open session proceeded to publicly open, examine and declare the same. There was on file one bid for the work described in Resolution of Intention No. 134 which opened, read as follows, including action of the Council in said matter:

BID OF STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF JAMES STREET FROM JENNIE TO SPENCER:

Grading	@	\$ .05 per sq. ft.
Paving	@	\$ .17 per sq. ft.
Gutter	@	\$ .20 per sq. ft.
Curb	@	\$ .70 per lin. ft.

The bid being duly considered, Councilman Cuneo moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 147-S. P. Resolution of Award No. 134 which, upon roll call was declared adopted. Said resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Ordinance:

ORDINANCE NO. 225-N. S.

Entitled: "AN ORDINANCE RELATING TO THE ASSESSMENT OF IMPROVEMENTS UPON REAL PROPERTY AND THE APPROPRIATION OF FUNDS FOR THE ENFORCEMENT OF THIS ORDINANCE and which was read, introduced, adopted and passed to print on the 1st day of February, 1922 and having been published as required by law, Councilman Cuneo moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilman None

Absent: Councilman Turner.

In the Matter of Storm Sewer Report:

City Engineer, Freitas, rendered a report to the Council on the completion of the storm sewer by R. A. Carson Company and further recommended that all moneys due R. A. Carson Company be paid to them with the exception of 25% which is to be withheld until 35 days after completion. The report was accepted by the Council and the Engineer's recommendation was voted upon unanimously by those present.

In the Matter of Claims:

The claims for the month of January were duly audited and withdrawals were made from the following fund accounts as follows:

General	\$10,078.50
Water Fund	4,922.06
Library	903.14
Storm Sewer	812.25
Borden's Storm Sewer	988.02
Tree Dist No. 61	22.50
Tree Dist. No. 62	95.50
Tree Dist No. 70	50.00
Bond Red. & Int.	25,200.00
Personal Property Tax Trust	21.94
Street Bond Funds	7,630.93

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Electric Light Pole on City Property:

Attention of the Council was called to the fact that the Pacific Gas and Electric Company had installed an electric light pole in the small park owned by the City at the intersection of 13th and Needham. This pole was installed without the consent of the Council and inasmuch as the park is intended to be used for some other purpose Councilman Cuneo moved that the Street Superintendent be instructed to ask the power company to remove the pole from its present location. The motion was seconded,

carried and so ordered.

In the Matter of Closing Davis Street,

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show why improvement work should not be done under Resolution of Intention No. 136 and no written objections being presented the Council thereupon passed

Resolution No. 148-S.P.

A Resolution Closing a Part of Davis Street in the City of Modesto.

WHEREAS, the City Council has heretofore passed and adopted a resolution declaring that it is the intention of the Council to order the work done or improvement to be made which is described as follows:

That that portion of Davis Street lying between the westerly line of Semple Street and the easterly line of Johnson Street be closed in whole, which resolution was numbered Resolution of Intention No. 136, Resolution No. 138-S. P., and was adopted by the Council of the City of Modesto on the 18th day of January 1922, and

WHEREAS, thereafter the Street Superintendent caused to be conspicuously posted along the line of said contemplated work or improvement<sup>and</sup>/at not more than three hundred feet in distance apart, but not less than three in all, notices of the passage of said resolutions, which notices were headed "Notice of Public Works" in letters not less than one inch in length and which notices were in legible characters and stated the fact of the passage of the resolution, its date, and, briefly, the work and improvement proposed, and referred to the Resolution of Intention for further particulars, and also caused a notice similar in substance to be published for a period of ten days in one or more daily newspapers published and circulated in said City and designated by said City Council for such purpose, all of which will more fully appear by the affidavit of said Street Superintendent and the affidavit of the publisher of said newspaper, both of which are on file herein and are hereby referred to for greater certainty, and

WHEREAS, no objections whatever have been made to said improvement by any person whomever and the time for the making of objections has expired, and

WHEREAS, the Council has acquired jurisdiction to order the work to be done, and

WHEREAS, it appears that no assessment is necessary, and

WHEREAS, the hearing of the matter was regularly continued by resolution from the 8th day of February, 1922 (which was the time fixed by a resolution regularly and properly adopted for the hearing of the matter) to this date.

NOW, THEREFORE, the City Council of the City of Modesto does hereby order the said work and improvement to be made which is described as follows: That that portion of Davis Street lying between the westerly line of Semple Street and the easterly line of Johnson Street be closed in whole, and the said City Council does further determine and order that upon the final adoption of this resolution the said street above named between the points above named shall be, and the same is, hereby closed as above specified.

The foregoing resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto held on the 15th day of February, 1922, by Councilman Gunso who moved its adoption, which motion, being duly seconded, was carried and the resolution adopted by the following vote:

Ayes: Councilmen Gunso, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

Attest: L. A. Love, City Clerk

In the Matter of Use of Athletic Field Grounds:

Mr. Kessell representing the Bankers and Merchants Baseball Association appeared before the Council for the privilege of using the newly established municipal baseball field on the dates of April 2nd, 9th, 16th, 23rd and 30th. The Council took no action on this request.

In the Matter of Resurfacing City Streets:

Attention of the Council was again directed to the resurfacing of many of the streets which are going to pieces. Street Superintendent Hansen and City Engineer Freitas were requested to make a re-survey of the district which is to be resurfaced and report to the Council at their next regular meeting.

No further business appearing the Council on motion adjourned to meet again Wednesday evening February 15th, at the City Hall.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

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Council, City of Modesto

Wednesday February 15th, 1922

The Council met pursuant to adjournment from the regular meeting of February 8th and there was present: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Absent: Councilman Turner.

In the Matter of Electric Light Pole on City Property at the intersection of 15th and Needham:

The pole which was placed on City property at the intersection of 15th and Needham by the power company has been removed however a misunderstanding seemed to exist between the Power Company and the City in so far as the Power Company did not know which one of the City Officials to consult with in order to obtain permission to set their pole at any designated place. The Council conferred on this for a few moments and advised Mr. Northcutt of the Power Company that the Street Superintendent is the man with whom they should confer in a matter of this kind.

In the Matter of Petition for Street Paving:

A petition was presented to the Council by property owners along the line of Morris Avenue requesting that the Council take the necessary steps to have Morris Avenue paved from McHenry east to the east line of Block 604 and Auburn and Castle paved from Morris Avenue north to Lucern. Councilman Cuneo moved that the Council authorize the City Engineer to prepare plans and specifications for the paving of the streets mentioned in the petition and further that the City Engineer prepare plans and specifications for the storm sewerage of that district. The motion was seconded, carried and so ordered.

**In the Matter of Painting Flag Pole on the Railroad Park:**

Mr. Donley, Steeple-Jack appeared before the Council and called attention to the neglected condition of the City flag pole in the railroad park and asked that he be given a contract to paint it as well as string a new rope through the pulley. He also stated that he would like to have a contract for the painting of the arch across "I" Street whereupon the Mayor referred him to the Department of Public Works for further action.

**In the Matter of Back Water from Sewer:**

Mrs. Coffee residing at 1111 - 12th Street appeared before the Council and complained that since the installation of the storm sewer water backs from the Sanitary sewer and runs into her basement. Mrs. Coffee was advised that the matter would be looked into whereupon the Engineer was instructed to investigate.

**In the Matter of Petition for Paving of Intersections:**

Mr. De Yoe, acting as spokesman for signers of a certain petition, presented a petition to the Council asking that steps be taken to again revert to the system of paving whereby the City shall pay for the intersections out of a bond fund voted by the people. The petition further requested that the City reimburse all property owners who have up to the present time paid for their own intersections along with their paving. Those of the Council who were present were unanimous in the feeling that such proceedings would be against the best interests of the City but owing to the fact that a full Council was not present Councilman Parks moved that the petition be set aside until the return of Councilman Turner in order that a full board may be present to act upon it. The motion was seconded, carried and so ordered.

**In the Matter of Street Light at the corner of Jones and McHenry:**

Citizens living on Jones Street appeared before the Council and petitioned for a street light at the above mentioned corner. The matter was referred to the City Electrician.

**In the Matter of Opening and Widening Morris and Ensen Avenues:**

Mr. Gilman appeared before the Council to further go into the matter of having Ensen Avenue opened through to Caldwell and made wider and also to have Morris Avenue extended through from Ensen to Central between Blocks 522 and 524. Deeds were presented to the City for the land which is needed by the City for the land which is needed by the City for the opening and widening of these streets and a letter from the City Planning Commission also accompanied by map and the deeds recommending the Council to proceed with such opening. Councilman Cuneo moved that the deeds be accepted and offered a resolution for opening Ensen and Morris Avenue being

Resolution No. 149-S.P.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Petition to Pave 6th Street:

A petition was filed by property owners on Sixth Street between K and L Streets requesting the Council to take necessary action for paving said Block. Councilman Cuneo moved that the Engineer be instructed to prepare plans and specifications for the block in question. The motion was seconded and carried by a vote of all present.

In the Matter of Inquiry for Purchase of Part of Block "G":

On January 27th the City received a letter from P. E. O'Hair and Company of San Francisco offering to buy a portion of Block "G". After due consideration by various members of the Council, it was decided not to dispose of this piece of ground and the Clerk was authorized to advise O'Hair and Co. accordingly.

In the Matter of Protests against Paying for intersection on James:

W. C. Le Hane addressed the Council by letter under date of February 9th advising the Council that the property owners on James Street expect the cost of the intersections on this street to be paid for out of the intersection fund. Mr. Le Hane's letter also advised the Council to reserve sufficient funds to pay for the intersections. After a brief discussion the Clerk was authorized to write and advise Mr. Le Hane that inasmuch as that work was already in progress under proceedings which were started some time ago that no change could be made in them at this time, and furthermore to advise that the money which is lying in the intersection fund has already been appropriated to certain street work which was outlined ahead of James Street work.

In the Matter of Reports:

Councilman Cuneo moved that the reports of the Department heads as submitted be accepted and placed on file.

In the Matter of Granting use of Sidewalk space for displaying purposes:

Frank Paradis petitioned the Council for the right to use the sidewalk space on 9th Street across from their place of business for the purpose of displaying used cars which they have for sale and offered to pay a rental of \$10.00 per month to the Council for the use of such space whereupon Councilman Utter introduced a resolution granting the request and authorizing a license being issued him, revocable at the pleasure of the Council being

Resolution No. 722-N. S.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Water Pipe for City Requirements:

Attention of the Council was called to the fact that the Cities supply of water pipe is about used up whereupon Councilman Cuneo moved that the Commissioner of Public Supplies be authorized to buy cast iron pipe of such sized and quantities as are contemplated for immediate use. The motion was duly seconded, carried and so ordered.

No further business appearing the Council on motion adjourned.

Approved: George J. Ulrich  
Mayor

Attest : L. A. Love  
City Clerk

Council, City of Modesto

Wednesday evening Feb. 22nd, 1922

It being a legal holiday the meeting scheduled for this evening is adjourned until Thursday evening February 23rd to be held in the City Council Chambers 7:30 o'clock P. M.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Council, City of Modesto

Thursday evening Feb. 23rd, 1922

For lack of a quorum the meeting scheduled for this evening was adjourned until Wednesday Evening March 1st, 1922 to be held in the City Council Chambers at 7:30 o'clock P. M.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Council, City of Modesto

Wednesday, March 1st, 1922

The Council met pursuant to adjournment and there was present Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Absent: Councilman Turner.

In the Matter of Minutes;

The minutes of the regular meeting of February 8th and the adjourned meeting of February 15th were read and after making a few minor corrections were approved as read.

In the Matter of Zoning Business, Industrial and Residential Districts:

Mr. Dillon, Secretary of the Modesto Chamber of Commerce, appeared before the Council and briefly outlined the necessity for some steps being taken towards the zoning of Modesto for business, industrial and residential districts. Mr. Dillon suggested that the Council appoint a committee of three or five to co-operate with the Chamber of Commerce with this object in view whereupon Councilman Cunsco moved that the Mayor appoint a committee of five to act in accordance with Mr. Dillon's suggestion. The motion was duly carried and so ordered.

In the Matter of Electroliers on Morris Avenue, Auburn and Castle Streets;

It was asked by Mr. Ramont that the Council consider having electroliers placed along each side of these streets at such distances as would be most effective. Councilman Utter moved that the proceedings be made to include provision for the necessary electric lighting equipment and electroliers for these streets. The motion was seconded, and carried by a vote of all members present.

In the Matter of Communication from the Womens Improvement Club;

A communication was presented to the Council by the Womens Improvement Club being a Resolution passed by that body commending the action of the Council in regard to the establishment of the Municipal Athletic Field. Upon motion the Clerk was authorized to acknowledge receipt of the resolution and tender the thanks of the Council to the Club.

In the Matter of Painting Fire Hydrants and Marking Space adjacent thereto;

A communication was received from the Modesto Chamber of Commerce making a suggestion that the City paint their fire hydrants some conspicuous color marking off a no parking space in the immediate vicinity of each fire hydrant. The fire hydrants at the present time are all painted white and it is the opinion of the department which has jurisdiction over them that it is the most effective color that can be put on them. It shows up bright in the day time and is also conspicuous at night while red or any other color would hardly be discernible. It was, however suggested that the top of all fire hydrants be painted bright red and that the base be left white as they are at the present time. The Clerk was authorized to reply to this communication and explain the action of the Council at the meeting.

No further business appearing the Council on motion adjourned.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Committed from the minutes of January 11th, 1922

In the Matter of Street Work;

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolutions of Intentions No. 132 and 133 coming up for consideration and more than 15 days having expired after the last publication of the Resolutions of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolutions of Intention Nos. 132 and 133

RESOLUTION NO. 133-S. P.

In accordance with certain plans and specifications heretofore adopted on the 14th day of December, 1921 and pursuant to Resolution of Intention No. 132 was introduced and upon roll call was declared adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 134-S. P.

In accordance with certain plans and specifications heretofore adopted on the 14th day of December, 1921 and pursuant to Resolution of Intention No. 133 was introduced and upon roll call was declared adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Wednesday March 8th, 1922

The Council met in regular session Wednesday March 8th, 1922 and there was present:  
Councilmen Cuneo, Parks, Turner and Mayor Ulrich  
Absent: Councilman Utter.

In the Matter of Minutes:

The minutes of February 22nd and 2nd and 23rd and March 1st were read and approved as read.

In the Matter of Donation to Boy Scouts Organization:

A representative in behalf of the Boy Scouts Organization in the City of Modesto appeared before the Council to ask that some consideration be given that organization by the City for its support. It was shown that the money was being spent for a very worthy cause whereupon Councilman Turner moved that the City donate \$200.00 to the Boy Scouts. The motion was carried by a vote of all members present.

In the Matter of Refuse Cans on Streets:

Attorney Tom Scott appeared before the Council representing a firm who ask permission to place on the streets of Modesto a number of refuse cans and enter into a contract with the City of Modesto for a term of years giving them the privilege of placing advertising matter on these cans in consideration of which they will see that the garbage is regularly cared for and disposed of. The Council was somewhat undecided on this matter whereupon the Mayor appointed a committee of Councilman Turner and Parks to investigate the merits of the proposition and report at the next meeting.

In the Matter of Ordinance:

ORDINANCE NO. 226-N. S.

Entitled: "AN ORDINANCE FIXING AND ESTABLISHING THE OFFICIAL CURB GRADES ON CERTAIN STREETS, AVENUES AND ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF MODESTO was introduced by Councilman Cuneo who moved its adoption. The motion was seconded by Councilman Turner and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 137 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 137.

RESOLUTION NO. 150-S. P.

Resolution Ordering the Work No. 137

In accordance with certain plans and specifications heretofore adopted on the 25th day of January, 1922 and pursuant to Resolution of Intention No. 137 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

In the Matter of Sale of Improvement Bonds of the City of Modesto issued under the Bond Act of 1915:

This being the time fixed by order of the Council when bids will be received for the improvement bonds for the City of Modesto issued under the Improvement Bond Act of 1915 and there being no bids received or delivered the Council on motion directed the Clerk to deliver the bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 87. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 163-S. P.

Resolution Ordering Bonds Delivered  
to Contractor

WHEREAS, the City Council of the City of Modesto did on the 25th day of January 1922 advertise the sale of certain improvement bonds issued under the Improvement Bond Act of 1915 to represent unpaid assessments levied for the improvement of the alley between 15th and 16th Streets and F and G Streets fully described in Resolution of Intention No. 121 in pursuance of the Improvement Act of 1911 and whereas, the time of sale having arrived and no bids having been received

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor to-wit: Standard Paving Company or its assigns in satisfaction of the sum due said contractor on his assessment and warrant. Said bonds are for the aggregate sum of \$932.97.

I, the undersigned hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto at a regular meeting of said Council held on the 8th day of March, 1922 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 151-S. P.

Resolution Ordering Plans and Specifications.

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Fairview Avenue, from the north line of Jennie Street north to the south line of Lot 12, Aquatic Park Addition to the City of Modesto, being a re-subdivision of Lots 1 and 11; easterly 18.33 feet of Lots 8 and 9; and all of Lot 10 in Block 213, (as per map of Record in the County Recorder's Office, Volume 10 of Maps, page 213, Stanislaus County Records recorded March 18, 1920), be graded to the official sub-grade and thereupon paved between the gutter lines to the official grade with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Pleasant Street, from the north line of Jennie Street north to the south line of alley running east and west through Aquatic Park Addition to the City of Modesto, being a re-subdivision of Lots 1 and 11; easterly 18.33 feet of lots 8 and 9; and all of Lot 10 in Block 213, (as per Map of Record in the County Recorder's Office, Volume 10 of Maps, page 213, Stanislaus County Records recorded March 18, 1920), be graded to the official sub-grade and thereupon paved between the gutters to the official grade with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That the alley from the south line of Spencer Street south to the north line of Lot 65, Aquatic Park Addition to the City of Modesto, being a re-subdivision of Lots 1 and 11; easterly 18.33 feet of Lots 8 and 9; and all of Lot 10 in Block 213, (as per Map of Record in the County Recorder's Office, Volume 10 of Maps, page 213, Stanislaus County Records recorded March 18, 1920); also from the east line of Lot 7 Aquatic Park Addition to the City of Modesto, being a re-subdivision of Lots 1 and 11; easterly 18.33 feet of Lots 8 and 9; and all of Lot 10 in Block 213, (as per Map of Record in the County Recorder's Office, Volume 10 of Maps, page 213, Stanislaus County Records recorded March 18, 1920), east to Fairview Avenue, be graded to the official sub-grade and thereupon paved between the headers to the official grade with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and that Oregon pine curbs or headers be constructed on both sides to the official grade; excepting therefrom any of said work already done to the official line and grade; also

That "D" Street, from the center line of Fourteenth Street northeasterly to the easterly line of Burney Street, be graded to the official sub-grade and thereupon paved between the gutter lines to the official grade with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete Base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted by the City Council of the City of Mode to, the 8th day of March, 1922, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Attest: L. A. Love

City Clerk

#### Engineer's Estimate

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### Resolution No. 152-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 138 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

#### Resolution No. 153-S. P.

#### Resolution of Intention No. 138

Providing for the grading and paving of Fairview Avenue with a two and one half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete Base and a one and one half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters; Providing for the grading and paving of Pleasant Street with a two and one half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one half ( $1\frac{1}{2}$ ) inch Warrenite Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters; Providing for the grading and paving of the alley from the south line of Spencer Street south to the north line of Lot 65, Aquatic Park Addition with a two and one-half inch asphaltic concrete base and a one and one half inch Warrenite-Bitulithic wearing surface and that Oregon pi ne curbs or headers be constructed on both sides to the official grade and providing for grading and paving of "D" Street from the center line of Fourteenth Street northeasterly to the easterly line of Burney Street with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters as more fully set forth in said Resolution of Intention No. 138 was introduced and adopted by the following vote;

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

RESOLUTION NO. 154-S.P.

Resolution Ordering Plans & Specifications

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Sixth Street, from the south line of "K" Street northwesterly to the south line of "L" Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness; and curbed on both sides to the official grade with a cement concrete curb and to further construct cement concrete gutters and gutters; excepting therefrom any of such work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto the 8th day of March, 1922, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

Resolution No. 155-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 139 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Resolution No. 156-S. P.

Resolution of Intention No. 139

Providing for the grading and paving of Sixth Street from the south line of "K" Street northwesterly to the south line of "L" Street with an asphaltic concrete base two and one half inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half inches in thickness and curbed on both sides to the official grade with a cement concrete curb and to further construct cement concrete gutters as more fully set forth in said Resolution of Intention No. 139 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Resolution No. 157-S. P.

Resolution Ordering Plans and Specifications

RESOLVED, that the City Engineer of the City of Modesto be and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Magnolia Avenue, from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District, be graded to the official sub-grade; also paved between the gutters to the

official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Stoddard Avenue north of the center line thereof, beginning at a point thirty-five (35) feet east of the southwest corner of Block 546 (as per Map of Record in the County Recorder's Office, Volume 10 of Maps, page 546, Stanislaus County Records recorded March 18, 1920), westerly to the easterly line of Magnolia Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inches Warrenite-Bitulithic wearing surface; also curbed to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globes, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street be constructed at the following points; on the northwest curb line of Stoddard Avenue and Magnolia Avenue; on the east curb line of Magnolia Avenue one hundred ninety seven and eighty-three one hundredths (197.83) feet north of the north line of Stoddard; on the west curb line of Magnolia Avenue four hundred five and sixteen one hundredths (405.16) feet north of the north line of Stoddard Avenue; on the southeast curb line of Magnolia Avenue; and Morris Avenue; on the west curb line of Magnolia Avenue one hundred thirty-one and five tenths (131.5) feet north of the north line of Morris Avenue; on the east curb line of Magnolia two hundred sixty-three (263) feet north of the north line of Morris Avenue; on the west curb line of Magnolia Avenue three hundred eighty-five (385) feet north of the north line of Morris Avenue.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the eighth day of March 1922, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen ~~XXXX~~ Utter.

Attest: L. A. Love  
City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 158-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 140 by the following vote: to-wit:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Utter.

RESOLUTION NO. 159-S. P.

Resolution of Intention No. 140

Providing for the grading and paving of Magnolia Avenue from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District with an asphaltic concrete base two and one half inches in thickness and a Warrenite-Bitulithic wearing surface one and one half inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters and providing for the grading and paving of Stoddard Avenue north of the center line thereof, beginning at a point thirty-five (35) feet east of the southwest corner of Block 546 westerly to the easterly line of Magnolia with an Asphaltic concrete base two and one half (2½) inches in thickness and a one and one-half inch Warrenite-Bitulithic wearing surface; also curbed to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters and also for electrical street lighting equipment as more fully set forth in said Resolution of Intention No. 140 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter

Resolution No. 160-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Magnolia Avenue, from the north line of Needham Street to the center line of Stoddard Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a one and one-half (1½) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That concrete electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street be constructed at the following points: on the west curb line of Magnolia Avenue ninety and four tenths (90.4) feet north of the north line of Needham Street; on the east curb line of Magnolia Avenue at a point two hundred twenty-four (224) feet north of the north line of Needham Street; on the west curb line of Magnolia Avenue at a point three hundred fifty seven and sixty-six one hundredths (357.66) feet north of the north line of Needham Street; on the northeast curb line of Magnolia Avenue and Alice Street; on the west curb line of Magnolia Avenue at a point one hundred four and five tenths (104.5) feet south of the south line of Stoddard Avenue.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 8th day of March, 1922, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Attest: L. A. Love  
City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer Submitted plans and specifications for his estimate of the cost of the work.

#### Resolution No. 161-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 141 by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter

Attest: L. A. Love  
City Clerk

#### Resolution No. 162-S. P.

#### Resolution of Intention No. 141

Providing for the grading and paving of Magnolia Avenue from the north line of Needham Street to the center line of Stoddard Avenue with an Asphaltic concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one half inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and also for electrical street lighting equipment as more fully set forth in said Resolution of Intention No. 141 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter

In the Matter of Petition to Pave Kimble Street:

A petition was presented to the Council by the property owners along the line of Jones Street from Johnson to Kimble and Kimble from Downay to Lucern requesting that those streets be paved whereupon Councilman Turner moved that the City Engineer be instructed to prepare plans and specifications for the work requested by the petitioners

In the Matter of Claim of H. D. Colohour for Refund on Water:

A claim was presented by Mr. H. D. Colohouer for a refund owing to the fact that Mr. Colohouer has been paying at the rate of \$2.25 per month for water whereas his rate should have been \$2.00 per month for a period of twenty-five months. The Clerk was authorized to draw a warrant in favor of Mr. Colohouer in the amount of \$6.25 to reimburse him for the excess collected during this period of time.

In the Matter of Electric Service for 1922:

Blank contracts were presented by the Pacific Gas and Electric Company for execution by the Mayor and the City Clerk for power to be furnished the City of Modesto during the year 1922. On motion by Councilman Cuneo, it was agreed that the Mayor and the City Clerk should execute the contract in question. The motion was carried by all members present.

In the Matter of Claims:

The claims for the month of February, 1922 were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund-----	\$12,636.56
Water Fund-----	\$ 4,561.69
Library-----	808.74
Storm Sewer-----	5,799.50
Street Bond Redemption-----	392.89
Bond Redemption & Int-----	50.00
Tree District #61-----	57.15
Tree District # 62-----	42.50
Tree District #70- - - - -	17.50

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

The Council upon motion adjourned.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Wednesday, March 22nd, 1922

The Council met in regular session, Wednesday March 22nd 1922 and there were present Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Minutes:

The minutes of March 8th were read and approved as read.

In the Matter of Taxi Rates:

A lady by the name of Glick from San Francisco appeared before the Council and cited a case wherein she was, in her estimation, overcharged by Mr. Anaya for taxi service from the depot to the hotel. Miss Glick claimed that Mr. Anaya charged her one dollar for taking herself and her grips to the hotel whereupon Mr. Anaya was called upon to explain the reason for such a high charge. Mr. Anaya's explanation was listened to but no action was taken.

In the Matter of Salvation Army Quarters:

A representative of the Salvation Army appeared before the Council and explained that they were unable to rent quarters for carrying on their work in the City of Modesto and until such a time as quarters are available they ask permission to erect a tent in which to hold their services and carry on their work. Councilman Cuneo moved that this permission be granted them as a temporary arrangement. The motion was seconded and carried by a vote of all present.

The Salvation Army representative further asks for the co-operation of the Council in finding suitable quarters for them and also asks that they lend whatever assistance they can to enable the Salvation Army to care for the unemployed. The Mayor appointed Councilman Turner to confer with the representative with the idea of working out a solution to their problems.

In the Matter of Reorganizing Park Employees:

Mrs. Falger and Mr. McKinley appeared before the Council to suggest a change as to the arrangement under which the Park Superintendent shall work. Their suggestion was to the effect that the Park Superintendent should work for a salary of \$150.00 per month and assume the responsibility for the care of the animals and the general appearance of the parks, the Park Superintendent to hire his necessary help which would consist of one steady man at \$4.00 per day and such other help as may be needed to properly care for the parks. They also stated that Mr. Phillis, the present Superintendent of Parks owns most of the equipment which is now used in the care of the parks and furthermore stated that Mr. Phillis would dispose of this equipment at a very reasonable figure to the City. The equipment consists of one horse, harness and wagon, one plow, one harrow,  $\frac{1}{2}$  interest in a mower and various small tools such as grass forks, hay fork, several grass rakes,

wheelborrow, etc. the value of which according to an inventory taken is considered to be \$198.00. Mr. Phillis offered to sell this property to the City for \$175.00 whereupon Councilman Cuneo moved that the equipment be purchased and that a warrant be drawn in favor of Mr. Phillis for the equipment in question. The motion was seconded, carried and so ordered whereupon Councilman Cuneo introduced a Resolution being

RESOLUTION NO. 722-N. S.

establishing the salary of the Park Superintendent at \$150.00 per month effective from April 1st.

In the Matter of Water Outside of the City Limits:

Mr. Peter Barale appeared before the Council and asked that he be granted the use of City water for three houses which he has on South Avenue outside the City limits just opposite the end of Rosedale Avenue. After due deliberation the Council advised Mr. Barale that he might use the City water for these three houses providing he puts in a separate line to each house and pays for a separate tap for each line and that his rate shall be \$3.00 per month for each place payable three months in advance. It is furthermore understood that the City reserves the right to cut off the supply at the pleasure of the Council.

In the Matter of Awarding Contract for the Improvement of Needham Avenue;

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which Resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 137 and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file six bids for each piece of work which opened, read as follows including the action of the Council in said matter.

BID OF A. TEICHERT & SON FOR THE IMPROVEMENT OF NEEDHAM AVENUE:

Grading @	\$	.045 per sq. ft.
Paving @		.23 per sq. ft.
Gutter @		.22 per sq. ft.
Curb @		.68 per lin ft.
Headers @		.15 per lin ft.
Electric Standard @	75.00	
Pull in boxes @	4.50	
Globes @	30.00	
1" Conduit		.20 per lin ft.
#10 Copper wire		.02 per lin ft.

BID OF CALIFORNIA ROAD AND STREET IMPROVEMENT COMPANY FOR THE IMPROVEMENT OF NEEDHAM AVE.

Grading @		.0475 per sq. ft.
Paving @		.2260 per sq. ft.
Gutter @		.2900 per sq. ft.
Curb @		.6500 per lin ft.
Headers @		.1450 per lin ft.
Electroliers @	72.50	
Pull in boxes @	7.50	
Globes @	36.50	
1" conduit @		.2250 per lin ft.
#10 copper wire @		.0480 per lin ft.

BID OF THOMPSON BROS. FOR THE IMPROVEMENT OF NEEDHAM AVENUE:

Grading	@	.0550	per sq. ft.
Paving	@	.2350	per sq. ft.
Gutter	@	.3200	per sq. ft.
Curb	@	.6800	per lin ft.
Headers	@	.1200	per lin ft.
Electroliers	@	75.00	
Pull in Boxes	@	6.50	
Globes	@	35.00	
1" Conduit	@	.2300	per lin ft.
Copper Wire	@	.0500	per lin ft.

BID OF VALLEY PAVING AND CONSTRUCTION CO FOR THE IMPROVEMENT OF NEEDHAM AVENUE:

Grading	@	.0485	per sq. ft.
Paving	@	.2310	per sq. ft.
Gutter	@	.30	per sq. ft.
Curb	@	.74	per lin ft.
Headers	@	.10	per lin ft.
Electroliers	@	74.00	
Pull in boxes	@	5.75	
Globes	@	32.50	
1" Conduit	@	.20	per lin. ft.
Copper Wire	@	.05	per lin. ft.

BID OF FEDERAL CONSTRUCTION CO. FOR THE IMPROVEMENT OF NEEDHAM:

Grading	@	.0525	per sq. ft.
Paving	@	.24	per sq. ft.
Gutter	@	.31	per sq. ft.
Curb	@	.73	per lin ft.
Headers	@	.11	per lin ft.
Electroliers	@	82.00	
Pull In Boxes	@	6.75	
Globes	@	38.00	
1" Conduit	@	.24	per lin ft.
Copper Wire	@	.045	per lin ft.

BID OF STANDARD PAVING COMPANY CO. FOR THE IMPROVEMENT OF NEEDHAM:

grading	@	.05	per sq. ft.
Paving	@	.21	per sq. ft.
Gutter	@	.20	per sq. ft.
Curb	@	.70	per lin ft.
Headers	@	.10	per lin ft.
Electroliers	@	60.00	
Pull In Boxes	@	4.10	
Globes	@	28.36	
Conduit	@	.17	per lin ft.
Wire	@	.03	per lin ft.

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 163-S. P. resolution of Award No. 137 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Street Patching Outfit:

Some time ago the Street Superintendent was authorized to advertise for bids for a street patching outfit. After making an investigation as to the various kinds of patching outfits a piece of equipment was found manufactured by the Hauck Manufacturing Co which is thought will give the service required for the City. In order to determine the efficiency of this machine and also to accomplish the work which is contemplated to be done here, Councilman Cuneo moved that the Street Superintendent enter into an arrangement with the Hauck Manufacturing Co for the rental of a street patching outfit the rental of which is to be \$10.00 per day and he further included in the motion that the street Superintendent be authorized to purchase one smoothing iron, new style, the price of which is \$60.00 f.o.b. San Francisco. The motion was duly seconded, carried and so ordered.

In the Matter of Closing Alley in Block 132 and a portion of 18th Street:

In order to provide more playground space at the 17th Street School, the Board of Education have petitioned the Council to close that portion of 18th Street between Blocks 130 and 132 and also the portion of the alley in Block 132. After consideration by the Council, Councilman Utter introduced a resolution being

RESOLUTION NO. 164-S. P.

RESOLUTION OF INTENTION NO. 142

In the Matter of Ice Cream Wagon on Corner of 10th and K Streets:

Mrs. Vogelmann has repeatedly made request for permission to set up an ice cream wagon on wheels on the corner of her property at 10th and K Streets. Inasmuch as it was shown that the structure would be movable, the Council expressed a willingness to allow it to be placed there providing it be presentable and neat in its appearance.

In the Matter of Permit to Associated Oil Company:

The Associated Oil Company have asked for a permit to erect a frame comfort station at the corner of 9th and "I" Streets in the rear of their service station at that place. While the location is within the fire limits, the plans and specifications show that the small structure is to be built with wood studding only and to be entirely covered on the outside with cement stucco and plastered on the inside and that it will be practically fire proof. Councilman Turner moved that the permit be granted. The motion was seconded, carried and so ordered.

In the Matter of Claims:

The following claims were presented at this meeting which were oked and authorized paid:

Nelson & Blomberg--\$58.00 for installing culvert on street crossing on Caldwell Avenue.

O'Brien & Gilleran--\$72.00 for cutting 420 feet of asphalt pavement for the City Electrician.

E. Ustick & Son, three bills amounting to \$450.00 representing scraper hire and work.

After considering these claims Councilman Turner moved that a warrant be drawn in payment of them.

In the Matter of Ordinance:

ORDINANCE NO. 227-N. S.

Entitled: "AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 143-N. S., RELATING TO THE PARKING OF VEHICLES, was introduced by Councilman Turner who moved its adoption.

The motion was seconded by Councilman Cuneo and the Ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

ORDINANCE NO. 226-N. S.

Entitled: "AN ORDINANCE FIXING AND ESTABLISHING THE OFFICIAL CURB GRADES ON CERTAIN STREETS, AVENUES AND ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF MODESTO and which was read, introduced, adopted and passed to print on the 8th day of March, 1922 and having been published as required by law, Councilman Cuneo moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the follow-

ing vote:

Ayes; Councilmen Cunsco, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Application for Plumbers License:

An application was presented to the Council by Myron Thomas and S. B. Walden for plumbers license. The application was accompanied by the necessary bond in the proper amount whereupon Councilman Utter moved that the permit be granted. The motion was seconded, carried and so ordered.

In the Matter of Zoning Commission:

Some time ago at the suggestion of the Chamber of Commerce the Mayor was authorized to appoint a committee which would be known as the Zoning Commission. It has since been learned that should such a committee be appointed it must be authorized to work with the Planning Commission and become a part of it whereupon the Mayor appointed the following people for the work: Frank Paradis, L. A. Ferris, W. R. Park, Walter Beard and John Husband.

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 165-S. P.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "H" Street, from the easterly line of Fifteenth Street north-easterly to the easterly line of High Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on both sides to the official grade with cement concrete gutters; excepting therefrom any of said work already done to the official line and grade; also

That High Street, from the north line of Downey Avenue northerly to the center line of "H" Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on both sides to the official grade with cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Kimble Street, extended and produced from the northwest line of "H" Street northerly to the south line of Downey Avenue, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on the west side to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 22nd day of March, 1922, by the following vote;

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love  
City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### Resolution No. 166-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 143 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman None

#### Resolution No. 167-S. P.

#### Resolution of Intention No. 143.

Providing for the grading and paving of H Street from the easterly line of Fifteenth Street northeasterly to the easterly line of High Street, for the grading and paving of High Street from the north line of Downey Avenue northerly to the center line of "H" Street and for the grading and paving of Kimble Street extended and produced from the northwest line of "H" Street northerly to the south line of Downey Avenue with a two and one half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters as more fully set forth in said Resolution of Intention No. 143 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Resurfacing City Streets:

The matter of resurfacing the business streets of Modesto was again entered into and after a brief discussion, the City Engineer was authorized to make a report outlining in detail the streets which were most in need of resurfacing and submit such report at an adjourned meeting of the City Council to be held March 29th and he was also further ordered to make a report for running a storm sewer up "J" Street and also streets in other portions of the business district and to give the matter as much publicity as possible in order that the matter may be properly discussed.

No further business appearing the Council on motion adjourned to meet again.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

-----  
Council, City of Modesto

Wednesday, March 29th, 1922

The Council met pursuant to adjournment and there was present:

Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Petition for Funds for "Own Your Home" Campaign:

Mr. W. F. Ramont appeared before the Council and asked for a donation in the amount of \$250.00 for the purpose of advertising and promoting a campaign to induce people to own their own their own homes. After a brief discussion of the matter by the Council, Councilman Turner moved that the request be denied. The motion was carried by a vote of all members present.

In the Matter of Labor Claim Against the Municipal Athletic Field:

Mr. Roy Maxey, Chairman of a Committee which had charge of the erection of the fence and grand stand on the Municipal Athletic field appeared before the Council and explained that up to the present time sufficient funds had not been raised with which to pay for the labor for the construction of the grand stand and appealed to the Council for financial assistance in disposing of these claims inasmuch as the men who worked on these structures are not in a position to wait until the committee can raise the necessary money. After due consideration, Councilman Turner offered a resolution being

Resolution No. 725-N. S.

a resolution authorizing the City Engineer to O.K. labor bills up to one thousand dollars for labor on the Municipal Athletic Field fence and grand stand and authorizing the City Auditor to allow such claims from the General Fund. The resolution was carried by the following vote:

Yes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None      Absent: Councilmen None.

In the Matter of Paving Sycamore Avenue:

A petition was presented to the Council by Mr. O. G. Angell bearing the names of petitioners representing more than 50% of the assessable property fronting on Sycamore asking for the paving of that street whereupon Councilman Turner moved that the City Engineer be instructed to prepare plans and specifications for the paving of the street in question. The motion was seconded and carried by a vote of all members present.

Owing to a previous arrangement Councilman Turner begged to be excused from the meeting at this point.

In the Matter of Closing Alley in Block "O":

About two years ago, Mr. Ward who was the owner of the greater portion of Block "O" deeded to the City a small triangular piece of ground at the north end of this block which has since been utilized as an extension to the west end of Spencer. At the time the arrangement was made with Mr. Ward, it was understood that the Council would in turn close the Alley in Block "O" but through an oversight failed to pass the necessary resolutions and proceedings. The matter having come before the Council again at this time, Councilman Cuneo introduced a Resolution being

Resolution No. 168-S. P.

Resolution of Intention No. 144.

A Resolution of Intention to Close the Alley in Block "O" of the City of Modesto.

WHEREAS, the public interest and convenience require the work hereinafter specified to be done.

NOW, THEREFORE, Be It Resolved that it is the intention of the Council of the City of Modesto to order the work to be done and improvement to be made which is described as follows:

That the alley in Block "O" of the City of Modesto as laid out and delineated upon the official map of the City of Modesto filed in the office of the County Recorder of Stanislaus County, California on March 18th, 1920 be closed in whole.

And the Council does hereby determine and declare that said proposed work and improvement is of more than local or ordinary public benefit and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be the district affected and benefited by said work and improvement, and that, therefor, the entire damages, costs and expenses of said work and improvement, if any, shall be and are hereby made chargeable against and shall be assessable upon the said land and said district, which said district is within the City of Modesto, County of Stanislaus, State of California, and the exterior boundaries of the lands affected and to be benefited by said work and improvement are described as follows:

Beginning at the intersection of the southeasterly line of "E" Street with the northeasterly line of Fifteenth Street; thence northeasterly along the southeasterly line of "E" Street to its intersection with the south line of Spencer Street; thence easterly along the Southerly line of Spencer Street to its intersection with the westerly line of Burney Street; thence southerly along the westerly line of Burney Street to its intersection with the northeasterly line of Fifteenth Street; thence northwesterly along the northeasterly line of Fifteenth Street to the southeasterly line of E Street, the point of beginning, saving and excepting and excluding from said district all public streets, avenues and roads therein included and contained.

All of the herein proposed work shall be done in pursuance of an Act of the Legislature of the State of California entitled "An Act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities and to condemn and acquire any and all land and property necessary or convenient for that purpose", approved March 6th, 1889.

The Street Superintendent is hereby directed to post notices of said contemplated work and improvement as required by said act and to cause such notice to be published for a period of ten days in the Modesto Morning Herald, a daily newspaper published and circulated in said City, which daily newspaper is hereby designated for that purpose by the City Council.

The foregoing resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regularly adjourned meeting of said Council held on the 29th day of March, 1922 by the vote indicated above.

Dated March 29th, 1922.

L. A. Love

City Clerk

In the Matter of Report on Resurfacing City Streets:

The City Engineer and the Street Superintendent having made an extensive survey of the principle business streets in the City of Modesto for the purpose of determining which were most in need of repair and resurfacing, a report was rendered to the Council recommending that several streets be resurfaced immediately for unless this work is completed before another winter the report states that the Engineer and the Street Superintendent are firmly convinced that it will be necessary to repave some of the thoroughfares. After due consideration Councilman Cuneo moved that the Engineer be instructed to prepare plans and specifications for resurfacing the following streets from the points mentioned below:

J Street from the west line of 9th to the Alley between 15th and 16th  
I Street from the west line of 9th to the easterly line of 14th Street  
H Street from the west line of 9th to the westerly line of 15th Street  
12th Street from the north line of I to the south line of K Street  
9th from the south line of H Street to the north line of J Street

14th Street from the north line of H Street to the south line of I Street and to further prepare under separate proceedings plans and specifications for the storm sewerage of J Street. The motion was seconded and carried by a vote of all members present.

In the Matter of Extra Man and Light Truck for Water Department:

The City Engineer appealed to the Council for the services of an extra man and the privilege of arranging for the use or purchase of a light truck to be used in the maintenance of the water distribution department. It was shown that a mans services are urgently needed in keeping a check on the waste of water through leaky faucets, on the proper rates charged at various places and for working and co-operating with the City Clerk's office in taking care of delinquent water accounts and various other duties which are of considerable importance but which must necessarily be neglected without this man's services. Councilman Cuneo moved that the Engineer be instructed to employ the extra man required and that the Commissioner of Supplies be authorized to arrange for the necessary equipment to be used for this man. The motion was seconded, carried and so ordered.

In the Matter of Maps:

A Map of the Almondale Farms Tract being a portion of Lots 1 and 4 of the Knapp Tract, situated in the S.W.  $\frac{1}{4}$  of Sec. 7 T 3 SR9E. - M.D.B. and M. duly acknowledged and certified as required by law was presented to the City Council for action; accompanying the map was the report of the City Planning Commission to which said Map had heretofore been submitted recommending the approval of said map. After due consideration of the Matter, it was moved, carried and so ordered that the said map as so presented be approved and that the proper endorsement of approval be made upon said map.

In the Matter of Canvassing the returns of the Special Municipal Election in and for the City of Modesto March 28th voting upon an Initiative Ordinance proposed to dedicate lands now owned by the City of Modesto and known as the Modesto Municipal Aviation Field and Fair Ground Site to a Junior College District:

The returns of a special municipal election in and for the City of Modesto being now on file with the Clerk of the Council and the Council finds from affidavits of Publication and postings on file and the records, that due and legal notices have been given in accordance with City Ordinances and the laws of the State of California; the Council thereupon proceeded to open and canvass the said election returns whereupon the same were opened and the results thereof declared the following order determining the results of said election was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 724-N. S.

AN ORDER DETERMINING RESULT OF ELECTION.

WHEREAS, a Special Municipal Election was held in and for the City of Modesto on the 28th day of March 1922, 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 the returns from said election and find the same in proper form, and having opened and canvassed the same and ascertained the results of said election;

NOW, THEREFORE, Be It Resolved, certified, and declared by the Council of the City of Modesto, that said Special Municipal Election in and for said City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears that at said Special Municipal Election in and for the City of Modesto the number of votes cast for and against the proposition were as follows:

For the Ordinance -----	819
Against the Ordinance-----	1628
Total of votes-----	2451

That the number of votes cast against the ordinance was greater than one-half of the number of ballots cast at such election and the proposed Ordinance is therefor defeated.

The foregoing resolution was introduced by Councilman Cuneo at a regular adjourned meeting of the City Council held on the 29th day of March and was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

Attest: L. A. Love,

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Wednesday April 5th, 1922

The Council met in special meeting at the Call of the Mayor written notices having been delivered or mailed to each of the Council as required by Ordinance No. 2-N. S. of the City of Modesto and there was present: Councilman Cuneo, Parks, Turner Utter and Mayor Ulrich

Absent: Councilmen None

The meeting was called for the purpose of appointing a Zoning Commission and Planning Commission and for taking up any other business that may come before the Council.

In the Matter of Pavement on 6th Street:

Mr. Ostrom who is a property owner of 6th Street came before the Council and complained that during the course of the laying of the new pavement the sub-grade was not properly rolled. Mr. Ostrom claims that some of the ground which was covered with cement was in a slushy condition at the time. Mr. Baker the inspector on the work for the City of Modesto claims that Mr. Ostrom is wrong in his contentions and that before the concrete base was laid all the gumbo and slushy ground was removed and dry dirt was hauled in in its place. In order to determine the exact conditions under which this pavement was laid, the Council authorized that a hole be cut in the pavement at a point designated by Mr. Ostrom and the condition of the ground be finally determined under supervision of the City Engineer.

In the Matter of City Dumps:

Attention of the Council was again called to the offensive odors which come from the city dumps and after a long discussion as to what would be the best method of remedying the conditions which now exist, the Mayor was authorized to write to the City Engineer of Alameda, Mr. Hickok and ask him if he would not come to our City and explain to the Council how they were handling their garbage in that City.

In the Matter of Appointing New Planning Commission:

Several weeks ago attention of the Council was called to the necessity of having an active Planning Commission in this City. The term of office of all of the members of the old Planning Commission has expired and the members appointed to serve on the new commission are set forth in the Resolution following being

RESOLUTION NO. 725-N. S.

which was introduced by Councilman Cuneo. Upon motion by Councilman Turner the old Planning Commission was ordered dismissed and the Mayor was authorized to write a letter to each one expressing gratitude of the Council and of the City of Modesto for his past services. The motion was carried and so ordered.

In the Matter of Carnival Concession:

Mr. Roy B. Maxey representing the Modesto Municipal Athletic Association appeared before the Council to ask permission of the Council to use a portion of lower or south 11th Street during the week of April 24th. Mr. Maxey explained that the Cheesley Carnival Co. expect to take out a license for operating during that week and have signified their intentions to help the baseball association in a financial way providing proper arrangements would be made for location, etc.

Councilman Turner moved that the request of the petitioner be allowed which motion was carried by a vote of all members present.

In the Matter of Petition against paving Sycamore:

A petition which was filed with the Clerk by Mr. Fisk to the effect that the City Council refrain from ordering Sycamore Avenue paved was duly considered and ordered placed on file.

In the Matter of Petition for Street Lights on Kimble:

A petition signed by many property owners fronting on Kimble petitioned the board to have included with the street proceedings, proceedings for electric conduit, wires and necessary lights for the lighting of Kimble and on motion by Councilman Parks the request was entertained and the Engineer was authorized to include such lighting equipment in the proceedings.

In the Matter of Fire Prevention and Clean Up Week:

At the request of the Chamber of Commerce the City Council were requested to put on a clean up week campaign during the period April 16th to 22nd and all the citizens in the City urged to do their part towards a general clean up of their front yards, back yards and alleys. On motion by Councilman Cuneo the week of April 16th to 22nd was designated to be fire prevention and clean up week and all the City Councilmen and City Officials were appointed as a committee to serve to help this cause in whatever way they could. The motion was seconded, carried by a vote of all members present.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Wednesday, April 12th, 1922

The Council met in regular session Wednesday April 12th, 1922 and there was present Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilman Parks.

In the Matter of Minutes:

The minutes of the regular meeting of March 29th and the adjourned meeting of April 5th were read and ordered approved as read.

In the Matter of Application for 2 inch Water Tap:

Mr. Falconberry, representing the Modesto Lumber Company appeared before the Council and petitioned that he be granted a permit to make a 2 inch water tap to the City's main and explained that the water used through this tap would be used for sprinkling and fire protection. Councilman Turner moved that the matter be left in the hands of the Commissioner of Public Works with power to act. The motion was carried by a vote of all members present.

In the Matter of Permanent Parking Signs:

A representative of the California State Automobile Association appeared before the Council and explained that their Association was prepared to furnish parking signs suitable for use in this City and asks that they be given consideration in any orders that were placed for these signs in the future. The Police Commissioner under whose jurisdiction this matter comes stated that he was working on the question/<sup>and</sup>that as soon as plans were more perfected he would be in a position to make a report.

In the Matter of Permit to establish Auto Wrecking Business:

Mr. J. C. Lanning personally appeared and asked permission of the Council to establish himself in the auto wrecking business on the Craycroft property just within the City Limits. He explained that he would keep his premises in a neat and presentable shape and furthermore he would comply with all the rules and regulations pertaining to this kind of business whereupon Councilman Turner moved that the permit be granted. The motion was carried by a vote of all members present.

In the Matter of Report on Paving on Sixth Street:

In line with a complaint made by Mr. V. Ostrom at a recent meeting to the effect that the paving on Sixth Street was improperly laid, the City Engineer made a thorough investigation of the matter and rendered a report to the Council outlining the result of his investigation. In brief the investigation reveals that after cutting the pavement in two places to examine the sub-grade that it was found to be in perfect shape. On motion by Councilman Turner the report was accepted and ordered filed with the street proceedings covering this particular piece of work. The motion was carried by a vote of all members present.

In the Matter of Petition to Operate Ice Cream Wagon Within the Ball Park:

Mr. Henry C. Koenig personally appeared and petitioned to be allowed to operate an ice cream wagon within the boundaries of the ball park during the base ball games and other athletic events. The matter was referred to the Municipal Athletic Field Commisett who are in charge of the park at the present time.

In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bonds should not be Issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 129, Assessment No. 89, and no written objections being presented, the Council thereupon under Resolution No. 173-S. P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 173-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 5th day of October, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 129 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration

of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 12th day of April, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections, and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$391.35.

NOW, THEREFORE, Be It resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$391.35

BE It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$391.35 in the aggregate; that said bonds shall be issued in ten series of 1 bond in each series, shall each and all be dated the 10th day of March, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per

annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendents list of unpaid assessments to the 2nd day of January 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	31.35	July 2, 1923
No. 2	40.00	July 2, 1924
No. 3	40.00	July 2, 1925
No. 4	40.00	July 2, 1926
No. 5	40.00	July 2, 1927
No. 6	40.00	July 2, 1928
No. 7	40.00	July 2, 1929
No. 8	40.00	July 2, 1930
No. 9	40.00	July 2, 1931
No. 10	40.00	July 2, 1932

It is further Ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 10th day of May, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It Is Further Ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Cuneo who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolutions of Intention Nos. 139, 140 and 141 coming up for consideration and more than fifteen days having expired after the last publication of the resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said act, the Council proceeded to order the work done and the improvement made as set forth in resolution of Intention Nos. 139, 140 and 141.

RESOLUTION NO. 170-S. P.

Resolution Ordering the Work No. 159

In accordance with certain plans and specifications heretofore adopted on the 8th day of March, 1922 and pursuant to Resolution of Intention No. 139 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

RESOLUTION NO. 171-S. P.

Resolution Ordering the Work No. 140

In accordance with certain plans and specifications heretofore adopted on the 8th day of March, 1922 and pursuant to Resolution of Intention No. 140 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Parks

RESOLUTION NO. 172-S. P.

Resolution Ordering the Work No. 141

In accordance with certain plans and specifications heretofore adopted on the 8th day of March, 1922 and pursuant to Resolution of Intention No. 141 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 138 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and written protests of the work therein described having been made and delivered as permitted by said Act and after due consideration, the Council passed a resolution overruling protests being

RESOLUTION NO. 174-S. P.

and proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 138

RESOLUTION NO. 169-S.P.

Resolution Ordering the Work No. 138

In accordance with certain plans and specifications heretofore adopted on the 8th day of March, 1922 and pursuant to Resolution of Intention No. 138 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Carnival Concession:

Mr. Henley representing the Order of the Moose in this City appeared before the Council and asked that a license be issued to the Levitt, Brown, Huggins Co. for operating a carnival during the week of April 17th to 23rd explaining that the carnival company expected to donate a portion of their net earnings to the Moose Organization. He further asked the Council to protect the interests of the Levitt, Brown, Huggins Co by not permitting another carnival to show between the business section of the City and the site chosen by them. Mr. Roy Maxey representing the Modesto Athletic Field Association requested that the Council stand by the action taken on the evening of April 5th except that they be permitted to change the date from the 24th to the 17th. The action taken by the Council on that evening granted the Sheesley Carnival Company the privilege of using a portion of South 11th Street for the purpose of putting on their show. Councilman Turner moved that the action of the Council on the previous week be re-affirmed and that the date of the permit be changed from the 24th to 17th. The motion was seconded, and carried by a vote of all members present.

Following this motion by Councilman Turner, Mr. Levitt representing the Levitt, Brown, Huggins Co petitioned that his show be permitted to use a portion of lower 12th Street. Councilman Cuneo moved that the matter be left in the hands of the Police Commissioner which motion was carried by a vote of all members present.

In the Matter of Ordinance:

ORDINANCE NO. 227-N. S.

Entitled: "AN ORDINANCE AMENDING SECTION 1 of ORDINANCE NO. 143-N. S. RELATING TO THE PARKING OF VEHICLES and which was read, introduced, adopted and passed to print on the 22nd day of March, 1922 and having been published as required by law, Councilman Turner moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

In the Matter of Claims:

The claims for the month of March, were duly audited and withdrawals were made from the following fund accounts as follows:

General-----	\$18,852.52
Water-----	7,619.25
Library-----	1,141.38
Street Intersection Fund-----	118.92
Storm Sewer-----	2,041.50
Tree Dist #70-----	98.75
Tree Dist #62-----	26.25
Tree Dist.#61-----	87.50
Street Bond Redemption & Int----	5.60
Bond redemption & Int-----	112.50
Personal Property Tax Trust-----	.34

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Repair Bill for Town Clock:

A claim was presented by S. A. Osthues in the amount of \$6.00 for repairing the clock over the Modesto Bank Building. It has been customary for the City to assume the repair bills on this clock whereupon Councilman Cuneo moved that the claim be allowed. The motion was carried by all present.

In the Matter of Petition for Street Lights on Sycamore:

A petition was presented to the Council asking that action be taken to pave Fifth Street from "F" to "H", the petition being signed by more than a majority of the property owners in this district. Councilman Cuneo moved that the City Engineer be instructed to prepare plans and specifications which motion was carried by a vote of all members present.

In the Matter of Repainting Arch over "I" Street;

A communication was received from the Chamber of Commerce advising that they were going to repaint the arch over "I" Street. The communication asks that the City Electrician be instructed to remove all of the lamps from the arch during this period of time and that when the lamps are replaced that new ones be put in to replace all those which are burned out. Councilman Cuneo moved that the matter be referred to the City Electrician. The motion was seconded and carried by a vote of all members present.

In the Matter of House of Representative Bill No. 10212;

A communication was received from the League of California Municipalities enclosing a resolution the object of which is to prohibit the United States Courts from setting aside the decision of a state commission before public utility companies have exhausted the remedies provided by their respective state courts. A resolution was introduced by Councilman Turner and in words is as follows:

RESOLUTION NO. 726-N. S.

INDORSING H. R. BILL 10212 (67th CONGRESS, 2nd SESSION)  
ENTITLED " A BILL TO SUPPLEMENT AND AMEND AN ACT ENTITLED 'AN ACT TO CODIFY, REVISE, AND AMEND THE LAWS RELATING TO THE JUDICIARY' (ACT OF MARCH 3, 1911, CHAPTER 231), AND KNOWN AS THE JUDICIAL CODE, AND TO LIMIT THE JURISDICTION OF DISTRICT AND CIRCUIT COURTS IN CERTAIN CASES".

WHEREAS, it appears that the public utility commission of the State of New Jersey, by unanimous decision, recently decided a case involving the determination of street railway rates of the largest utility company in that state and affecting a territory comprising two-thirds of the population of New Jersey, after the case had been pending for two years and nearly 14,000 pages of testimony had been taken,

AND WHEREAS, it appears that the utility company ignored the courts of the state and made an ex parte application to a United States District Judge for an injunction, upon which summary proceeding the court authorized a rate in excess of that allowed by the commission,

AND WHEREAS, by reason of the Court's action, the principle of state regulation of public utilities and state sovereignty in this regard is in serious danger, now therefore be it

RESOLVED, that the bill introduced by Congressman Bacharach of New Jersey (H.R. 10212) be and the same is hereby indorsed and urged for speedy passage and approval.

RESOLVED, that certified copies of these resolutions be sent forthwith to the Judiciary Committee of the House of Representatives at Washington, and to Sedley H. Phinney, Executive Secretary of the League of New Jersey Municipalities, 712 American Mechanic Building, Trenton, New Jersey.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1922, by Councilman Turner who moved its adoption, which motion being duly seconded, it was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Attest: L. A. Love City Clerk

Councilman Utter further moved that copies of the above resolution be sent to Senators Samuel M. Shortridge and Hiram Johnson and Congressman H. E. Barbour.

In the Matter of Purchasing Horses for Street Department:

The urgent need of acquiring three more horses for the street department was explained to the Council whereupon Councilman Cuneo moved that the Commissioner of Supplies be authorized to purchase three horses for use in the City Street Department and that two of the old horses now in the service be turned over to the Park Commission. The motion was carried by a vote of all members present.

In the Matter of Paving Alley in Block 55:

After investigating the conditions of the Alley in Block 55, it has been determined that it would be useless to repair it whereupon Councilman Cuneo moved that the City Engineer be instructed to prepare plans and specifications for re-paving of said Alley. The motion was carried by a vote of all members present.

In the Matter of Paving Alley in Block 56:

In the Matter of Resurfacing Property Adjacent to County Courthouse:

Necessity demands that the City streets be resurfaced in certain locations and amongst others the streets adjacent to the County Courthouse. Councilman Cuneo moved that the City Engineer and the Mayor be appointed a committee to appear before the Board of Supervisors with a request to petition that they make some arrangement for paying for work out of County funds. The motion was seconded and carried by a vote of all members present. The matter of resurfacing 9th Street was again entered into and it was concluded to resurface the west one-half of one block on 9th Street between "I" and "J". Councilman Cuneo moved that the City Engineer be authorized to make arrangements with the paving company for resurfacing this particular one-half block which motion was carried by a vote of all members present.

No further business appearing the Council on motion adjourned to meet again Wednesday evening the 19th day of April, 1922 at 7:30 O'clock P. M.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Council, City of Modesto

Friday, April 14th, 1922

The Council met in special meeting at the call of the Mayor written notices having been delivered or mailed to each of the Council as required by Ordinance No. 2-N. S. of the City of Modesto and there was present: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Absent: Councilman Utter.

The meeting was called for the purpose of passing upon request of two carnival companies for license and for taking up any other business that may come before the Council.

An Attorney representing the Levitt, Brown, Huggins Co together with Attorney Johnson of this City appeared before the Council to petition that the Council rescind the action taken on the evening of Wednesday April 12th wherein permission was granted to the Sheesley Shows Co to use a portion of lower 11th Street. After a lengthy discussion between these attorneys and the City Attorney and the members of the Council and no conclusion arrived at, the Council retired for a private discussion among themselves as to what should be done. After a brief consultation among themselves Councilman Turner moved that the matter be left in its present state. However should the Sheesley people be able to procure a new site or a site upon the railroad reservation of the Southern Pacific Company that they be permitted to erect their tents and equipment thereon. The motion was seconded by Councilman Cuneo and carried by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

At the conclusion of this argument the Attorney for Levitt, Brown, Huggins Co read to the Council an injunction which they had prepared and filed restraining the Council and the Sheesley Shows Company from using any portion of lower 11th Street or any street whatsoever for the purpose of holding a carnival.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

The Council met pursuant to adjournment and there was present Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich Absent: Councilmen None

In the Matter of Invitation to G.A.R. Encampment:

Representatives of the local G.A.R. together with a representation from the relief Corp appeared before the Council to ask that body to extend to the Department Encampment at Riverside an invitation to hold their convention in Modesto in May 1923. The representatives of the local Post informed the Council that should this convention be held in Modesto at that time it would mean the bringing in of from one thousand to twelve hundred people of different parts of this state and Nevada. Councilman Cuneo moved that the Mayor prepare and send the invitation with the assurance the Order shall have the moral support of the Council. The motion was seconded, and carried by a vote of all members present.

In the Matter of Temporary Tabernacle for Revival Meetings:

Mr. Virgin, representing John Brown the Evangelist appeared before the Council and asked permission to be allowed to erect a temporary tabernacle on Eleventh Street between "G" and "H" Street for the purpose of holding religious services for a matter of about three weeks beginning May 7th. On motion by Councilman Turner the permission was granted by a full vote of the Council.

In the Matter of Petition for use of City Property:

Mr. Gray appeared before the Council and asked if a lease would be granted him for the use of the City property near the corner of 10th and "D" Streets for the purpose of erecting loading platforms for fruit shipments. Councilman Turner moved that the matter be left in the hands of the Commissioner of Public Works and that he be given power to act.

In the Matter of Safe Cabinet for City Office:

Representatives of the Safe Cabinet Company appeared before the Council to explain the merits of their safe and cabinet which is intended for use in protecting all office records. It was explained that our present equipment was inadequate and would not afford ample protection against loss by fire whereupon Councilman Turner moved that a committee be appointed to investigate the merits of the proposition and report at the next regular meeting. The Council voted favorably on this motion and in turn the Mayor appointed a committee of Councilmen Utter and Parks to make the investigation.

In the Matter of Zoning Ordinance:

The Planning Commission submitted to the Council a tentative map and diagram showing the zone which was proposed to be drawn around the business district of Modesto and setting aside the residential district and petitioned that the Council introduce an ordinance in line with their recommendations. After due consideration Councilman Turner moved that the Attorney draw up an Ordinance setting forth the details of the zones in question. The motion was carried by a vote of all members present.

In the Matter of Transformers for City Street Lighting:

The matter of converting the present gas lighting system into an electric street lighting system was entered into and it was explained that in order to be in readiness for the change on about July 1st that the City would need two transformers the cost of which will exceed \$200.00 whereupon Councilman Cuneo introduced an Ordinance being

ORDINANCE NO. 228-N. S.

ENTITLED: "AN ORDINANCE AUTHORIZING THE PURCHASE OF TRANSFORMERS FOR THE STREET LIGHTING SYSTEM was introduced by Councilman Cuneo who moved its adoption. The motion was seconded by Councilman Turner and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Wednesday, April 26th, 1922

The Council met in regular session and there was present Councilman Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilman Parks.

In the Matter of Minutes:

The minutes of the regular meeting of April 12th, the Special meeting of April 14th and the adjourned meeting of April 19th, were read and ordered approved as read.

In the Matter of 2 inch Water Tap:

Mr. Hoffman who has the plumbing work to do on the Black Building, corner of 11th and "I" applied to the Council for permission to have a 2 inch tap made for the new Black Building on this location. After due consideration Councilman Turner moved that the permit be granted for a two inch tap and that the cost of same be collected on installation and further that a meter be installed to measure the water used on these premisses.

In the Matter of Band Concerts:

A letter addressed to the Council by the Boys Band makes a proposition to give concerts during the months of June, July and August with a band of from thirty-seven to forty pieces for \$1200. For this amount they agree to play twelve full concerts and to donate back to the City \$200.00 to be used for making certain alterations and additions to the present band stand in the Courthouse park. On motion by Councilman Utter the proposition was accepted with a full vote of the Council.

In the Matter of Ordinance:

ORDINANCE NO. 229-N. S.

Entitled: "AN ORDINANCE CREATING EXCLUSIVE RESIDENCE ZONES IN THE CITY OF MODESTO AND REGULATING THE PURPOSES FOR WHICH BUILDINGS, STRUCTURES OR PREMISES MAY BE ERECTED, CONSTRUCTED OR MAINTAINED, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY was introduced by

Councilman Utter who moved its adoption. The motion was seconded by Councilman Turner and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

ORDINANCE NO. 230-N. S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL WOOD YARD FOR THE RELIEF OF THE INDIGENT AND MAKING AN APPROPRIATION THEREFOR was introduced by Councilman Turner who moved its adoption. The motion was seconded by Councilman Utter and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

ORDINANCE NO. 228-N. S.

Entitled: "AN ORDINANCE AUTHORIZING THE PURCHASE OF TRANSFORMERS FOR THE STREET LIGHTING SYSTEM and which was read, introduced, adopted and passed to print on the 19th day of April, 1922 and having been published as required by law, Councilman Cuneo moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Awarding Contracts for the Improvement of Magnolia Avenue from Needham Street to Stoddard, Magnolia from Stoddard to Lateral No. 4, Sixth Street from "K" to "L" and Fairview, Pleasant, Alley and D Streets:

The Council having heretofore duly adopted and passed Resolutions of Intention to do certain street work therein described which resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention Nos. 138, 139, 140 and 141 and all due and legal proceedings having been thereafter had under and pursuant to said Resolutions, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and one proof thereof having been made and this being the time fixed by said Resolutions and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 2 bids for each piece of work which opened, read as follows including the action of the Council in said matter:

BID OF WARREN CONSTRUCTION CO FOR THE IMPROVEMENT OF FAIRVIEW AVE., ALLEY, PLEASANT AND "D":

Grading	@	\$ .09 per sq. foot
Paving	@	\$ .198 per sq. foot
Gutter	@	\$ .30 per sq. ft.
Curb	@	\$ .70 per lin. foot
Headers	@	\$ .12 per lin. foot

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF FAIRVIEW AVE., ALLEY, PLEASANT AND "D":

Grading	@	\$ .10 per sq. ft
Paving	@	\$ .17 per sq. ft.
Gutter	@	\$ .20 per sq. ft.
Curb	@	\$ .70 per lin ft.
Headers	@	\$ .10 per lin ft.

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 175-S. P. Resolution of Award No. 138, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF WARREN CONSTRUCTION CO FOR THE IMPROVEMENT OF SIXTH STREET FROM "Z" TO "L":

Grading	@	\$.045 per sq. foot
Paving	@	\$.198 per sq. foot
Gutter	@	\$.30 per sq. foot
Curb	@	\$.70 per lin ft.
Headers	@	\$.12 per lin ft.

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF SIXTH STREET FROM "Z" TO "L":

Grading	@	\$.05 per sq. foot
Paving	@	\$.17 per sq. foot
Gutter	@	\$.20 per sq. foot
Curb	@	\$.70 per lin foot
Headers	@	\$.12 per lin foot

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 176-S. P. Resolution of Award No. 139 which upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF WARREN CONSTRUCTION CO. FOR THE IMPROVEMENT OF MAGNOLIA AVENUE FROM STODDARD TO LATERAL NO. 4:

Grading	@	\$.045 per sq. ft.
Paving	@	\$.198 per sq. ft.
Gutter	@	\$.30 per sq. ft.
Headers	@	\$.12 per lin ft.
Concrete electric stands & foundations	@	58.00
Curb	@	\$.70 per lin ft.
Pull in boxes	@	5.00
1" conduit	@	\$.18 per lin ft.
#10 copper wire	@	\$.055 per lin ft.
Globes	@	\$29.00

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF MAGNOLIA AVENUE FROM STODDARD TO LATERAL NO. 4:

Grading	@	\$.05 per sq. ft.
Paving	@	\$.17 per sq. ft.
Gutter	@	\$.20 per sq. ft.
Curb	@	\$.70 per lin ft.
Headers	@	\$.12 per lin ft.
Electroliers	@	60.00
Pull in boxes	@	4.10
1" Galv. Conduit	@	\$.17 per lin ft.
#10 copper wire	@	\$.03 per lin ft.
Globes	@	\$28.36

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 177-S. P. Resolution of Award No. 140 which, upon roll call, was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF WARREN CONSTRUCTION CO FOR THE IMPROVEMENT OF MAGNOLIA AVENUE FROM NEEDHAM TO STODDARD:

Grading	@	\$.045 per sq. ft.
Paving	@	\$.198 per sq. ft.
Gutter	@	\$.30 per sq. ft.
Curb	@	\$.70 per lin ft.
Headers	@	\$.12 per lin ft.
Electroliers	@	50.00 each
Pull in boxes	@	5.00 each
1" conduit	@	\$.18 per lin ft.
#10 copper wire	@	\$.035 per lin ft.
Globes	@	29.00 each

BID OF STANDARD PAVING CO FOR THE IMPROVEMENT OF MAGNOLIA AVENUE FROM NEEDHAM TO STODDARD:

Grading	@	⌘	.05 per sq. ft.
Paving	@	⌘	.17 per sq. ft.
Gutter	@	⌘	.20 per sq. ft.
Curb	@	⌘	.70 per lin ft.
Headers	@	⌘	.12 per lin ft.
Electroliers	@	⌘	60.00 each
Pull in boxes	@	⌘	4.00 each
1" Galv. Conduit	@	⌘	.17 per lin ft.
#10 Copper wire	@	⌘	.03 per lin ft.
Globes	@	⌘	28.36 each

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 178-S.P. Resolution of Award No. 141 which, upon roll call, was declared adopted. Said resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Street Work on Maynell Avenue:

The bid made by the Standard Paving Company on January 25th for the paving of Maynell Avenue having been held up by the Council for consideration until this evening, the Council deemed it advisable to investigate the bid and readvertise again whereupon Councilman Cuneo introduced

RESOLUTION NO. 179-S.P.

being a resolution rejecting the Standard Paving Co's bid of January 25th. Councilman Utter introduced a Resolution authorizing the Clerk to re-advertise for bids on Maynell Avenue under Resolution of Intention No. 133 being

RESOLUTION NO. 180-S. P.

The Resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 145 coming up for consideration and more than fifteen days having expired after the last publication of the resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 145

RESOLUTION NO. 181-S. P.

Resolution Ordering the work No. 145

In accordance with certain plans and specifications heretofore adopted on the 22nd day of March, 1922 and pursuant to Resolution of Intention No. 145 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 182-S. P.

Resolution Ordering plans & Specifications

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "fifth Street, from the center line of "F" Street northwesterly to the southeast line of "H" Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bituliithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness; and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 26th day of April, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Attest: L. A. Love

City Clerk

Engineer's Estimate.

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

Resolution No. 183-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 145 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Resolution No. 184-S. P.

Resolution of Intention No. 145

Providing for the grading and paving of 5th Street with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bituliithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters as more fully set forth in said Resolution of Intention No. 145 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

RESOLUTION NO. 185-S. P.

Resolution Ordering Plans and Specifications.

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Sycamore Avenue, from the north line of Needham Street northerly to the center line of Stoddard Avenue, be graded; also paved between the gutters to the official grade with a pavement consisting of an asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That concrete electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street be constructed at the following points: On the east curb line of Sycamore Avenue one hundred twenty-three and two tenths (123.2) feet north of the north line of Needham Street; on the west curb line of Sycamore Avenue two hundred forty-six and four tenths (246.4) feet north of the north line of Needham Street; on the east curb line of Sycamore Avenue three hundred sixty nine and six tenths (369.6) feet north of the north line of Needham Street; on the northwest curb line of Sycamore Avenue and Alice Street; on the east curb line of Sycamore Avenue one hundred and six tenths (100.6) feet north of the north line of Alice Street; on the west curb line of Sycamore Avenue two hundred ten and four tenths (210.4) feet north of the north line of Alice Street; on the east curb line of Sycamore Avenue three hundred twenty and two tenths (320.2) feet north of the north line of Alice Street; on the west curb line of Sycamore Avenue four hundred thirty (430) feet north of the north line of Alice Street; on the east curb line of Sycamore Avenue one hundred sixty-five and two tenths (165.2) feet north of the center line of Wright Street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 26th day of April, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Attest: L. A. Love

City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### Resolution No. 186-D. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in resolution of Intention No. 146- by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Resolution No. 187-S. P.

Resolution of Intention No. 146

Providing for the grading and paving of Sycamore Avenue from the north line of Needham to center line of Stoddard with a two and one half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters and also for electrical street lighting equipment as morefully set forth in said Resolution of Intention No. 146 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Utter, Turner, and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Resolution No. 188-S. P.

Resolution Ordering Plans & Specifications

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Sycamore Avenue, from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Stoddard Avenue, north of the center line thereof beginning at a point fifteen (15) feet west of the southeast corner of Block 537 (as per Map of record in the County Recorders Office, Volume 10 of Maps, page 537, Stanislaus County Records recorded March 18, 1920), easterly to the westerly line of Magnolia Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite Bitulithic wearing surface; also curbed on the north side to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

The concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street be constructed at the following points: On the east curb line of Sycamore Avenue one hundred fifty-three and one-half ( $153\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the west curb line of Sycamore Avenue three hundred sixteen and one-half ( $316\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the east curb line of Sycamore Avenue four hundred seventy-nine and one-half ( $479\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the northwest curb line of Morris Avenue and Sycamore Avenue; on the east curb line of Sycamore Avenue one hundred forty-eight and one-tenth ( $148.1$ ) feet north of the north line of Morris Avenue; on the west curb line of Sycamore Avenue fifty (50) feet south of the south right of way line of Lateral No. 4 of the Modesto irrigation district.

I hereby certify that the foregoing resolution was duly and regularly introduced was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 26th day of April, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

#### Engineer's Estimate

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### Resolution No. 189-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 147 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

#### Resolution No. 190-S.P.

#### Resolution of Intention No. 147

Providing for the grading and paving of Sycamore Avenue from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District with a two and one half (2½) inch Asphaltic Concrete base and a one and one half (1½) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade and also for electrical street lighting equipment as more fully set forth in said resolution of Intention No. 147 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Utter, Turner, and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

#### In the Matter of Closing 18th Street:

More than 10 days having expired since the last publication of the notice of Public Works which were posted on 18th Street and the Alley in Block 152, a resolution was introduced by Councilman Utter being

#### Resolution No. 191-S. P.

setting a time for hearing of protests against the closing of this street, the time being Wednesday evening, May 10th at 8 o'clock P. M. in the City Hall, City of Modesto.

#### In the Matter of Closing Alley in Block O of the City of Modesto:

More than 10 days having expired since the last publication of the Notice of Public Works which were posted in the Alley in Block O, a resolution was introduced by Councilman Utter being

#### Resolution No. 192-S. P.

setting a time for hearing of protests against the closing of this street, the time being Wednesday evening, May 10th at 8 o'clock P. M. in the City Hall, City of Modesto.

In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bonds should not be Issued;

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 127, Assessment No. 90, and no written objections being presented, the Council thereupon under Resolution No. 193-S. P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 193-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 29th day of December, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 127 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes:

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 26th day of April, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, no. 717-10th Street in said City the said Council did meet to hear any objections, and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$1309.10.

NOW, THEREFORE, Be It Resolved,

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$1309.10.

Be It Further Resolved that Serial Bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$1309.10 in the aggregate; that said bonds shall be issued in ten series of 1 bond in each series, shall each and all be dated the 1st day of April, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendents list of unpaid assessments to the 2nd day of January 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	139.10	July 2, 1923
No. 2	130.00	July 2, 1924
No. 3	130.00	July 2, 1925
No. 4	130.00	July 2, 1926
No. 5	130.00	July 2, 1927
No. 6	130.00	July 2, 1928
No. 7	130.00	July 2, 1929
No. 8	130.00	July 2, 1930
No. 9	130.00	July 2, 1931
no. 10	130.00	July 2, 1932

It is further Ordered that said bonds shall be in the form prescribed by said Improvement Bond Act of 1915 and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 24th day of May, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Cuneo who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 26th day of April, 1922.

Attest: L. A. Love  
City Clerk

In the Matter of Storm Sewer Project Eastern Addition:

The problem of obtaining certain rights of way in the Eastern part of the City of Modesto for the purpose of laying a storm sewer in that district was brought up. Upon motion by Councilman Cuneo, Mayor Ulrich and City Engineer, Freitas were appointed as a committee to confer with the property owners in that district with the idea of obtaining the necessary privileges.

In the Matter of Report on Safe Cabinet:

Councilmen Utter and Parks who were appointed to investigate the need of office record protection made the investigation which was asked of them but owing to Councilman Park's absence his personal expression could not be obtained. Councilman Utter reported that the present facilities were inadequate for proper protection of the City records and while no recommendations were made, it was brought out that the City should have more protection than it has at the present time. The Mayor asked that the investigation be carried on further and a report made on May 10th of the findings of this committee.

In the Matter of Report on Street Signs:

Councilman Turner in whose hands the matter of street signs was left reported that he had obtained a price from the State Automobile Association of \$3.00 per sign and stated that it would cost about \$1.00 to install each post.

No action was taken on the matter except for a motion made by Councilman Cuneo to the effect that Councilman Turner be left in charge of this matter. The motion was seconded and carried by a vote of all members present.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Wednesday May 3rd, 1922

The Council met in special meeting at the Call of the Mayor written notices having been delivered or mailed to each of the Councilas required by Ordinance No. 2-N.S. of the City of Modesto and there was present: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

The meeting was called for the purpose of discussing 1922 budget and any other business that may come before the Council.

In the Matter of Band Concerts for Summer of 1922:

At the meeting of April 26th the Council entertained a proposition made them by the Boy's Band of this City to play twelve full concerts for \$1200.00 with an understanding that \$200.00 of that amount would be donated back to the City for the purpose of improving the band stand in the Court House Park. The Council accepted their proposition at that time however a counter proposition was offered this evening by the Modesto Municipal Band together with an argument intended to sway the Council from their previous decision. After due consideration Councilman Parks moved that the contract stand as awarded in favor of the Boy's Band. The motion was seconded and carried by a vote of all members present.

In the Matter of Sidewalks on Yosemite:

Attention of the Council was called to the fact that Mr. T. J. Le Hane has been laying sidewalks on Yosemite and other streets which are not up to specifications and which do not comply with the rules of Ordinances No. 226 and No. 15-N. S. It was explained that the Street Superintendent would not accept the sidewalks as laid by Mr. Le Hane but in spite of the rejection of the sidewalks by Mr. Hansen, Mr. LeHane has continued to construct them although they are not up to specifications. Councilman Turner moved that the Street Superintendent be instructed to inforce the existing ordinances now in effect to the letter. The motion was seconded and carried by a vote of all members present.

In the Matter of Claim;

A claim in the amount of \$185.00 was presented to the Council by Mr. J. M. Frailey by reason of a horse purchased from him by the City of Modesto. Councilman Turner moved that the bill be paid. The motion was duly seconded and carried.

In the Matter of Water Tapping Machine;

City Engineer Freitas called attention of the Council to the disadvantage hemust work under whenever a large tap is made on the main and the necessity for shutting off the water for an indefinite period of time whenever such large tap is necessary to be made. This was shown to be a hazardous procedure by reason of a lack of water supply in case of fire whereupon Councilman Utter moved that the Commissioner of Public Supplies arrange for the purchase of a tapping machine for the water department. The motion was seconded, carried by a vote of all members present.

In the Matter of Budgets:

The Council entered into a general discussion of the 1922-23 budgets and went over the figures of 1921-22 budgets in a preliminary way. The various department heads assembled had not been given sufficient notice to enable them to prepare the budgets which they thought would be satisfactory whereupon the matter was laid over for further discussion at some subsequent meeting.

No further business appearing the Council on motion adjourned.

Attest: \_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
Mayor

Wednesday May 10th, 1922

The Council met in regular session May 10th, 1922 and there was present:

Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 26th, and the special meeting of May 3rd were read and approved as read.

In the Matter of Repaving Streets:

Certain interested parties among whom Mark Moyle and H. L. Wood appeared before the Council to question the method to be used on the proposed repaving of the business streets of this City. Mr. Moyle raised an objection to the proposed manner in which the assessment would be made but when it was explained by the Mayor that the estimates of the cost of the work show that the cost will not probably exceed 8¢ per square foot, the interested parties felt much relieved and indicated a certain willingness to further the work.

In the Matter of Re-survey of Johnson Jones Addition:

Mr. Bates a property owner in the Johnson Jones Addition appeared before the Council to again call attention to the discrepancy in the lay out of that particular tract stating that a great deal of confusion is being met with and serious problems will undoubtedly develop if the matter is not adjusted. On motion by Councilman Turner the Engineer was authorized to take care of the matter immediately and if necessary employ extra help to make a re-survey of this district. The motion was seconded and carried by a vote of all members present.

In the Matter of Playground Supervisors:

Mr. A. T. McKinley, a member of the Park Commission, pleaded with the Council to provide playground supervisors for the various City Parks. Owing to the fact that funds were not available at the present time the Council felt that they were powerless to take any action however Councilman Cuneo was appointed a committee of one to confer with the Park Commission in regard to this matter.

In the Matter of Ordinance:

ORDINANCE NO. 229-N. S.

Entitled: An Ordinance creating exclusive residence zones in the City of Modesto and regulating the purposes for which buildings, structures or premises may be erected, constructed or maintained, and providing a penalty for the violation thereof, and making this ordinance an emergency measure to take effect immediately and which was read, introduced, adopted and passed to print on the 25th day of April, 1922 and having been published as required by law, Councilman Utter moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Nees: Councilmen None

Absent: Councilman None

ORDINANCE NO. 250-N1 S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL WOOD YARD FOR

THE RELIEF OF THE INDIGENT AND MAKING AN APPROPRIATION THEREFOR AND WHICH was read, introduced, adopted and passed to print on the 26th day of April, 1922 and having been published as required by law, Councilman Turner moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contracts for the Improvement of Maynell from McHenry to Johnson and H, High and Kimble:

The Council having heretofore duly adopted and passed resolution of Intention to do certain street work therein described which resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention Nos. 133 and 143 and all due and legal proceedings having been thereafter had under and pursuant to said Resolutions, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolutions and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid for each piece of work which opened, read as follows including the action of the Council in said matter:

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF MAYNELL AVENUE FROM THE CENTER LINE OF MCHENRY AVE TO JOHNSON:

Grading	@	\$	.08 per sq. ft.
Paving	@	\$	.17 per sq. ft.
Gutter	@	\$	.20 per lin ft.
Curb	@	\$	.70 per lin ft.
Headers	@	\$	.10 per lin ft.
8" Vit. Sewer Pipe	@	\$	.55 per lin ft.
Storm Water inlets	@	\$	25.00 each
Manhole	@	\$	55.00 each

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced resolution No. 194-S.P. Resolution of Award No. 133 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF H, HIGH AND KIMBLE:

Grading	@	\$	.05 per sq. ft.
Paving	@	\$	.17 per sq. ft.
Gutter	@	\$	.20 per sq. ft.
Curb	@	\$	.70 per lin ft.
Headers	@	\$	.10 per lin ft.

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced resolution No. 195-S.P. Resolution of Award No. 143, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Closing Alley in Block 152 and a portion of 18th Street:

This being the time fixed pursuant to published notices when interested persons may appear before the Council and show why improvement work should not be done under Resolution of Intention No. 145 and no written objections being presented the Council thereupon passed a resolution to close Alley in Block 152 and a portion of 18th Street being

Resolution No. 196-S. P.

A Resolution Closing Alley in Block 132 and a portion of 18th Street in the City of Modesto.

WHEREAS, the City Council has heretofore passed and adopted a resolution declaring that it is the intention of the City Council of the City of Modesto to order the work done or improvement to be made which is described as follows: That the Alley in Block 132 of the City of Modesto be closed to a point 150 feet northwest of the northwest line of H Street; that Eighteenth Street between the southeasterly line of I Street and the Northwesterly line of H Street be closed in part, as follows: That the Alley in Block 132 of the City of Modesto be closed to a point 150 feet northwest of the northwest line of H Street; that Eighteenth Street between the southeasterly line of I Street and the Northwesterly line of H Street be closed in part, as follows: That all of said Eighteenth Street between the southeasterly line of I Street and the northwesterly line of H Street be closed except the following portion thereof; Beginning at the intersection of the northeasterly line of Eighteenth Street with the northwesterly line of H Street; thence in a northwesterly direction along the northeasterly line of H Street a distance of one hundred fifty feet; thence at right angles southwesterly a distance of forty feet to the center of Eighteenth Street; thence at right angles <sup>in a</sup> southeasterly direction along the center line of Eighteenth Street a distance of one hundred fifty feet to the northwesterly line of H Street; thence at right angles northeasterly along the northwesterly line of H Street a distance of forty feet to the point of beginning, which resolution was numbered Resolution of Intention No. 142, Resolution No. 164-S. P. and was adopted by the Council of said City, on the 22nd day of March, 1922, and

WHEREAS, thereafter the Street Superintendent caused to be posted conspicuously along the line of said contemplated work or improvement, at not more than three hundred feet in distance apart, but not less than three in all, notices of the passage of said resolution, which notices were headed "Notice of Public Works" in letters not less than one inch in length, and which notice was in legible characters and stated the fact of the passage of the resolution, its date and briefly the work or improvement proposed, and referred to the Resolution of Intention for further particulars, and also caused a notice similar in substance to be published for a period of ten days in one or more daily newspapers published and circulated in said City and designated by said City Council for such purpose, all of which will more fully appear by the affidavit of said Street Superintendent and the affidavit of the publisher of said newspaper, both of which are hereby referred to for greater certainty, and

WHEREAS, no objections whatever have been made to said improvement by any person whomsoever and the time for the making of objections has expired, and

WHEREAS, the Council has acquired jurisdiction to order the work to be done, and

WHEREAS, it appears that no assessment is necessary

NOW, THEREFORE, The City Council of the City of Modesto does hereby order the said work and improvement to be made which is heretofore described in this resolution, to-wit; That the Alley in Block 132 of the City of Modesto be closed to a point 150 feet northwest of the northwest line of H Street; that Eighteenth Street between the southeasterly line of I Street and the Northwesterly line of H Street be closed in part, as follows: That all of said Eighteenth Street between the southeasterly line of I Street and the northwesterly line of H Street be closed except the following portion thereof; Beginning at the intersection of the northeasterly line of Eighteenth Street with the Northwesterly line of H Street; thence in a Northwesterly direction along the northeasterly line of H Street a distance of one hundred fifty feet; thence at right angles southwesterly a distance of forty feet to the center of Eighteenth Street; thence at right angles in a southeasterly direction along the center line of Eighteenth Street a distance of one hundred fifty feet to the northwesterly line of H Street; thence at right angles northeasterly along the northwesterly line of H Street a distance of forty feet to the point of beginning, which resolution was numbered resolution of Intention No. 142, Resolution No. 104-S. P. be closed in whole, and the said Council does further determine and order that upon the final adoption of this resolution the said street and alley abovenamed between the points above named shall be, and the same are hereby, closed as above specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1922, by Councilman Turner who moved its adoption, which motion being duly seconded was carried and the resolution adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

In the Matter of Closing Alley in Block O:

This being the time fixed pursuant to published notices when interested persons may appear before the Council and show cause why improvement work should not be done under resolution of Intention No. 144 and no written objections being presented the Council thereupon passed a resolution to close the alley in Block O being

RESOLUTION NO. 197-S. P.

A Resolution Closing the Alley in Block O in the City of Modesto.

Whereas, the City Council has heretofore passed and adopted a resolution declaring that it is the intention of the City Council of the City of Modesto to order the work done or improvement to be made which is described as follows: That the Alley in Block O of the City of Modesto as laid out and delineated upon the official Map of the City of Modesto filed in the office of the County Recorder of Stanislaus County, California on March 18th, 1920 be closed in whole, which resolution was numbered

Resolution of Intention No. 144, Resolution No. 168-S. P. and was adopted by the Council of said City on the 29th day of March, 1922, and

WHEREAS, thereafter the Street Superintendent caused to be posted conspicuously along the line of said contemplated work or improvement, at not more than three hundred feet in distance apart, but not less than three in all, notices of the passage of said Resolution, which notices were headed "Notice of Public Works", in letters not less than one inch in length, and which notices were in legible characters and stated the fact of the passage of the resolution, its date and briefly the work or improvement proposed, and referred to the Resolution of Intention for further particulars, and also caused a notice similar in substance to be published for a period of ten days in one or more daily newspaper published and circulated in said City and designated by said City Council for such purpose, all of which will more fully appear by the affidavit of said Street Superintendent and the affidavit of the publisher of said newspaper, both of which are on file herein and are hereby referred to for greater certainty, and

WHEREAS, no objections whatever have been made to said improvement by any person whomsoever and the time for the making of objections has expired, and

WHEREAS, the Council has acquired jurisdiction to order the work to be done, and

WHEREAS, it appears that no assessment is necessary

NOW, THEREFORE, the City Council of the City of Modesto does hereby order the said work and improvement to be made which is described as follows: That the Alley in Block O of the City of Modesto as laid out and delineated upon the official map or plat of said City of Modesto filed in the office of the County Recorder of Stanislaus County, California, on March 18th, 1920, in Vol. 10 of Maps, be closed in whole, and the said Council does further determine and order that upon the final adoption of this resolution the said alley above named between the points above named shall be, and the same is hereby closed as above specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1922, by Councilman Turner, who moved its adoption, which motion being duly seconded was carried and the resolution adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

In the Matter of Protest against a Proposed Assessment On James Street:

A letter written by Mr. W. C. LeHane, Attorney, for the property owners against whom the James Street paving will be assessed, addressed to the City Council of City of Modesto was read and ordered placed on file with the James Street Proceedings.

In the Matter of James Street Assessment District Map:

A map showing in detail all of the property to be assessed for the paving of James Street and Downey Street under Resolution of Intention No. 122 was presented to the Council by City Engineer Freitas for approval. Councilman Cuneo introduced a resolution approving the map for the assessment district being

Resolution No. 198-S.P.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Safe Cabinet for City Office:

The Committee previously appointed to investigate the merits and necessity for a safe cabinet for the City Clerk's Office reported their findings and recommended the purchase of such equipment. Representatives of the Safe Cabinet Company were present and made a proposition to the City Council whereby the City leased this piece of equipment for \$60.00 per month without interest whereupon Councilman Turner introduced a resolution authorizing the Mayor and City Clerk to enter into an agreement with the Safe cabinet company for obtaining this necessary equipment being

Resolution No. 727-N. S.

The resolution was carried by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen Cuneo

Absent: Councilmen None

In the Matter of Claims:

The Claims for the month of April, were duly audited and withdrawals were made from the following fund accounts as follows:

Library	921.34
General	14,861.10
Water	4,281.96
Storm Sewer	54.25
Street Bond Red.	50.18
Tree Dist #61	120.57
Tree Dist #62	17.52
Tree Dist #70	358.76

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Storm Sewer in De Yoe Addition:

The problem of obtaining an easement from Mr. H. E. De Yoe for the construction of a storm sewer from the end of Rue De Yoe to Dry Creek through block 228 of the City of Modesto was considered. City Engineer Freitas at a previous meeting was authorized to meet with Mr. DeYoe and some party chosen by Mr. De Yoe to act as arbitrators in obtaining the easement which was wanted. A report by the arbitrators, Mr. J. W. Dunlap and City Engineer Freitas is as follows:

It has been agreed that Mr. De Yoe shall give to the City of Modesto for the purpose of constructing, operating, maintaining and repairing said storm sewer an easement, the center line of which is described as follows:

Beginning at a point on the quarter section line between the S. W. quarter and the S. E. quarter sections of Section 28 T 5 S R 9 E M. D.B. M. Said point being also the center line of Rue DeYoe and S. 1° 26' E. and distant four hundred three and five tenths (403.5) feet from the mid quarter section corner of Section 28 said township and range.

Thence south 45° 24' E. one hundred thirty six (136) feet to the center line of Dry Creek said line being the center line of a strip of land five feet on each side of said center line.

With the understanding that should said strip of ground ever cease to be used for said purposes the rights given shall revert to Mr. De Yoe, his heirs and assigns. For this right or privilege the City of Modesto shall pay to Mr. De Yoe the sum of One hundred Dollars. (\$100.00).

Further, upon the payment of the additional sum of one hundred fifty dollars (\$150.00) to Mr. De Yoe he agrees to release the City from all liability for damage to his property bordering on Dry Creek resulting from the construction of said sewer on said right of way and the flowing of storm waters therein or therethrough or the emptying of said storm waters into Dry Creek, provided, that the City of Modesto, where said sewer terminates at the water line of Dry Creek, shall install a gooseneck in such a manner as to divert the stream instead of water following through said pipe down or with the stream instead of sending it across the stream at right angles to the current.

We respectfully recommend to our respective principals that these findings be adopted and the arrangements between the parties concluded in accordance herewith.

Respectfully,

Geo. H. Freitas

J. W. Dunlap

Arbitrators.

Councilman Turner moved that the report be accepted and that a warrant be drawn in favor of Mr. H. E. De Yoe for \$250.00 to satisfy his demands for the above proposition in consideration of which a deed is given to the City for the property in question.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 89. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 199-S. P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 12th day of April, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made in the alley in Block 122 fully described in Resolution of Intention No. 129 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$591.55.

The foregoing resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Assent: Councilmen None

Attest: L. A. Love

City Clerk

In the Matter of Parking Opposite Buildings under construction:

Attention of the Council was called to the dangerous condition on 11th Street opposite the new Black Building. It was explained that sand, gravel, lumber and other building materials were being deposited on one side of the street and that the parking of cars on the other side opposite made the passage way so narrow between that it was dangerous to traffic whereupon Councilman Cuneo moved that the Police Department be authorized to keep the space clear of parked automobiles during the construction of this or any other building in the down town section.

No further business appearing the Council on motion adjourned to meet again Wednesday evening May 17th, 1922.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Council, City of Modesto

Wednesday, May 17th, 1922.

The Council met pursuant to adjournment from the regular meeting of May 10th and there was present. Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Zoning Ordinance:

A communication was addressed to the City Council by the City Planning Commission regarding the zoning ordinance which was passed by the Council on May 10th. The Planning Commission urged that the zoning plan as outlined in this ordinance be made permanent and they further ask that the ordinance be made to include the following:

FIRST: Local Business and Industrial Zones be designated where there is now established business or industry with extension of boundary as per map attached hereto.

Second: That the heights of buildings be fixed at Ninety feet (90 ft).

Third: That the location of Parks and Churches will not be affected by the proposed ordinance.

Councilman Turner moved that the tentative report of the Planning Commission be adopted and authorized the Planning Commission to hold not less than two public meetings before making its final report on this matter. The motion was carried by the vote of all members present. A resolution was introduced adoption the Tentative report of the City Planning Commission with reference to zoning and Providing for public meetings to be held thereon being

Resolution No. 728-N. S.

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Park Supervisors:

Certain applications were presented to the Council for the position of play ground supervisors for the season in the city parks. The fund from which these supervisors will be paid is very limited however the motion was made by Councilman Turner to the effect that the Park Commission be empowered to employ supervisors during the school vacation period, the expense of which shall not exceed \$900.00. The motion was duly seconded, carried and so ordered.

In the Matter of 2 inch water tap:

A representative of the Modesto Gas Company appeared before the Council and requested permission to have a 2 inch tap made for furnishing their new building in Block 70 with water for the operation of an elevator. Councilman Turner moved that the Engineer be authorized to make a tap on the payment of the necessary fee and that a meter be installed to measure the consumption of water. The motion was duly seconded, carried and so ordered.

In the Matter of Removal of Fire Hydrants:

Councilman Cuneo reported the result of his investigation regarding the removal of fire hydrants in front of business property on "H" Street. Councilman Cuneo recommended that whenever possible to do so and if practical, that fire hydrants be installed as near the alley as conditions would permit. City Engineer Freitas was instructed to confer with the interested parties who want these fire hydrants removed to determine if they would stand the cost of removing.

In the Matter of Garbage Disposal:

A discussion was entered into regarding the disposal of garbage and the prospects of erecting an incinerator. Councilman Parks moved that a committee be appointed to investigate the possibilities of erecting such a plant whereupon the Mayor appointed Councilmen Cuneo and Utter and upon the suggestion of Councilman Parks included himself in on the committee;

In the Matter of Dismissal of C. H. Tucker:

It develops that C. H. Tucker who is in charge of the revaluation survey has willfully neglected his duties in connection with this work whereupon Councilman Turner moved that his services be discontinued effective from the last day he worked.

No further business appearing the Council on motion adjourned.

Attest: \_\_\_\_\_

City Clerk

Approved: \_\_\_\_\_

Mayor

Council, City of Modesto

Wednesday evening, May 24th, 1922

The Council met in regular session and there was present:

Councilmen Parks, Turner, Utter and Mayor Ulrich

Absent: Councilman Cuneo.

In the Matter of Minutes;

The minutes of the regular meeting of May 10th and the adjourned meeting of May 17th were read and ordered approved as read.

In the Matter of Street Proceedings on Sycamore Avenue:

This being the time and place fixed for hearing protests and objections against the pavement of Sycamore Avenue from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District pursuant to Resolution of Intention No. 147, Resolution No. 190-S. P. and published and printed notices, and it appearing to the Council that the trees planted on Sycamore from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District are further out in the street than trees in other streets which fact was overlooked when the original proceedings were started and the matter coming on regularly and no protests being filed, Councilman Turner thereupon introduced

Resolution No. 200-S. P.

rescinding and cancelling all of the proceedings on this work. Councilman Turner moved the adoption of the resolution, which motion being duly seconded the resolution was adopted by a vote of all members present. The resolution is on file in the office of the City Clerk. The resolution was adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolutions of Intention Nos. 146 and 148 coming up for consideration and more than fifteen days having expired after the last publication of the Resolutions of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolutions of Intention Nos. 145 and 146

RESOLUTION NO. 201-S. P.

Resolution Ordering the Work No. 145

In accordance with certain plans and specifications heretofore adopted on the 26th day of April, 1922 and pursuant to Resolution of Intention No. 145 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

RESOLUTION NO. 202-S. P.

Resolution Ordering the Work No. 146

In accordance with certain plans and specifications heretofore adopted on the 26th day of April, 1922 and pursuant to Resolution of Intention No. 146 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 205-S. P.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Kimble Street, from the center line of Downey Avenue north to the center line of Lucern Avenue, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete Base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic Wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness; and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; excepting, however, from the aforescribed work such portions as is required by law to be kept in order or repair by any persons or company having railroad tracks thereon; also

That concrete electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, and other necessary and suitable appliances for the purpose of lighting said street be constructed at the following points: On the east curb line of Kimble Street at a point where the north line of Downey Avenue running west extended and produced intersects the east curb line of Kimble Street; on the west curb line Kimble Street at a point one hundred forty (140) feet south of the south line of Jones Street extended and produced; on the east curb line of Kimble Street at a point where the center line of Jones Street extended and produced intersects the east curb line of Kimble Street; on the west curb line of Kimble Street at a point one hundred thirty eight and five one-hundredths (138.05) feet north of the north line of Jones Street; on the northeast curb line of Redwood Avenue and Kimble Street; on the west curb line of Kimble Street at a point one hundred thirty-one and seven one-hundredths (131.07) feet south of the south line of Floto Street; on the east curb line of Kimble Street at a point where the center line of Floto Street extended and produced intersects the east curb line of Kimble Street; on the west curb line of Kimble Street at a point one hundred forty-eight and sixty-seven one-hundred (148.67) feet north of the north line of Floto Street; on the northeast curb line of Cedar Avenue and Kimble Street; on the west curb line of Kimble Street at a point one hundred eighteen and eighty-three (118.83) feet south of the south line of Davis Street; on the east curb line of Kimble Street at a point where the center line of Davis Street extended and produced intersects the east curb line of Kimble Street; on the west curb line of Kimble Street at a point ninety-eight and

ninety-six one-hundredths (96.96) feet north of the north line of Davis Street; on the east curb line of Kimble Street at a point seventy-seven and eight one-hundredths (77.08) feet south of the south line of Morris Avenue; on the north-west curb line of Kimble Street at a point one hundred forty-seven and twenty-three one-hundredths (147.23) feet north of the north line of Morris Avenue; on the west curb line of Kimble Street at a point three hundred three and ninety-six one-hundredths (303.96) feet north of the north line of Morris Avenue; on the east curb line of Kimble Street at a point where the center line of Maynell Avenue extended and produced intersects the east curb line of Kimble Street; on the southwest curb line of Kimble Street and Lucern Avenue.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the twenty-fourth day of May, 1922, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

Attest: I. A. Love,  
City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### RESOLUTION NO. 204-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 148 by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

#### RESOLUTION NO. 205-S. P.

#### Resolution of Intention No. 148

Providing for the grading and paving of Kimble Street, from the center line of Downey Avenue north to the center line of Lucern Avenue, with a two and one half ( $2\frac{1}{2}$ ) inch ~~Warrenite~~ Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and for the installation of electrical equipment and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters as more fully set forth in said Resolution of Intention No. 148 was introduced and adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 206-S. P.

#### Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Jones Street, from the west line of Johnson Street easterly to the west line of Kimble Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete Base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness; and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 24th day of May, 1922, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

Attest: L. A. Love

City Clerk

#### ENGINEER'S ESTIMATE

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications and his estimate of the cost of the work.

#### RESOLUTION NO. 207-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 149 by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

#### RESOLUTION NO. 208-S. P.

#### Resolution of Intention No. 149

Providing for the grading and paving of Jones Street from the west line of Johnson Street easterly to the west line of Kimble Street with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete Base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters as more fully set forth in said Resolution of Intention No. 149 was introduced and adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

RESOLUTION NO. 209-S. P.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "I" Street, from the southwest line of Seventeenth Street northeasterly to the south line of Downey Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an asphaltic concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite Bitulithic wearing surface; and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Eighteenth Street, from the northwesterly line of "I" Street northwesterly to the south line of Downey Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an asphaltic concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; and curbed on the southwest side to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 24th day of May, 1922, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

Attest: L. A. Love

City Clerk

ENGINEER'S ESTIMATE

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications and his estimate of the cost of the work.

RESOLUTION NO. 210-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 150 by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

RESOLUTION NO. 211-S. P.

Resolution of Intention No. 150

Providing for the grading and paving of "I" Street from the southwest line of Seventeenth Street northeasterly to the south line of Downey Avenue with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surfate and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also excepting that portion of "I" Street lying between the center line and the southeasterly line thereof from the northeasterly line of Seventeenth Street northeasterly to the south line of Downey Avenue; also

Providing for the grading and paving of Eighteenth Street, from the northwesterly line of "I" Street northwesterly to the south line of Downey Avenue with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on the southwest side to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; as more fully set forth in said resolution of Intention No. 150 was introduced and adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

RESOLUTION NO. 212-S. P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

(1). That ten (10) inch Vitrified ironstone pipe sewer line be constructed along the following streets, viz: along Roy Street and six (6) feet easterly of the center line thereof from the center line of Elynnell Avenue south to a point six (6) feet north of the center line of Morris Avenue.

(2). That a fourteen (14) inch vitrified ironstone pipe sewer line be constructed along Morris Avenue and six (6) feet north of the center line thereof from a point (6) feet east of the center line of Roy Street easterly to the center line of Johnson Street.

(3). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along Morris Avenue and six (6) feet north of the center line thereof from the center line of Johnson Street easterly to the center line of Kimble Street.

(4). That eight (8) inch vitrified ironstone pipe sewer line be constructed along the center line of Semple Street from the center line of Davis Street extended and produced westerly north to a point six (6) feet north of the center line of Morris Avenue.

(5). That ten (10) inch vitrified ironstone pipe sewer line be constructed along Maynell Avenue and six (6) feet north of the center line thereof from the center line of Johnson Street easterly to the center line of Kimble Street.

(6). That fourteen (14) inch vitrified ironstone pipe sewer line be constructed along the center line of Kimble Street from a point six (6) feet north of the center line of Maynell Avenue north to the center line of Lucern Avenue.

(7). That Eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along the center line of Lucern Avenue from the center line of Kimble Street east to the center line of Melrose Street.

(8). That ten (10) inch Vitrified ironstone pipe sewer line be constructed along the center line of Lucern Avenue from the center line of Bodem Street west to the center line of Melrose Street.

(9). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along the center line of Melrose Street south to a point six (6) feet north of the center line of Morris Avenue.

(10). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along Morris Avenue and six (6) feet north of the center line thereof from the center line of Kimble Street easterly to the center line of Melrose Street.

(11). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along Morris Avenue and six (6) feet north of the center line thereof from the present easterly terminus of Morris Avenue westerly to the center line of Auburn Street.

(12). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along Morris Avenue and six (6) feet north of the center line thereof from the center line of Auburn Street westerly to the center line of Melrose Street.

(13). That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along the center line of Melrose Street from a point six (6) feet north of the center line of Morris Avenue south to the center line of "H" Street.

(14). That fourteen (14) inch vitrified ironstone pipe sewer line be constructed along Cedar Avenue and six (6) feet north of the center line thereof from the center line of Bodem Street west to the center line of Melrose Street.

(15). That ten (10) inch vitrified ironstone pipe sewer line be constructed along Cedar Avenue and six (6) feet north of the center line thereof from a point six (6) feet east of the center line of Kimble Street east to the center line of High Street.

(16). That fourteen (14) inch vitrified ironstone pipe sewer line be constructed along Cedar Avenue and six (6) feet north of the center line thereof from the center line of High Street easterly to the center line of Melrose Street.

(17). That eight (8) inch vitrified ironstone pipe sewer line be constructed twenty-five (25) feet west of the east line of Johnson Street from the center line of Almond Avenue, (extended and produced), south paralleling the center line of Johnson Street to the center line of Floto Street.

(18). That eight (8) inch vitrified ironstone pipe sewer line be constructed along the center line of Johnson Street from the center line of Lee Street north to the center line of Floto Street.

(19). That twelve (12) inch vitrified ironstone pipe sewer line be constructed along the center line of Floto Street from the center line of Johnson Street east to the center line of Semple Street.

(20). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along the center line of Floto Street from the center line of Semple Street east to a point six (6) feet east of the center line of Kimble Street.

(21). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along Kimble Street and six (6) feet east of the center line thereof from the center line of Floto Street south to a point six (6) feet north of the center line of Redwood Avenue.

(22). That ten (10) inch vitrified ironstone pipe sewer line be constructed along Jones Street and five and three-quarter ( $5 \frac{3}{4}$ ) feet north of the center line thereof from the center line of Semple Street east to a point six (6) feet east of the center line of Kimble Street.

(23). That eight (8) inch vitrified ironstone pipe sewer line be constructed along Kimble Street and six and one-half ( $6 \frac{1}{2}$ ) feet east of the center line thereof from the south line of Downey Avenue north to a point five and three quarter ( $5 \frac{3}{4}$ ) feet north of the center line of Jones Street.

(24). That twelve (12) inch vitrified ironstone pipe sewer line be constructed along Kimble Street and six (6) feet east of the center line thereof from a point five and three quarter ( $5 \frac{3}{4}$ ) feet north of the center line of Jones Street north to a point six (6) feet north of the center line of Redwood Avenue.

(25). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along Redwood Avenue and six (6) feet north of the center line thereof from a point six (6) feet east of the center line of Kimble Street east to the center line of Melrose Street.

(26). That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along Melrose Street and six (6) feet west of the center line thereof from the center line of H Street south to the center line of Downey Avenue.

(27). That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along the center line of Downey Avenue from a point six (6) feet west of the center line of Melrose Street east to the center line of Newgate Street.

(28). That ten (10) inch vitrified ironstone pipe sewer line be constructed along H Street and twenty-two (22) feet south of the center line thereof from the east line of High Street easterly to the westerly line of Melrose Street; thence northeasterly to the center line of "H" Street.

(29). That fourteen (14) inch vitrified ironstone pipe sewer line be constructed along the center line of Bodem Street from the south line of "H" Street south to the center line of Downey Avenue.

(30). That fourteen (14) inch vitrified ironstone pipe sewer line be

constructed along the center line of Downey Avenue from the center line of Bodem Street west to the center line of Newgate Street.

(31). That thirty (30) inch reinforced cement concrete pipe sewer line be constructed along the center line of Newgate Street from the center line of Downey Avenue south to the center line of Rue De Yoe.

(32). That thirty (30) inch reinforced cement concrete pipe sewer line be constructed along the center line of Rue De Yoe from the center line of Newgate Street east to the quarter section line running north and south between the southwest quarter and the southeast quarter sections of Section 28 T 3 S R 9 E M. D. B. & M.

(33). That one hundred (100) feet of thirty (30) inch reinforced cement concrete pipe sewer line be constructed from a point where the center line of Rue De Yoe intersects the quarter section line between the southwest quarter and the southeast quarter sections of Section 28 T 3 S R 9 E M. D. B. & M. south 45° 24' east to a point.

(34). That fourteen (14) feet of thirty (30) inch #10 Gauge corrugated iron pipe sewer line be constructed from a point one hundred two (102) feet south 45° 24' east of a point where the center line of Rue De Yoe intersects the quarter section line between the southwest quarter and the southeast quarter sections of Section 28 T 3 S R. 9 E. M. D. B. & M. southeasterly to a point on the water line of Dry Creek.

(35). That thirty-six (36) brick manholes, with brick floor and cast iron cover be constructed at the following points, viz: one (1) on Morris Avenue and Foy Street at a point six (6) feet east of the center line of Foy Street and six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Johnson Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Semple Street and Davis Street; one (1) on the center line of Semple Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Kimble Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Melrose Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Bodem Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Auburn Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center line of Auburn Street at a point six (6) feet north of the centerline of Morris Avenue; one (1) on the center line of Castle Street at a point six (6) feet north of the center line of Morris Avenue; one (1) on the center lines of Bodem Street and Lucern Avenue; one (1) on the center lines of Melrose Street and Lucern Avenue; one (1) on the center line of High Street and Lucern Avenue; one (1) on the center lines of Kimble Street and Lucern Avenue; one (1) on the center line of Johnson Street and six (6) feet north of the center line of Maynell Avenue; one (1) on the center line of Kimble Street and six (6) feet north of the center line of Maynell Avenue; one (1) at a point six (6) feet east of the center line of Kimble Street and six (6) feet north of the center line of Cedar Avenue; one (1) on the center line of High Street at a point six (6) feet north of the center line of Cedar Avenue; one (1) on the center line of Melrose Street at a point six (6) feet north of the center line of Cedar Avenue; one (1) on the center line of Bodem Street at a point six (6) feet

north of the center line of Cedar Avenue; one (1) on the center line of Almond Avenue and Johnson Street; one (1) on the center line of Johnson Street and the center line of Floto Street; one (1) on the center line of Johnson and Lee Streets; one (1) on the center line of Semple and Floto Streets; one (1) on the center line of Floto Street at a point six (6) feet east of the center line of Kimble Street; one (1) on Kimble Street and Redwood Avenue at a point six (6) feet east of the center line of Kimble Street and six (6) feet north of the center line of Redwood Avenue; one (1) on the center line of Semple Street at a point five and three-quarter ( $5 \frac{3}{4}$ ) feet north of the center line of Jones Street; one (1) on Kimble Street and Jones Street at a point six (6) feet east of the center line of Kimble Street and five and three-quarter ( $5 \frac{3}{4}$ ) feet north of the center line of Jones Street; one (1) on the south line of Downey Avenue at a point six and one-half ( $6 \frac{1}{2}$ ) feet east of the center line of Kimble Street extended and produced; one (1) on the center line of High Street at a point six (6) feet north of the center line of Redwood Avenue; one (1) on the center line of Redwood Avenue; one (1) on the center line of "H" Street and Melrose Street; one (1) on the center line of "H" Street and Melrose Street; one (1) on the center line of Downey Avenue at a point six (6) feet west of the center line of Melrose Street; one (1) on the center line of Bodem Street and the south line of "H" Street; one (1) on the center line of Bodem Street and Downey Avenue; one (1) on the center line of Downey Avenue and Newgate Street; one (1) on the center line of Rue De Yoe and Newgate Street.

(55 a). That brick manhole, with reinforced cement concrete foundations and floor and cast iron cover be constructed at the following points: One (1) on the center line of Rue De Yoe and the quarter section line between the southwest and the southeast quarter sections of Section 26 T 5 S R 9 E M.D.B. & M., and one (1) at a point one hundred (100) feet south  $45^{\circ} 24'$  east of a point where the center line of Rue De Yoe intersects the quarter section line between the southeast and the southwest quarter sections of Section 28 T 5 S R 9 E M. D. B. and M.

(56). That eighty-seven (87) cement concrete storm water inlets with cast iron covers and cast iron grates with eight (8) inch vitrified ironstone sewer pipe connecting inlets with brick manholes be constructed at the following points, viz: one (1) on the northwest curb of Morris Avenue and Foy Street; one (1) on the northeast curb of Morris Avenue and Foy Street; one (1) on the northwest curb, one (1) on the northeast curb, one (1) on the southeast curb, one (1) on the southwest curb of Morris Avenue and Johnson Street; one (1) on the northwest curb, one (1) on the northeast curb, one (1) on the southeast curb of Johnson Street and Maynell Avenue; one (1) on the northwest curb, one (1) on the southwest curb of Kimble Street and Maynell Avenue; one (1) on the southwest curb, one (1) on the southeast curb of Kimble Street and Lucern Avenue; one (1) on the southeast curb, one (1) on the southwest curb of High Street and Lucern Avenue; one (1) on the southeast curb, one (1) on the southwest curb of Melrose Street and Lucern Avenue; one (1) on the southeast curb, one (1) on the southwest curb of Bodem Street and Lucern Avenue; one (1) on the northeast curb, one (1) on the northwest curb of Castle Street and Morris Avenue; one (1) on the northeast curb, one (1) on the southeast curb, one (1) on the northwest curb of Auburn Street and Morris Avenue; one (1) on

the northeast curb, one (1) on the southeast curb of Morris Avenue and Bodem Street; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb, one (1) on the southwest curb of Melrose Street and Morris Avenue; one (1) on the southeast curb, one (1) on the northeast curb of Kimble Street and Morris Avenue; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb of Semple Street and Morris Avenue; one (1) on the west curb line of Semple Street on the center line of Davis Street extended and produced; one (1) on the northeast curb, one (1) on the southeast curb of Kimble Street and Davis Street; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb, one (1) on the southwest curb of Bodem Street and Cedar Avenue; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb of High Street and Cedar Avenue; one (1) on the northeast curb, one (1) on the southeast curb of Kimble Street and Cedar Avenue; one (1) on the northwest curb of Kimble Street and Floto Street; one (1) on the southeast curb, one (1) on the northwest curb of Kimble Street and Redwood Avenue; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb, one (1) on the southwest curb of High Street and Redwood Avenue; one (1) on the northwest curb, one (1) on the southwest curb of Melrose Street and Redwood Avenue; one (1) on the east curb line of Melrose Avenue at a point six (6) feet north of the center line of Redwood Avenue extended and produced; one (1) on the northwest curb, one (1) on the southwest curb, one (1) on the southeast curb of Jones Street and Semple Street; one (1) on the northwest curb, one (1) on the southwest curb of Jones Street and Kimble Street; one (1) on the southeast curb, one (1) on the southeast curb, one (1) on the northeast curb of Melrose Street and "H" Street; one (1) on the southeast curb, one (1) on the southwest curb, one (1) on the northeast curb of Bodem and "H" Streets; one (1) on the southeast curb of High and "H" Streets; one (1) on the northeast curb of Melrose Street and Downey Avenue; one (1) on the southeast curb of Newgate Street and Downey Avenue; one (1) on the northeast curb, one (1) on the northwest curb of Newgate Street and Rue De Yoe; one (1) on the north curb line of Rue De Yoe at a point fifteen (15) feet south of the southeast corner of Block 202; one (1) on the south curb line of Rue De Yoe at a point fifteen (15) feet north of the northeast corner of Block 205; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the northwest curb, one (1) on the southwest curb of Semple and Floto Streets; one (1) on the southeast curb, one (1) on the northeast curb of Floto and Johnson Streets; one (1) on the southwest curb of Johnson and Lee Streets; one (1) on the northwest curb, one (1) on the southeast curb of Almond Avenue and Johnson Street; one (1) on the northeast curb, one (1) on the southeast curb, one (1) on the northwest curb, one (1) on the southwest curb of Melrose Street and Cedar Avenue.

(37). That eight inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the west curb line of Kimble Street and the northwest curb line of "H" Street, on the west curb line of Burney Street and the southeast curb line of H Street, on the east curb line of Burney Street with the south east curb line of H Street, on the southeast curb line of H Street and the property line of Melrose Street, be constructed to connect with brick manhole on the south line of Downey Avenue and six (6) feet east of the center line of Kimble Street and with manhole on the center line of H Street and Melrose Street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 24th day of May, 1922, by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilman None

Absent: Councilman Cuneo.

L. A. Love

City Clerk

#### ENGINEER'S ESTIMATE

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications and his estimate of the cost of the work

#### RESOLUTION NO. 213-S. P.

##### Resolution Adopting plans and specifications

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 151 by the following vote, to-wit:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

#### RESOLUTION NO. 214-S. P.

##### Resolution of Intention No. 151

Providing for the storm sewerage of the district known as Capital Heights, Eastern Addition and De Yoe Addition City of Modesto as more fully set forth in said Resolution of Intention No. 151 was introduced and adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Absent: Councilman Cuneo      Noes: Councilmen None

In the Matter of Petition Against Zoning Ordinance:

Under date of May 19th a petition was filed with the City Clerk requesting the Council to rescind the action taken in passing Ordinance No. 229-N. S. pertaining to the zoning of residential district in the City of Modesto. After due consideration Councilman Turner offered a resolution overruling the protests of the petitioners being

RESOLUTION NO. 729-N. S.

The resolution was adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Bids for Electrical Equipment:

The City having heretofore advertised for bids for the purchase of transformers for the electrical department and this being the time fixed in accordance with published notice for receiving and considering bids and there being two bids on file Councilman Turner moved that the same be opened and considered. The bids were from the General Electric Co. and the Westinghouse Electric and Mfg. Co. After due consideration Councilman Turner moved that the bid of the Westinghouse Electric and Mfg. Co. be accepted for their item No. 1 which bid read as follows:

ITEM NO. 1

2-8 Kv-a., station type, regulating transformers, style No. 200002, for 2200 volts, 60 cycle primary and 6.6 ampere secondary circuit.  
Price to you at our San Francisco warehouse, \$274.65 each.

Councilman Turner's motion further ordered that the certified checks of the unsuccessful bidders be returned and that the bids be placed on file in the City Clerk's Office.

In the Matter of Advancing funds to Boy's Band:

It was explained that in order for the boy's band to acquire the necessary suits and uniforms for the year that it would be necessary for them to give an order to some clothing house drawn on the City of Modesto for approximately \$500.00. It was asked that this order be accepted by the City of Modesto for payment after the beginning of the new fiscal year. Councilman Turner moved that the order as issued be accepted by the City up to \$500.00.

In the Matter of Ordinance:

Ordinance No. 231-N. S.

Entitled: "AN ORDINANCE FIXING THE SALARY OF THE CITY ASSESSOR AND THE CITY TAX COLLECTOR was introduced by Councilman Utter who moved its adoption. The motion was seconded by Councilman Turner and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Resurfacing Dry Creek Bridge:

Attention of the Council was called to the condition of the surface on the Dry Creek Bridge. Councilman Turner moved that the City Engineer be instructed to have the bridge re-surfaced and enter into an arrangement with some reliable party for doing the work. The motion was duly seconded, carried and so ordered.

In the Matter of Power Lines Damaging City Street Lines:

It was explained by the City Electrician that on two recent occasions the high tension power lines of the Pacific Gas & Electric Co. have caused heavy losses by reason of their wires breaking and falling across city wires thereby burning out lamps, transformers, etc. The motion was made that the City Electrician be instructed to furnish the Clerk with a detail of the damage done and that the City Clerk bill the power Company for it. The motion was seconded, carried and so ordered.

In the Matter of Resurfacing I Street:

Prior to entering into the work of resurfacing all of the streets in the business district which will eventually have to be resurfaced a discussion was entered into regarding the probable life of a resurfaced street. It was suggested that the street in front of the post office property being "I" Street near 12th be resurfaced as a matter of experiment. Councilman Utter moved that the City Engineer be authorized to enter into an agreement with some responsible party for doing the work. The motion was seconded, carried and so ordered.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 90. The following is the resolution in accordance therewith duly adopted:

RESOLUTION NO. 215-S. P.

RESOLUTION ORDERING BONDS DELIVERED

TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 28th day of April, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made in the Alley in Block 120 fully described in Resolution of Intention No. 127 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assess-

ment and warrant. Said bonds are for the aggregate sum of \$1,309.10.

The resolution was adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayer Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

L. A. Love

City Clerk

In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bonds should not be Issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention Nos. 126 and 132, Assessment Nos. 91 and 92, and no written objections being presented, the Council thereupon under Resolutions Nos. 216 and 217-S. P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following are the resolutions of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 216-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 21st day of September, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 126 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes.

WHEREAS, after the passage and adoption of said resolution of intention proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice

was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 24th day of May, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$6,698.28.

NOW, THEREFORE, Be It resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$6,698.28.

Be It further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$6,698.28 in the aggregate; that said bonds shall be issued in fifteen series of 1 bonds in each series, shall each and all be dated the 15th day of May, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$398.28	July 2, 1923
No. 2	450.00	July 2, 1924
No. 3	450.00	July 2, 1925
No. 4	450.00	July 2, 1926
No. 5	450.00	July 2, 1927
No. 6	450.00	July 2, 1928
No. 7	450.00	July 2, 1929
No. 8	450.00	July 2, 1930
No. 9	450.00	July 2, 1931
No. 10	450.00	July 2, 1932
No. 11	450.00	July 2, 1933
No. 12	450.00	July 2, 1934
No. 13	450.00	July 2, 1935
No. 14	450.00	July 2, 1936
No. 15	450.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 14th day of June, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Turner who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

RESOLUTION NO. 217-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 14th day of December, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 132 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 24th day of May, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and therebeing no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$19,555.16.

NOW, THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein);

and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$19,535.16.

Be It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$19,535.16 in the aggregate; that said bonds shall be issued in fifteen series of 2 bonds in each series, shall each and all be dated the 10th day of May, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	335.16	July 2, 1923
No. 2	1000.00	July 2, 1923
No. 3	300.00	July 2, 1924
No. 4	1000.00	July 2, 1924
No. 5	300.00	July 2, 1925
No. 6	1000.00	July 2, 1925
No. 7	300.00	July 2, 1926
No. 8	1000.00	July 2, 1926
No. 9	300.00	July 2, 1927
No. 10	1000.00	July 2, 1927
No. 11	300.00	July 2, 1928
No. 12	1000.00	July 2, 1928
No. 13	300.00	July 2, 1929
No. 14	1000.00	July 2, 1929
No. 15	300.00	July 2, 1930
No. 16	1000.00	July 2, 1930
No. 17	300.00	July 2, 1931
No. 18	1000.00	July 2, 1931
No. 19	300.00	July 2, 1932
No. 20	1000.00	July 2, 1932

NO. OF BOND	AMOUNT OF BOND	MATURITY
21	300.00	July 2, 1935
22	1000.00	July 2, 1933
23	300.00	July 2, 1934
24	1000.00	July 2, 1934
25	300.00	July 2, 1935
26	1000.00	July 2, 1935
27	300.00	July 2, 1936
28	1000.00	July 2, 1936
29	300.00	July 2, 1937
30	1000.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 14th day of June, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Turner who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

No further business appearing the Council on motion adjourned.

Approved: George J. Ulrich

Mayor

Attest: L. A. Love

City Clerk

Wednesday evening June 14th, 1922

The Council met in regular session and there was present Councilmen Cuneo, Turner, Utter and Mayor Ulrich Absent; Councilman Parks.

In the Matter of Minutes:

The minutes of the regular meeting of May 24th were read and ordered approved as read.

In the Matter of Resignation of C. C. Parks:

Councilman Parks tendered his resignation by letter at this meeting stating that by reason of the fact he was changing his residence to a point outside of the City limits and that the urgency of the work at which he was at present involved would make it impracticable for him to endeavor to serve further on the Council whereupon Councilman Cuneo introduced a resolution being

RESOLUTION NO. 729-M. S.

accepting the resignation of Councilman C. C. Parks with the regrets of the Council. Councilman Utter moved the adoption of the resolution which motion being duly seconded the resolution was adopted by a vote of all members present. The resolution is on file in the office of the City Clerk.

In the Matter of Protests against James Street Assessment:

By reason of several protests having been filed with the City Clerk and the Street Superintendent protesting against the assessments as made against the property on James Street assessment No. 94 Councilman Utter introduced a resolution setting the time for hearing of these protests as Wednesday evening June 21st at 8 o'clock P. M. at the City Council Chambers in the City of Modesto being

Resolution No. 218-S. P.

Councilman Cuneo moved the adoption of the Resolution which motion being duly seconded the resolution was adopted by a vote of all members present. The resolution is on file in the office of the City Clerk.

In the Matter of Correcting Assessment on Street Superintendent's Assessment No. 85 High Street:

By reason of an error having been made on the contractor's return on Assessment No. 85 which was issued pursuant to Resolution of Intention No. 115 and satisfactory arrangements having been made between the property owners involved in this assessment district the Council authorized the Auditor to correct the street bond assessments on Lots 17 and 18 in block 582 and on lots 41 and 42 in block 584 whereupon Councilman Turner introduced a resolution being

RESOLUTION NO. 219-S. P.

correcting the two assessments on High Street. Councilman Turner moved the adoption of the resolution which motion being duly seconded the resolution was adopted by a vote of all members present. The resolution is on file in the office of the City Clerk, attached to the High Street proceedings.

In the Matter of Chamber of Commerce Recommendations:

Mr. John Dillon Secretary of the Chamber of Commerce appeared at the Council meeting and among other things called attention of the Council of the poor condition of the railroad crossings at "C" and "H" also to the disintegration of the gutter on "H" at the intersections of 5th and 6th Streets. Mr. Dillon further invited the members of the Council and the City Attorney to meet with the Chamber of Commerce to discuss the matter of a municipal camping ground. Councilman Turner moved that the City Engineer and Superintendent of Streets be instructed to make the necessary repairs to the gutter on "H" at the intersection of 5th and 6th Streets. The motion was duly seconded, carried and so ordered.

In the Matter of Removal of Water Crane:

Pursuant to previous discussion on the subject Councilman Cuneo moved that the City Engineer and Street Superintendent co-operate in their work and remove the water crane on west "H" Street to a point which will still be advantageous to the departments and not inconvenience any of the property owners if possible. The motion was duly seconded, carried and so ordered.

In the Matter of Care taker for City Dumps:

It was explained that by reason of various individuals gathering upmost of the useable garbage from the hotels and restaurants that the care taker at the dumps who had previously donated his services out of consideration for the useable garbage which he had previously been able to collect for hog feed can no longer donate his services by reason of the falling off in the supply of this feed whereupon Councilman Turner moved that the salary of the care taker for the City dumps be made \$50.00 per month effective from June 15th and that until further made necessary Charles Boyd (colored) shall be the duly appointed care taker at the city dumps. The motion was duly seconded, carried and so ordered.

In the Matter of Awarding Contracts for the Improvement of Fifth Street from F to H and Sycamore Avenue from Needham to Stoddard:

The Council having heretofore duly adopted and passed Resolutions of Intention to do certain street work therein described which resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention Nos. 145 and 146 and all due and legal proceedings having been thereafter had under and pursuant to said Resolutions, as appears by the records of said Council, and said resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolutions and notices, for receiving, opening, examining, and declaring such/and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid for each piece of work which opened, read as follows including the action of the Council in said matter:

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF FIFTH FROM F TO H:

Grading	⊙	\$ .05 per sq. ft.
Paving	⊙	\$ .17 per sq. ft.
Gutter	⊙	\$ .20 per sq. ft.
Curb	⊙	\$ .70 per lin ft.
Headers	⊙	\$ .10 per lin ft.

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 220-S.P. Resolution of Award No. 145, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF SYCAMORE FROM NEEDHAM TO STODDARD:

Grading	⊙	\$ .05 per sq. ft.
Paving	⊙	.17 per sq. ft.
Gutters	⊙	.20 per sq. ft.
Curb	⊙	.70 per lin ft.
Headers	⊙	.10 per lin ft.
#700 Marbelite Standard & Foundations	⊙	\$67.00 each
#104 Gen Elec Globes	⊙	10.00 each
#1104 Gen Elec. Canopies	⊙	4.72 each
Gen Elec. Bands for same	⊙	5.11 each
Gen Elec. Acorns " "	⊙	3.53 each
Pull in boxes	⊙	4.60 each
1" Galv. conduit	⊙	.17 per lin ft.
3/4" Galv. Conduit	⊙	.15 per lin ft.
#10 A. C. Wire	⊙	.045 per lin ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 221-S.P. Resolution of Award No. 146, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Maps:

A map being the subdivision of Lots one to six inclusive of the Elliott Tract and being also a part of the north half of Section 25, T 5 S R 8 E, known as Pleasant Homes Tract as surveyed by J. H. Kendall, Licensed Surveyor was presented to the City Council for action, Accompanying the map was the report of the City Planning Commission to which said map had heretofore been submitted recommending the approval of said map. After due consideration of the matter it was moved, carried and so ordered that the said map as so presented be approved and that the proper endorsement of approval be made upon said map.

In the Matter of Claims:

The claims for the month of May, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund	16,050.27
Water Fund	5,242.90
Library	1,040.61
Storm Sewer	884.16
Tree Dist. #61	132.25
Tree Dist. #62	36.25
Tree Dist. #70	167.00
Personal Property Tax Trust	2.00

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Protest against Paving of Jones:

A protest in writing was filed by Mr. Albert Hollem who is a property owner liable to be assessed for the paving of Jones Street under Resolution of Intention No. 149. The matter was duly considered by the Council whereupon Councilman Turner introduced a resolution being

Resolution No. 222-S.P.

Overruling the protest of Albert Hollem and moved its adoption. The motion was duly seconded and the resolution was adopted by a vote of all members present. The resolution is on file in the office of the City Clerk.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 92. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 223-S. P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 24th day of May, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on Ninth Street from B to E fully described in Resolution of Intention No. 126 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$6,698.28.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

In the Matter of Sale of Improvement Bonds of the City of Modesto issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the improvement bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 91. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 224-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 24th day of May, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on 11th Street from F to B and B from 11th to 10th Streets fully described

in Resolution of Intention No. 132 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$19,535.16.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (resigned)

In the Matter of Ordinance:

ORDINANCE NO. 231-H. 9.

Entitled: "AN ORDINANCE FIXING THE SALARY OF THE CITY ASSESSOR AND THE CITY TAX COLLECTOR and which was read, introduced, adopted and passed to print on the 24th day of May, 1922 and having been published as required by law, Councilman Utter moved the final adoption of the Ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks(resigned)

In the Matter of Filing Assessment List and of the Time fixed to show Cause why Bonds should not be Issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 131 Assessment No. 93, and no written objections being presented, the Council thereupon under Resolution No. 225-S.P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 225-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 23rd day of November, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 131 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in which resolution of intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City

Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 14th day of June, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City; the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$9,917.04.

NOW, THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as is set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$9,917.04.

Be It Further Resolved that Serial Bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$9,917.04 in the aggregate; that said bonds shall be issued in Fifteen series of 1 bond in each series, shall each and all be dated the 20th day of May, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd day of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter

stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	677.04	July 2, 1923
No. 2	660.00	July 2, 1924
No. 3	660.00	July 2, 1925
No. 4	660.00	July 2, 1926
No. 5	660.00	July 2, 1927
No. 6	660.00	July 2, 1928
No. 7	660.00	July 2, 1929
No. 8	660.00	July 2, 1930
No. 9	660.00	July 2, 1931
No. 10	660.00	July 2, 1932
No. 11	660.00	July 2, 1933
No. 12	660.00	July 2, 1934
No. 13	660.00	July 2, 1935
No. 14	660.00	July 2, 1936
No. 15	660.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 28th day of June, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Turner who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (resigned)

In the Matter of Street Work;

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to resolutions of Intention Nos. 148, 149 and 150 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests for the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in resolutions of Intention Nos. 148, 149 and 150

RESOLUTION NO. 226-S. P.

Resolution Ordering the Work No. 149

In accordance with certain plans and specifications heretofore adopted on the 24th day of May, 1922 and pursuant to Resolution of Intention No. 149 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

RESOLUTION NO. 227-S. P.

Resolution Ordering the Work No. 150

In accordance with certain plans and specifications heretofore adopted on the 24th day of May, 1922 and pursuant to Resolution of Intention No. 150 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (resigned)

RESOLUTION NO. 228-S. P.

Resolution Ordering the Work No. 148

In accordance with certain plans and specifications heretofore adopted on the 24th day of May, 1922 and pursuant to resolution of Intention No. 148 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 229-S. P.

Resolution Ordering Plans and Specifications.

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Morris Avenue, from the east line of McHenry Avenue to the westerly line of blocks 605 and 606, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a one and one-half (1½) inch Warrenite-Bituminous wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That open drains or gutters of hydraulic cement concrete be constructed across Castle Street along the south line of Morris Avenue; also

That concrete electroliers, of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary and suitable appliances for the purpose of lighting said street be constructed at the following points: One (1) on the northeast curb line of McHenry Avenue and Morris Avenue; one (1) on the south curb line of Morris Avenue and one hundred forty-seven and one-half ( $147\frac{1}{2}$ ) feet east of the east line of McHenry Avenue; one (1) on the west curb line of Morris Avenue one hundred seventeen and one-half ( $117\frac{1}{2}$ ) feet west of the west line of Roy Street; one (1) on the south curb line of Morris Avenue at point of intersection with the center line of Roy Street extended and produced south; one (1) on the northeast curb line of Johnson Street and Morris Avenue; one (1) on the south curb line of Morris Avenue at a point one hundred twenty-four and one-half ( $124\frac{1}{2}$ ) feet west of the west line of Semple Street; one (1) on the northeast curb line of Morris Avenue and Semple Street; one (1) on the south curb line of Morris Avenue at a point one hundred thirty-three (133) feet west of the west line of Kimble Street; one (1) on the south curb line of Morris Avenue at a point one hundred thirty-five (135) feet east of the east line of Kimble Street; one (1) on the northwest curb line of Morris Avenue and High Street; one (1) on the south curb line of Morris Avenue at a point one hundred thirty-eight (138) feet east of the east line of High Street; one (1) on the northwest curb line of Morris Avenue and Melrose Street; one (1) on the south curb line of Morris Avenue at a point one hundred thirty-eight (138) feet east of the east line of Melrose Street; one (1) on the northeast curb line of Morris Avenue and Bodem Street; one (1) on the south curb line of Morris Avenue at a point one hundred sixty-six (166) feet east of the east line of Bodem Street; one (1) on the northwest curb line of Morris Avenue at a point one hundred fifteen (115) feet east of the east line of Auburn Street; one (1) on the northwest curb line of Morris Avenue and Castle Street; one (1) on the south curb line of Morris Avenue at a point one hundred twenty-three (123) feet east of the east line of Castle Street; one (1) on the east curb line of Auburn Street at a point one hundred thirty-one and four one-hundredths ( $131.04$ ) feet north of the north line of Morris Avenue; one (1) on the west curb line of Auburn Street at a point two hundred ninety-two and eight one-hundredths ( $292.08$ ) feet north of the north line of Morris Avenue; one (1) on the east curb line of Auburn Street at a point four hundred fifty-three and twelve one-hundredths ( $453.12$ ) feet north of the north line of Morris Avenue; one (1) on the southwest curb line of Auburn Street and Lucern Avenue; one (1) on the east curb line of Castle Street at a point one hundred thirty and ninety-three one-hundredths ( $130.93$ ) feet north of the north line of Morris Avenue; one (1) on the west curb line of Castle Street at a point two hundred ninety-one and eighty-six one-hundredths ( $291.86$ ) feet north of the north line of Morris Avenue; one (1) on the southwest curb line of Castle Street and Lucern Avenue.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 14th day of June, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

Attest: L. A. Love City Clerk

ENGINEER'S ESTIMATE

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 230-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 152 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

RESOLUTION NO. 231-S. P.

Resolution of Intention No. 152

Providing for the grading and paving of Morris Avenue, from the east line of McHenry Avenue to the westerly line of Blocks 605 and 606 with a two and one-half ( $2\frac{1}{2}$ ) inch Asphaltic Concrete base and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bituminous wearing surface and for the installation of electrical equipment and curbed on both sides to the official grade with cement concrete curbing and cement concrete gutters as more fully set forth in said Resolution of Intention No. 152 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

RESOLUTION NO. 232-S. P.

Resolution Ordering Plans and Specifications.

RESOLVED, that the City Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Sycamore Avenue, from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bituminous wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Stoddard Avenue, north of the center line thereof beginning at a point fifteen (15) feet west of the southeast corner of Block 537 (as per Map of Record in the County recorders Office, Volume 10 of Maps, page 537, Stanislaus County Records recorded March 18, 1920), easterly to the westerly line of Sycamore Avenue, be graded to the official sub-grade; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bituminous wearing surface; also curbed on the north side to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe conduit, pull in boxes, concrete foundations, and other necessary and suitable appliances for the purpose of lighting said street be

constructed at the following points: on the east curb line of Sycamore Avenue one hundred fifty-three and one-half ( $153\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the west curb line of Sycamore Avenue three hundred sixteen and one-half ( $316\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the east curb line of Sycamore Avenue four hundred seventy-nine and one-half ( $479\frac{1}{2}$ ) feet north of the north line of Stoddard Avenue; on the northwest curb line of Morris Avenue and Sycamore Avenue; on the east curb line of Sycamore Avenue one hundred forty-eight and one-tenth ( $148.1$ ) feet north of the north line of Morris Avenue; on the west curb line of Sycamore Avenue fifty (50) feet south of the south right of way line of Lateral No. 4 of the Modesto Irrigation District.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 14th day of June, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

Attest: L. A. Love

City Clerk

#### ENGINEER'S ESTIMATE

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications and his estimate of the cost of the work.

#### RESOLUTION NO. 255-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Areitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 153 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

#### RESOLUTION NO. 254-S. P.

#### Resolution of Intention No. 153.

Providing for the grading and paving of Sycamore from the center line of Stoddard Avenue northerly to the southeast right of way line of Lateral No. 4 of the Modesto Irrigation District and also providing for the grading and paving of Stoddard Avenue, north of the center line thereof beginning at a point fifteen (15) feet west of the southeast corner of Block 537 (as per Map of Record in the County Records Office, Volume 10 of Maps, page 557, Stanislaus County Records, recorded March 18, 1920), easterly to the westerly line of Sycamore Avenue, with a pavement consisting of an Asphaltic Concrete Base two and one half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bituminous wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on both sides to the official grade with cement concrete gutters and gutters and for the installation of electrical equipment as more fully set forth in said Resolution of Intention No. 153 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

In the Matter of Storm Sewer:

Proceedings were started for the storm sewerling of the district adjacent to G from 9th Street east and a district on J from 9th Street east and the Engineer was authorized to prepare plans and specifications by a resolution being

RESOLUTION NO. 235-S. P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Moberg be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

(1) That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along the following streets, viz; along "J" Street and eight (8) feet north of the center line thereof from a point seven and one-half ( $7\frac{1}{2}$ ) feet north-easterly of the southwesterly line of Ninth Street to the southwesterly line of Eleventh Street.

(2). That thirty (30) inch reinforced cement concrete pipe sewer line be constructed along "J" Street and eight (8) feet north of the center line thereof from the southwesterly line of Eleventh Street to the center line of Thirteenth Street.

(3). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along "J" Street and eight (8) feet north of the center line thereof from the center line of Thirteenth Street northwesterly to the northeasterly line of Fourteenth Street.

(4). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along "J" Street and eight (8) feet north of the center line thereof from the northeast line of Fourteenth Street northeasterly to the center line of Sixteenth Street.

(5). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along the center line of Thirteenth Street from a point on "J" Street eight (8) feet northwest of the center line thereof northwesterly to the center line of "K" Street.

(6). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along the center line of "K" Street from the center line of Thirteenth Street northeasterly to the center line of Fourteenth Street.

(7). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along the center line of "K" Street from the center line of Fourteenth Street northeasterly to the center line of Fifteenth Street.

(8). That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along the center line of "G" Street from a point seven and one-half ( $7\frac{1}{2}$ ) feet east of the west line of Ninth Street northeasterly to the center line of Sixteenth Street.

(9). That thirty-six (36) inch reinforced cement concrete pipe sewer line be constructed along the center line of Sixteenth Street northwesterly to a point twelve (12) feet south of the center line of "H" Street.

(10). That thirty (30) inch reinforced cement concrete pipe sewer line be constructed along "H" Street and twelve (12) feet south of the center line thereof to the center line of Seventeenth Street.

(11). That twelve (12) inch vitrified ironstone pipe sewer line be constructed along "H" Street and twelve (12) feet south of the center line thereof from the center line of Seventeenth Street northeasterly to the center line of Eighteenth Street.

(12). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along the center line of Eleventh Street from the center line of "G" Street northwesterly to the center line of "H" Street.

(13). That ten (10) inch vitrified ironstone pipe sewer line be constructed along the center line of Twelfth Street from the center line of "G" Street northwesterly to a point twenty-six (26) feet south of the center line of "H" Street.

(14). That twelve (12) inch vitrified ironstone pipe sewer line be constructed along the center line of Thirteenth Street from the center line of "G" Street northwesterly to a point twenty-six (26) feet south of the center line of "H" Street.

(15). That ten (10) inch vitrified ironstone pipe sewer line be constructed along the center line of Fourteenth Street from the center line of "G" Street northwesterly to a point twenty-six (26) feet south of the center line of "H" Street.

(16). That ten (10) inch vitrified ironstone pipe sewer line be constructed along the center line of Fifteenth Street from the center line of "G" Street northwesterly to a point twenty-six (26) feet south of the center line of "H" Street.

(17). That thirty (30) inch reinforced cement concrete pipe sewer line be constructed along the center line of Seventeenth Street from a point twelve (12) feet south of the center line of "H" Street northwesterly to the center line of "I" Street.

(18). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along the center line of Seventeenth Street northwesterly to the center line of Needham and McHenry Avenues.

(19). That twenty-four (24) inch reinforced cement concrete pipe sewer line be constructed along McHenry Avenue and eight (8) feet west of the center line thereof northerly seven hundred seventy-four and seven tenths (774.7) feet to the south curb line of Lee Street.

(20). That eighteen (18) inch reinforced cement concrete pipe sewer line be constructed along McHenry Avenue and eight (8) feet west of the center line thereof from the south curb line of Lee Street northerly five hundred sixteen and four tenths (516.4) feet to the center line of Stoddard Avenue.

(21). That thirty-three (33) brick manholes, with brick floor and cast iron cover, be constructed at the following points, viz: One (1) on "J" Street and the southwest line of Tenth Street at a point eight (8) feet northwest of the center line of "J" Street; one (1) on the southwest curb line of Eleventh Street at a point eight (8) feet north of the center line of "J" Street; one (1) on the northeast line of Alley between Eleventh and Twelfth Streets at a point eight (8) feet north of the center line of "J" Street; one (1) on the northeast line of Twelfth Street at a point eight (8) feet northwest of the center line of "J" Street; one (1) on the center line of Thirteenth Street at a point eight (8) feet northwest of the center line of "J" Street; one (1) on the northeast line of Fourteenth Street at a point eight (8) feet northwest of the center line of "J" Street; one (1) on the northeast line of Fifteenth Street at a point eight (8) feet northwest of the center

line of "J" Street; one (1) on the center line of Thirteenth Street and "X" Street; one (1) on the center line of Fourteenth and "X" Streets; one (1) on the center line of Fifteenth and "X" Streets; one (1) on the center line of "G" Street and the northeast line of Tenth Street; one (1) on the center line of Eleventh and "G" Streets; one (1) on the center line of Twelfth and "G" Street; one (1) on the center line of Thirteenth and "G" Streets; one (1) on the center line of Fourteenth and "G" Streets; one (1) on the center line of Fifteenth and "G" Streets; one (1) on the center line of Sixteenth and "G" Streets; one (1) on the center line of Eleventh Street and the southeast property line of "H" Street; one (1) on the center line of Twelfth Street twenty-six (26) feet southeasterly from the center line of "H" Street; one (1) on the center line of Thirteenth Street twenty-six (26) feet southeasterly from the center line of "H" Street; one (1) on the center line of Fourteenth Street twenty-six (26) feet southeasterly from the center line of "H" Street; one (1) on the center line of Fifteenth Street twenty-six (26) feet southeasterly from the center line of "H" Street; one (1) on the center line of Sixteenth Street twelve (12) feet southeast from the center line of "H" Street; one (1) on the center line of Seventeenth Street twelve (12) feet southeast from the center line of "H" Street; one (1) on the center line of Eighteenth Street twelve (12) feet southeasterly from the center line of "H" Street; one (1) on the center line of Seventeenth Street and "I" Street; one (1) on the center line of Seventeenth Street three hundred eighty-three (383) feet northwesterly from the center line of "I" Street; one (1) on the center line of Seventeenth Street five hundred twenty-two and fifty-five one-hundredths (522.55) feet northwesterly from the center line of "I" Street; one (1) on the center line of Alice Street eight (8) feet west of the center line of McHenry Avenue; one (1) on McHenry Avenue eight (8) feet west of the center line thereof and two hundred fifty-two and two tenths (252.2) feet north of the center line of Alice Street; one (1) on McHenry Avenue and eight (8) feet west of the center line thereof at a point four hundred forty-two and six tenths (442.6) feet north of the center line of Alice Street; one (1) on the center line of Stoddard Avenue and eight (8) feet west of the center line of McHenry Avenue.

(21 a). That one (1) brick manhole with reinforced cement concrete foundations and floor and cast iron cover be constructed on the center line of Ninth and "G" Streets on the foundation of the existing manhole over sanitary sewer.

(22). That twenty-six (26) cement concrete storm water inlets with cast iron covers and cast iron grates with eight (8) inch vitrified ironware sewer pipe line connecting inlets with brick manholes be constructed at the following points, viz: One (1) on the southwest curb line of Thirteenth and "J" Street; one (1) on the southwest curb line of Sixteenth and "J" Streets; one (1) on the northeast curb line of Sixteenth and "J" Streets; one (1) on the southwest curb line of Thirteenth and "X" Streets; one (1) on the southeast curb line of Thirteenth and "X" Streets; one (1) on the northwest curb line of Thirteenth and "X" Street; one (1) on the southeast curb line of Fourteenth and "X" Streets; one (1) on the southwest curb line of Fourteenth and "X" Streets; one (1) on northwest curb line of Fourteenth and "X" Streets; one (1) on the southeast curb, one (1) on the northwest curb, one (1) on the southwest curb and one (1) on the northeast curb line of Fifteenth and "X" Streets; one (1) on the southeast curb line of Ninth and "G" Streets; one (1) on the southeast curb line of Thirteenth and "G" Streets; one (1) on the southeast curb line

of Eleventh and "H" Streets; one (1) on the southeast curb line of Fourteenth and "G" Streets; one (1) on the southeast curb line of Fifteenth and "G" Streets; one (1) on the southeast curb line and one (1) on the northeast curb line of Sixteenth and "G" Streets; one (1) on the southwest curb line of Sixteenth and "G" Street; one (1) on the southeast curb, one (1) on the northeast curb, one (1) on the southwest curb lines of Seventeenth and "I" Streets; one (1) on the southeast curb line of McHenry Avenue and Grant Street; one (1) on the east curb line of McHenry Avenue and the north line of Alley between Lee Street and Almond Avenue.

(23). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line of Ninth and "G" Streets be constructed to connect with manhole on the center line of Ninth and "G" Streets.

(24). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northwest curb line of Ninth and "G" Streets be constructed to connect with existing manhole on the center line of "G" Street and seven and one-half ( $7\frac{1}{2}$ ) feet north of the south line of Ninth Street.

(25). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line, the northwest curb line, the southwest curb line, and the southeast curb lines of Eleventh and "G" Streets be constructed to connect with manhole on the center line of Eleventh and "G" Streets.

(26). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb and the northeast curb lines of Twelfth and "G" Streets be constructed to connect with manhole on the center line of Twelfth and "G" Streets.

(27). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line of Thirteenth and "G" Streets be constructed to connect with manhole on the center line of Thirteenth and "G" Streets.

(28). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line of Fourteenth and "G" Streets be constructed to connect with manhole on the center line of Fourteenth and "G" Streets.

(29). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line, the northwest curb line of Fifteenth and "G" Streets be constructed to connect with manhole on the center line of Fifteenth and "G" Streets.

(30). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line, the northwest curb line of "H" Street be constructed to connect with manhole on the center line of Eleventh Street and the southeast line of "H" Street.

(31). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb, the northwest curb line of "H" Street be constructed to connect with manhole on the center line of Twelfth Street and twenty-six (26) feet southeast of the center line of "H" Street.

(32). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "H" Street be constructed to connect with manhole on the center line of Thirteenth Street and twenty-six (26) feet southeast of the center line of "H" Street.

(33). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "H" Street be constructed to connect with manhole on the center line of Fourteenth Street and twenty-six (26) feet southeast of the center line of "H" Street.

(34). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "H" Street be constructed to connect with manhole on the center line of Fifteenth Street and twenty-five (25) feet southeast of the center line of "H" Street.

(35). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of Sixteenth and "H" Streets, be constructed to connect with manhole on the center of Sixteenth Street and twelve (12) feet southeast from the center line of "H" Street.

(36). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line, the northwest curb line of Seventeenth and "H" Streets, be constructed to connect with manhole on the center line of Seventeenth Street and twelve (12) feet southeast from the center line of "H" Street.

(37). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "J" Street be constructed to connect with manhole on the southeast line of Tenth Street and eight (8) feet northwest of the center line of "J" Street.

(38). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northwest curb, the southeast curb line of "J" Street be constructed to connect with manhole on the southeast line of Eleventh Street and eight (8) feet northwest of the center line of "J" Street.

(39). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "J" Street be constructed to connect with manhole on the northeast line of Alley between Eleventh and Twelfth Streets and eight (8) feet northwest of the center line of "J" Street.

(40). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "J" Street be constructed to connect with manhole on the northeast line of Twelfth Street and eight (8) feet northwest of the center line of "J" Street.

(41). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "J" Street be constructed to connect with manhole on the center line of Thirteenth Street and eight (8) feet northwest of the center line of "J" Street.

(42). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northeast curb line of "J" Street be constructed to connect with manhole on the northeast line of Fourteenth Street and eight (8) feet northwest from the center line of "J" Street.

(43). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line, the northwest curb line of "J" Street be constructed to connect with manhole on the northeast line of Fifteenth Street and eight (8) feet northwest of the center line of "J" Street.

(44). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line of Sixteenth and "J" Streets be constructed to connect with manhole on the center line of Sixteenth Street and eight (8) feet northwest of the center line of "J" Street.

(45). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the south curb line of Downer Avenue near the northeast line of Seventeenth Street be constructed to connect with manhole on the center line of Seventeenth Street and three hundred eighty-three (383) feet northwest of the center line of "J" Street.

(46). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the east curb line of McHenry Avenue and the center line of Needham Street extended and produced be constructed to connect with manhole on the center line of Seventeenth Street and five hundred twenty-nine and fifty-five one hundredths (529.55) feet northwest from the center line of "J" Street.

(47). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southwest curb line of Alice Street and McHenry Avenue be constructed to connect with manhole on the center line of Alice Street and eight (8) feet west of the center line of McHenry Avenue.

(48). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line of Lee Street and McHenry Avenue be constructed to connect with manhole two hundred fifty-two and two tenths (252.2) feet north of the center line of Alice Street and eight (8) feet west of the center line of McHenry Avenue.

(49). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the southeast curb line of Wright Street and McHenry Avenue be constructed to connect with manhole on McHenry Avenue and eight (8) feet west of the center line thereof and four hundred forty-two and six tenths (442.6) feet north of the center line of Alice Street.

(50). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northwest curb line of Stoddard Avenue and McHenry Avenue and on the east curb line of McHenry and the center line of Stoddard Avenue extended and produced be constructed to connect with manhole on the center line of Stoddard Avenue and eight (8) feet west of the center line of McHenry Avenue.

(51). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northeast curb line, the northwest curb line of Eighteenth and "H" Streets, be constructed to connect with manhole on the center line of Eighteenth Street and twelve (12) feet southeast of the center line of "H" Street.

(52). That eight (8) inch vitrified ironstone pipe sewer connecting with present storm water inlets as now constructed on the northwest curb line of "C" Street be constructed to connect with thirty-six (36) inch line on the northeast line of Alley between Ninth and Tenth Streets and the center line of "C" Street.

(53). That existing manholes on the center line of Ninth Street and the easterly line of Tenth Street, the center line of Eleventh and "C" Street, and the center line of Ninth and "C" Streets, be removed and rebuilt to the new grade and elevations; also that a six (6) inch vitrified ironstone pipe sewer line from the center line of Ninth Street to the easterly curb line of Fourteenth Street be removed for the purpose of constructing a new storm sewer line in the trench now occupied by said six (6) inch pipe.

(54). That existing manholes on the center line of "C" Street and north-easterly from the center line of Twelfth Street, Thirteenth Street and Fourteenth Street be removed.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 14th day of June, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

Attest: L. A. Love, City Clerk

ENGINEERS ESTIMATE

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 236-S. P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 154 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned)

RESOLUTION NO. 237-S. P.

Resolution of Intention No. 154.

Providing for the storm sewerage of the district adjacent to G from 9th Street east and a district on J from 9th Street east City of Modesto as more fully set forth in said Resolution of Intention No. 154 was introduced and adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks (Resigned).

No further business appearing the Council on motion adjourned to meet again Tuesday evening at the Council Chambers at 7:30 o'clock P. M.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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Council, City of Modesto  
Wednesday June 21st, 1922

The Council met pursuant to adjournment and there was present Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Auto Trade Association:

Mr. McVay representing the auto Trade Association came before the Council to ask that permission be granted to erect a tent on the lots facing I opposite the 17th Street School for the purpose of putting on an Auto Show during the week beginning September 9th. Councilman Turner moved that the permit be granted to conduct the show and that they be permitted to erect a tent for that purpose. The motion was seconded, carried and so ordered.

In the Matter of Appointment of Play Ground Commission:

Mr. Dillon, Secretary of the Chamber of Commerce appeared before the Council and asked that a play ground commission consisting of three members be appointed by the Council, this commission to have jurisdiction over the play ground work in the City of Modesto and in its summer camp.

In the Matter of Hearing on James Street Assessment:

This being the time for hearing of protests against the assessment made for the James Street improvement being assessment No. 94, the Council now in open session proceeded to hear from the various protesters. Attorney Scott represented Mr. Strong, Mr. Amscar and Mrs. Campbell and he presented an argument showing the unfairness of the assessment as originally made. The matter was given consideration by the Council and after due deliberation Councilman Turner moved that the hearing be continued until Tuesday evening June 27th at 8 o'clock P.M. at the City Hall. The motion was seconded, carried and so ordered.

In the Matter of Protests Against James Street Intersections:

A protest was filed by Laura Maiser protesting against the payment for the cost of the intersections on James Street maintaining that funds are in the Treasury for the payment of such intersections. The Council on motion ordered the protest laid over until Tuesday evening June 27th for further consideration.

In the Matter of Play Day Festival in Parks:

Mr. Shadinger representing the Community Service Organization appeared before the Council to ask that Alice Street between Park and Sycamore Avenues be closed for one day, Saturday June 24th for the protection of the many children from traffic liability on that day. Mr. Shadinger further requests that they be permitted to close Center Street from traffic on the afternoon of that day in order that they may use it for their foot races and etc. Councilman Utter moved that the request be granted and that the Police Department be authorized to co-operate with the organization in furthering their plans. The motion was seconded, carried and so ordered. Mr. Shadinger also called attention to the deficient light for the evening exercises and the matter was referred to the City Electrician for his consideration.

In the Matter of Reimbursement by Choral Club:

The Choral Club of the City of Modesto presented the City with a check for \$200.00 reimbursing them for the money loaned to the Choral Club several months ago from the General Fund.

In the Matter of Chairs for the Band Stand:

It was explained that the City have no chairs in their municipal band stand whereupon Councilman Turner moved that the Mayor provide the necessary number of chairs for the band stand. The motion was seconded, carried and so ordered.

In the Matter of Claim:

A claim was presented to the City by Mr. Drake for the discolor of Dry Creek Park in the amount of \$85.00. Mr. Drake being urgently in need of this money, Councilman Cuneo moved that the claim be allowed and that the City Clerk be authorized to draw a warrant immediately in his favor.

No further business appearing the Council upon motion adjourned to meet  
again Tuesday evening June 27th

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Maesto

Tuesday June 27th, 1922

The Council met pursuant to adjournment and there was present Councilmen Cuneo  
Turner, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Appointment of Summer Play Ground Commission:

At the request of the Chamber of Commerce at a previous meeting the Council  
was asked to appoint a summer play ground commission to which due consideration has  
been given. Councilman Turner moved that a commission be appointed consisting of  
E. R. Utter, City Engineer Geo. Freitas and Mr. Leslie Baker. The motion was duly  
seconded, carried and so ordered.

In the Matter of James Street Assessment Hearing:

The matter of hearing protests on the James Street Assessment was con-  
tinued over to this meeting at which time the proposed new assessment was reviewed.  
The proposed new assessment appeared to be much more fair than the previous  
assessment however the hearing was continued on motion to Wednesday evening June  
the 28th.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Council, City of Modesto

Wednesday June 28th, 1922

The Council met in regular session Wednesday June 28th, and there was present;  
Councilmen Cuneo, Turner and Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of June 14th and the adjourned meetings of June 21st and June 27th were read and ordered approved as read.

In the Matter of Appointment of Councilman Leroy Morris:

Owing to the vacancy caused on the Council by the resignation of Councilman Parks the remaining members of the Board chose for the fourth Councilman Mr. Leroy Morris whereupon Councilman Utter introduced a resolution of appointment being

RESOLUTION NO. 730-N. S.

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Hearing on James Street Assessment:

Pursuant to a protest against the James Street Assessment a hearing was held on June 21st and continued to the 27th, the Council proceeded to hear further protests by the same protestants and considered same. Owing to various technicalities with which the Council were anxious to familiarize themselves Councilman Cuneo moved that the hearing be continued until Wednesday evening July 12th at the City Council Chambers in the City Hall of the City of Modesto, and further that a committee be appointed consisting of the City Engineer, Street Superintendent, City Clerk and Councilmen Cuneo and Morris to go out in a body and personally look the ground over after which time they would be better able to pass on this question. The motion was seconded, carried and so ordered.

In the Matter of Protests against Storm Sewering the Eastern, Capital Heights and De Yoe Additions:

This being the time set for hearing all protests under Resolution of Intention No. 151, the Council proceeded to hear the objections of the interested property owners. A petition was filed representing a number of property owners also a petition from the Cemetery Organizations protesting against the contemplated improvement. After considering the protests and the Council not being able to make a satisfactory decision in the matter Councilman Utter introduced a resolution being

Resolution No. 239-S. P.

continuing the hearing to Wednesday evening July 19th in the City Council Chambers of the City of Modesto. The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of "I" Street from 17th to Downey and 18th from I to Downey;

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 150 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid for each piece of work which opened, read as follows including the action of the Council in said matter.

BID OF STANDARD PAVING CO. FOR THE IMPROVEMENT OF "I" AND 18th;

Grading	⊗	\$ .05 per sq. ft.
Paving	⊗	\$ .17 per sq. ft.
Gutter	⊗	\$ .20 per sq. ft.
Curb	⊗	\$ .70 per lin ft.
Headers	⊗	\$ .10 per lin ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 240-S.P. Resolution of Award No. 150, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Awarding Contracts for the Improvement of Kimble Street and Jones;

The Council having heretofore duly adopted and passed Resolutions of Intention to do certain street work therein described which resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention Nos. 148 and 149 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said Resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolutions and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid for each piece of work which opened, read as follows including the action of the Council in said matter:

Bid of Standard Paving Company for the Improvement of Kimble from Downey to Lucern:

Grading	⊗	\$ .05 per sq. ft.
Paving	⊗	\$ .17 per sq. ft.
Gutter	⊗	\$ .20 per sq. ft.
Curb	⊗	\$ .70 per lin ft.
Headers	⊗	\$ .10 per lin ft.
Standards	⊗	\$67.00 each
Globes	⊗	10.00 each
Canopies	⊗	4.72 "
Bands	⊗	5.11 "
Acorns	⊗	3.53 "
Pull in boxes	⊗	4.60 "
1" conduit		.17 per lin ft.
3/4" conduit		.15 per lin ft.
#10 R. C. Wire		.045 per lin ft.

Bid of Standard Paving Company for the Improvement of Jones from Johnson to Kimble:

Grading	@	\$	.05 per sq. ft.
Paving	@	\$	.17 per sq. ft.
Gutter	@	\$	.20 per sq. ft.
Curb	@	\$	.70 per lin ft.
Headers	@	\$	.10 per lin ft.

The paving of Jones and Kimble in the opinion of the City Council is contingent on the storm sewerage of the Eastern, Capital Heights and De Yoe Additions and while bids had been called for and were opened at this meeting the Council are not in favor of awarding the contract until the matter of storm sewerage the above mentioned district can be settled whereupon Councilman Turner introduced a resolution being

Resolution No. 243-S. P.  
and  
Resolution No. 244-S. P.

authorizing the holding up of these two bids until Wednesday evening July 19th.

The motion was duly seconded, carried and so ordered.

In the Matter of Claims:

Two claims were presented to the Council by the Chief of Police from the Thiel Detective Service, one dated April 30th in the amount of \$401.30 and one dated June 14th in the amount of \$177.29 for services rendered the City of Modesto. Councilman Turner moved that the claims be allowed which motion was duly seconded, carried and so ordered.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 93. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 241-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 14th day of June, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on Sixth Street from I to K fully described in Resolution of Intention No. 131 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

It is hereby ordered, determined and declared that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$9,917.04.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Morris and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Filing Assessment List and of the Time fixed to Show Cause why Bonds should not be issued;

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 134 Assessment No. 95, and no written objections being presented, the Council thereupon under Resolution No. 242-S.P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the resolution of the Council in the matter duly passed and ordered entered upon its minutes;

RESOLUTION NO. 242-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 28th day of December, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 134 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of streets of the City of Modesto on behalf of said City with the persons to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 28th day of June, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as

appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$3270.55.

NOW, THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$3270.55.

Be It further Resolved that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$3,270.55 in the aggregate; that said bonds shall be issued in Fifteen series of 1 bond in each series, shall each and all be dated the 18th day of June, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	190.55	July 2, 1923
No. 2	220.00	July 2, 1924
No. 3	220.00	July 2, 1925
No. 4	220.00	July 2, 1926
No. 5	220.00	July 2, 1927
No. 6	220.00	July 2, 1928
No. 7	220.00	July 2, 1929
No. 8	220.00	July 2, 1930
No. 9	220.00	July 2, 1931
No. 10	220.00	July 2, 1932
No. 11	220.00	July 2, 1933
No. 12	220.00	July 2, 1934
No. 13	220.00	July 2, 1935
No. 14	220.00	July 2, 1936
No. 15	220.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 12th day of July, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Turner who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing Alice Street from the Easterly line of Park to the westerly line of Sycamore;

In order to provide greater safety to the many children who make the park a play ground and to enhance the beauty of the park, a resolution to close Alice Street between Park and Sycamore Avenues was introduced by Councilman Morris being

RESOLUTION NO. 245-S.P.

Resolution of Intention No. 155

A Resolution of Intention to Close a Portion of Alice Street in the City of Modesto.

WHEREAS, the public interest and convenience require the work hereinafter specified to be done.

NOW, THEREFORE, Be It Resolved that it is the intention of the Council of the City of Modesto to order the work done and improvement made which is described as follows, to-wit: That that portion of Alice Street lying between the Easterly line of Park Avenue and the Westerly line of Sycamore Avenue be closed in whole.

And the said City Council does hereby determine and declare that said public work and improvement is of more than local or ordinary public benefit and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be the district affected and benefited by said work and improvement, and that, therefore, the entire damage, costs and expenses of said work and improvement, if any, shall be and are hereby made chargeable against and shall be assessable upon said

land and said district, which said district is within the City of Modesto, County of Stanislaus, State of California, and the exterior boundaries of the lands affected and to be benefited by said work and improvement are described as follows:

Beginning at the southwesterly corner of Block 533 of the City of Modesto; running thence northerly along the Easterly line of Blocks 533 and 532 of the City of Modesto to the northwest corner of Block 532; thence easterly along the north line of Block 532 to the northeasterly corner of Block 532; thence southerly along the easterly line of Blocks 532 and 533 to the southeasterly corner of Block 533; thence westerly along the southerly line of Block 533 to the point of commencement, saving and excepting and excluding from said district all public streets, avenues and roads therein included and contained.

All of the herein proposed work shall be done in pursuance of an Act of the Legislature of the State of California entitled "An act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6th, 1889.

The street and block numbers referred to are those designated and delineated upon the official map of the City of Modesto adopted on January 14th, 1920 and on file in Vol. 10 of Maps, in the County Recorder's Office of Stanislaus County, California.

The Street Superintendent is hereby directed to post notices of said contemplated work and improvement as required by said act and to cause such a notice to be published for a period of ten days in the Modesto Morning Herald, a daily newspaper published and circulated in said City, which daily newspaper is hereby designated for that purpose by the City Council.

The foregoing resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter, Morris and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 28th day of June, 1922, by the vote indicated above.

Dated: June 28th, 1922

L. A. Love

City Clerk

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Wednesday, July 12th, 1922

The Council met in regular session Wednesday July 12th and there was present Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilmen Morris.

In the Matter of Minutes:

The minutes of the regular meeting of June 28th were read and ordered approved as read.

In the Matter of W.C.T. U. Convention:

A representative of the W. C. T. U. appeared before the Council to ask that the City Officials of this City co-operate with that organization to the end of making the convention of the W. C. T. U. to be held in this City during September a success. Councilman Turner moved that the Council endorse the proposition and that the Mayor prepare the necessary invitation to the outside organizations to meet here during that time. The motion was carried and so ordered.

In the Matter of Inch and Half Water Tap:

Horace Thompson who is the plumber doing the work on the new Black Building at the corner of 11th and I Streets petitioned the Council for an inch and one-half water tap on those premises. Councilman Cuneo moved that on payment of the necessary fees that the tap as applied for be granted. The motion was carried and so ordered.

In the Matter of James Street Hearing:

This being the time fixed at a previous meeting of the Council for a continuance of the James Street hearing, the matter was again entered into and the report of the committee appointed to make a physical survey of the district was read. The report of the committee recommended that the amended assessment as prepared be allowed to stand as final. Councilman Turner moved that the report be accepted and that the matter be closed whereupon Councilman Utter introduced a resolution

RESOLUTION NO. 246-S. P.

being a resolution authorizing the acceptance of the amended assessment as presented and overruling any further protests against the assessment. The resolution is on file in the office of the City Clerk and was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

In the Matter of Recreation Park Committee:

The committee recently appointed to look into the matter of a mountain recreation park by a consent of the members appointed added to that committee Mr. Gail Shadinger and in company with him went into the mountains near Strawberry above Sonora and found what they believe to be an excellent summer camp site for the City of Modesto. Their report states that the site consists of Government land about fifteen acres lying about eight tenths of a mile west of Strawberry. The details of the site were explained by Mr. Shadinger and Mayor Ulrich whereupon Councilman Turner moved that the report of the Committee be accepted and that a further report be made at some future date with recommendations from this committee as to the steps to be taken in the matter.

By reason of the fact that Mr. Shadinger spent considerable time and was put to an expense on serving on this committee councilman Utter moved that a warrant be drawn in his

favor for \$10.00 towards defraying his expenses while on the trip. The motion was duly seconded, carried and so ordered.

In the Matter of Closing Alice Street:

Request was made upon the Council for permission to temporarily barricade Alice Street between Park and Sycamore Avenues by reason of the hazard to small children from traffic through the park. It was explained that the legal closing of this street between the points mentioned could not be accomplished in less than about six weeks time, whereupon Councilman Cuneo moved that the Street Superintendent provide movable barricades and close that portion of Alice Street each day and remove the barricades each night until such time as the street is legally closed. The motion was seconded, carried and so ordered.

In the Matter of Petition to Pave Poplar:

A petition was presented to the Council signed by property owners representing an excess of 50% of the frontage on that street requesting that it be paved whereupon the City Engineer was instructed to prepare the necessary plans and specifications for such work. The motion was seconded, carried and so ordered.

In the Matter of Blaim of Whitnall:

A claim against the City of Modesto was presented to the Council by the Modesto Chamber of Commerce in favor of G. Gordon Whitnall for services rendered City Planning Commission in the amount of \$45.00. Inasmuch as the Council made an authorization for this expenditure Councilman Turner moved that the bill be returned to the Secretary of the Modesto Chamber of Commerce with the advise that the City did not authorize incurring this expenditure and with the suggestion that the matter be referred to the City Planning Commission. The motion was seconded, carried and so ordered.

In the Matter of Industrial Survey:

A letter addressed to the Council by the Modesto Chamber of Commerce asks that the City make an appropriation of \$600.00 towards an industrial survey of the City of Modesto. It seemed to be the belief of the Council that the Chamber of Commerce should handle this matter at their own expense and pay the expense thereof from their own funds. Councilman Turner moved that the request be denied and no action taken. The motion was seconded and so ordered.

In the Matter of Permanent Zoning Ordinance:

A letter addressed to the Council from the Planning Commission was submitted advising that their maps and recommendations had been turned over to the City Engineer in order that he may prepare a detailed map as per the commissions recommendations for submission to the Council for their approval. The City Planning Commission advised that when this is done, they will be ready to submit to the Council the proposed Zoning Ordinance.

In the Matter of Money for Railroad Reservation Auto Park:

It was explained to the Council that up to the present time the Southern Pacific Company have not remitted anything towards the payment of the expenses involved in preparing the railroad reservation auto park at 9th and "J" Streets whereupon Councilman Turner moved that the Mayor be authorized to call Superintendent Baylord on the telephone and ask that the money be sent immediately. The motion was seconded, carried and so ordered.

In the Matter of Renewal of Tidewater Bond:

A new bond was presented to the City Council by the Tidewater Southern Railroad Co. to renew the bond which had been in force up to the present time but has now expired. Upon motion the bond was turned over to the City Attorney for his inspection and approval and the Council awaits his recommendation.

In the Matter of Modesto Municipal Athletic Field Committee's Claim:

A letter was addressed to the Council by the Municipal Athletic Field Committee being a report of their past activities, obligations and financial condition. The letter outlines the indebtedness of the committee to the various local interests and recommends that the Council pay bills to clear up this indebtedness to the extent of \$2705.91. At a meeting held in the early part of this current year the Council upon motion guaranteed to assume an appropriation to the extent of \$1750.00 in case the Municipal Athletic Field Association were unable to meet their bills and it was understood that the Chamber of Commerce likewise guaranteed a similar amount. Of the amount guaranteed by the City approximately \$600.00 has already been paid in the way of labor bills to the man who erected the fence and grand stand and it is not the understanding of the Council that they shall assume more than was originally agreed upon. Upon motion the Clerk was authorized to advise Mr. Roy Maxey that the Council do not at this time have sufficient funds available to meet the accounts due but when funds are available the City will stand responsible and guarantee to meet the bills up to \$1750 less the amount already advanced for this purpose.

In the Matter of Claims:

The claims for the month of June, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund	\$13,145.42
Water	4,359.79
Library	2,907.27
Street Intersection	29,883.86
Storm Sewer	1.50
St. Bond Redemption Funds	369.05
Tree Dist. Funds	175.00
Bond Red. & Int.	2,500.00
Unapportioned	8.50
Personal Property Tax Trust	<u>9.75</u>
	53,360.14

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 154 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 154

RESOLUTION NO. 247-S.P.

Resolution Ordering the Work No. 154

In accordance with certain plans and specifications heretofore adopted on the 14th day of June, 1922 and pursuant to Resolution of Intention No. 154 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 153 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 153

RESOLUTION NO. 248-S. P.

Resolution Ordering the Work No. 153.

In accordance with certain plans and specifications heretofore adopted on the 14th day of June, 1922 and pursuant to Resolution of Intention No. 153 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

In the Matter of Public Improvements under the Improvement Act of 1911:

RESOLUTION NO. 249-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Commercial Way, between Ninth Street and Tenth Street, from the center line of "H" Street northwesterly to the southeasterly line of "I" Street, within the City of Modesto, Stanislaus County, California, be graded by removing the existing pavement between the property lines and excavating or filling in the area upon which the pavement herein provided for is to be constructed; also

That a cement concrete gutter two (2) feet wide and six (6) inches in thickness be laid along the center line of Commercial Way and lying one (1) foot on either side of said center line and the remainder of said roadway shall be paved with a pavement consisting of four (4) inch Asphaltic Concrete base and a two (2) inch Warrenite-Bitulithic wearing surface. All of said work shall be done to the official line and grade; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 12th day of July, 1922, by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love  
City Clerk

Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 250-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 156 by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

RESOLUTION NO. 251-S.P.

Resolution of Intention No. 156

Providing that Commercial Way, between Ninth and Tenth Streets from the center line of "H" Street northwesterly to the southeasterly line of "I" Street within the City of Modesto be graded by removing the existing pavement between the property lines and excavating or filling in the area upon which the pavement herein provided for is to be constructed and that a cement concrete gutter two (2) feet wide and six (6) inches in thickness be laid along the center line of Commercial Way and lying one (1) foot on either side of said center line and the remainder of said roadway shall be paved with a pavement consisting of four (4) inch Asphaltic Concrete base and a two (2) inch Warrenite-Bitulithic wearing surface as more fully set forth in said Resolution of Intention No. 156 was introduced and adopted by the following vote;

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Street Work on Morris:

This being the time set for hearing of protests for the paving of Morris pursuant to Resolution of Intention No. 152 and no protests were presented the Council not being in a position due to other pending street work to order the work in, postponed action on the proceedings until July 26th, 1922 whereupon Councilman Cuneo introduced a resolution being

RESOLUTION NO. 252-S.P.

authorizing such action. The Resolution is on file in the office of the City Clerk and was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 95. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 253-S. P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR.

WHEREAS, the City Council of the City of Modesto, did on the 28th day of June, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on James Street from Spencer to Jennie fully described in Resolution of Intention No. 134 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED THAT the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$3270.55.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love  
City Clerk

No further business appearing the Council on motion adjourned, to meet again on July 19th at the City Hall at 7:30 o'clock P. M.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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Council, City of Modesto  
Wednesday July 19th, 1922

The Council met pursuant to adjournment and there was present Councilmen Cuneo, Turner, Morris, Utter and Mayor Ulrich

Absent: Councilmen None

In the Matter of Hearing on Capital Heights Storm Sewer Proceedings:

Pursuant to action taken at a previous meeting the hearing of protests against the proposed storm sewer in the Capital Heights, Eastern and De Yoe Additions was again taken up. After listening to several arguments and making many explanations to questions asked by the protestants, a resolution was introduced by Councilman Cuneo continuing the hearing until July 26th being

RESOLUTION NO. 254-S.P.

which resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

The resolution is on file in the office of the City Clerk.

In the Matter of Bids for the Paving of Jones and Kimble Streets:

Owing to the fact that the Council were not able to dispose of the matter of the storm sewer in the Capital Heights, Eastern and De Yoe Additions, the bids which were submitted by the Standard Paving Company for the paving of Jones and Kimble were again ordered held over until July 26th and a resolution was introduced by Councilman Turner authorizing such action being

RESOLUTION NO. 255-S. P.

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

The resolution is on file in the Office of the City Clerk

In the Matter of Petition for Itemized Bills on Paving:

A petition was presented to the Council signed by various property owners on Needham Avenue requesting that itemized bills be made out and furnished them for the paving of Needham Avenue. Inasmuch as the Improvement Act of 1911 does not

require that itemized bills be made and that such procedure would in no way be a duty of any of the City Officials, Councilman Morris moved that a reply of explanation be sent to these petitioners outlining the method of assessment and explaining to these people that the books and the assessment are open to the public for inspection at any time. The motion was duly seconded, carried and so ordered. No other action was taken on this petition and it was ordered filed.

In the Matter of Claim account Boys Band:

A claim in the amount of \$335.00 against the City presented by Mr. D. W. Morris who on May 25th advanced \$335.00 to the Boys Band with the understanding that this amount would be guaranteed by the City and paid at some later date after the concerts had been given. The money was advanced for the purpose of buying uniforms for the boys. Councilman Turner moved that the claim be allowed and that a warrant be drawn in favor of D. W. Morris in the amount of his claim and be charged against the amount due the boys Band.

In the Matter of Authorizing Certain work to be done under Supervision of City Engineer:

Pursuant to the passage of Resolution of Intention No. 154 and a Resolution Ordering the Work for the storm sewer which is to be extended up G and on J Streets it was shown that the work in its nature would be such that would require constant attention of the City Engineer whereupon Councilman Cuneo introduced

Resolution No. 256-S. P.

authorizing that the work as outlined be done under the supervision of the City Engineer. The resolution was adopted by the following vote and is on file with the proceedings.

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Transfer of Money from Water Fund:

By reason of the diminished condition of the General Fund, Councilman Cuneo introduced a resolution authorizing the transfer of \$30,000.00 from the water fund to the general fund being

RESOLUTION NO. 731-N. S.

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leasing Truck for Water Department:

It was shown that the present equipment used by the Water Department was so badly worn out that it was impractical to use it further whereupon Councilman Morris introduced a resolution authorizing the Water Department to lease trucks at a certain stipulated sum per month and enter into an agreement with some responsible party for the leasing of such equipment for the privilege of purchase. The resolution is

RESOLUTION NO. 752-N. S.

and was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leave of Absence for Fire Chief;

A Fire Chief's Convention is to be held in San Francisco between August 8th and 18th and Fire Chief Wallace on motion by Councilman Turner was delegated to attend. It was further moved that the City pay his expenses to this convention to the extent of \$100.00 and that a warrant be drawn in his favor for this amount. The motion was duly seconded, carried and so ordered.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Wednesday July 26th, 1922

The Council met in regular session July 26th, 1922, and there was present Councilman Cuneo, Morris, Utter and Mayor Ulrich

Absent: Councilmen Turner

In the Matter of Minutes:

The minutes of the regular meeting of July 12th and the adjourned meeting of July 19th were read and ordered approved as read.

In the Matter of Bids on Storm Sewer District No. 1:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 154 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now, in open session, proceeded to publicly open, examine and declare the same. There was on file 3 bids for the work which opened, read as follows for the total amount of the bids including the action of the Council in said matter.

Bid of Fredrickson & Shannon	\$63,213.00
Bid of Merced Concrete Pipe Co	74,500.00
Bid of Heafey, Moore & McNair	67,750.00

For further details regarding the above bids reference is hereby made to the

proceedings on file in the office of the City Clerk under the head of Resolution of Intention No. 154.

After due consideration of the bids Councilman Cuneo introduced a resolution awarding the contract to Fredrickson & Shannon at the prices named in their proposal being

RESOLUTION NO. 257-S.P.

Resolution of Award No. 154.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

Councilman Cuneo moved that the Clerk be authorized to notify the unsuccessful bidders and advise Fredrickson and Shannon that their bid was accepted. The motion was duly seconded, carried and so ordered.

In the Matter of Hearing on Capital Heights Storm Sewer Proceedings:

Pursuant to a resolution adopted at a previous meeting the hearing on the proceedings for the construction of a storm sewer being storm sewer district No. 4 in Capital Heights, De Yoe and Eastern Additions was continued to this meeting. The petition which had been filed by the protestants had been carefully checked up and the percentage of property represented in the protest was less than 50% of the property in the district. A detailed report of the City Engineer was read and carefully considered. After a reading of this report one of the protestants, Antone Leale, 121 Kimble Street asked that his name be taken off of the petition of protest. Councilman Morris introduced a Resolution overruling the protests against the proposed work being

RESOLUTION NO. 258-S.P.

The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

Councilman Cuneo thereupon introduced a resolution ordering the work being

RESOLUTION NO. 259-S.P.

Resolution Ordering the Work No. 151

In accordance with certain plans and specifications heretofore adopted on the 24th day of May, 1922 and pursuant to resolution of Intention No. 151 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Bids on Jones and Kimble;

Bids were previously opened on June 28th for the paving of Jones and Kimble but owing to the uncertainty of the storm sewer project going through in that district the bids were ordered held up until this evening. The bids were duly considered whereupon Councilman Utter introduced a Resolution of Award being

RESOLUTION NO. 260-S.P.

awarding the contract to the Standard Paving Company for the paving of Jones Street at the prices named in their proposal.

Councilman Utter thereupon introduced another resolution of award being

RESOLUTION NO. 261-S.P.

awarding the contract to the Standard Paving Company for the paving of Kimble Street at the prices named in their proposal.

The above resolutions are on file in the office of the City Clerk and were adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Awarding Contract for the Improvement of Sycamore Avenue from Stoddard to the Canal;

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 153 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolutions and notices, for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid for each piece of work which opened, read as follows including the action of the Council in said matter:

Grading	@	\$	.05 per sq. ft.
Paving	@	\$	.17 per sq. ft.
Gutters	@	\$	.20 per sq. ft.
Curb	@	\$	.70 per lin ft.
Headers	@	\$	.10 per lin ft.
#700 Marbleite Standards & Foundations	@	\$	67.00 each
#104 Gen. Elec Globes	@	\$	4.72 each
Gen Elec. Bands for same	@	\$	5.11 each
Gen Elec Acorns for same	@	\$	3.53 each
1" Galv. Conduit	@	\$	.17 per lin ft.
Pull in boxes	@	\$	4.60 each
3/4 " Galv. Conduit	@	\$	.15 per lin ft.
#10 R.C. Wire	@	\$	.045 per lin ft.

The bid being duly considered, Councilman Morris moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 262-S.P. Resolution of Award No. 153 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Street Work:

The proceedings started on Morris Avenue were again resumed and no protests having been filed within the time limited by the Resolution of Intention, Councilman Cuneo introduced a Resolution ordering the work on this Avenue being

RESOLUTION NO. 263-S.P.

Resolution Ordering the Work No. 152

In accordance with certain plans and specifications heretofore adopted on the 14th day of June, 1922 and pursuant to Resolution of Intention No. 152 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Payment on Auto Truck Lease Agreement:

Pursuant to Resolution No. 732-N. S. adopted on July 19th the City Clerk was authorized to make the first payment to James L. Robertson and McDuffy and Mac Bride from whom the trucks were leased upon presentation of a claim. The motion was seconded, carried and so ordered.

In the Matter of Storm Sewer in Capital Heights Addition:

It was explained that the work involved in the Eastern, Capital Heights and De Yoe Additions for the construction of the storm sewer which is to be laid in that district will require the constant attention of the City Engineer more so than the Street Superintendent whereupon Councilman Cuneo introduced a Resolution being

RESOLUTION NO. 264-S.P.

authorizing that the work be done in that district under the supervision of the City Engineer. The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Utter, Cuneo Morris and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bonds should not be Issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 125 Assessment No. 90, and no written objections being presented the Council thereupon under Resolution No. 265-S.P. determined the assessments which are unpaid and the aggregate amount of the same and the denominations of the bonds. The following is the Resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 265-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 21st day of September, 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 125 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes.

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 26th day of July, 1922, at the hour of 7:50 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears

from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$15,455.39.

NOW, THEREFORE, Be It Resolved;

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is \$15,455.39.

Be It further resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$15,485.64 in the aggregate; that said bonds shall be issued in fifteen series of 2 bonds in each series, shall each and all be dated the 2nd day of July, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1922; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY OF BOND
No. 1	285.39	July 2, 1923
No. 2	750.00	July 2, 1923
No. 3	280.00	July 2, 1924
No. 4	750.00	July 2, 1924
No. 5	280.00	July 2, 1925
No. 6	750.00	July 2, 1925
No. 7	280.00	July 2, 1926
No. 8	750.00	July 2, 1926
No. 9	280.00	July 2, 1927
No. 10	750.00	July 2, 1927
No. 11	280.00	July 2, 1928
No. 12	750.00	July 2, 1928
No. 13	280.00	July 2, 1929
No. 14	750.00	July 2, 1929

NO. OF BOND	AMOUNT OF BOND	MATURITY OF BOND
No. 15	280.00	July 2, 1930
No. 16	750.00	July 2, 1930
No. 17	280.00	July 2, 1931
No. 18	750.00	July 2, 1931
No. 19	280.00	July 2, 1932
No. 20	750.00	July 2, 1932
No. 21	280.00	July 2, 1933
No. 22	750.00	July 2, 1933
No. 23	280.00	July 2, 1934
No. 24	750.00	July 2, 1934
No. 25	280.00	July 2, 1935
No. 26	750.00	July 2, 1935
No. 27	280.00	July 2, 1936
No. 28	750.00	July 2, 1936
No. 29	280.00	July 2, 1937
No. 30	750.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 9th day of August, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Utter who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

In the Matter of Weeder for Parks;

The need of a weeder for use in the parks was explained by Councilman Morris who had up to the present time hesitated to make arrangements for such a piece of equipment. Councilman Cuneo moved that the matter be left in the hands of the Park Commission. The motion was seconded, carried and so ordered.

In the Matter of Report of Fire Chief;

The annual report of the Fire Chief was submitted to the Council and read after which it was ordered placed on file.

In the Matter of A Contemplated Power Distribution;

The matter of the City of Modesto distributing power was entered into by various members of the Council and after some discussion, Councilman Cuneo moved that the Mayor arrange a joint meeting with the Irrigation Board and the City Council for a further discussion in regard to the distribution of power within the City Limits of Modesto, the idea being to arrange with the district to use power produced at Don Pedro Dam.

In the Matter of Ford Car for Street Department;

It was explained that the Ford Car at present used by the Street Department was no longer fit for economical use whereupon Councilman Utter introduced

RESOLUTION NO. 733-N. S.

authorizing the Commissioner of Public Supplies and the Street Superintendent to enter into an agreement for leasing of a ford car with the privilege of purchasing it later. The Resolution was introduced and adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Cuneo, Utter, Morris and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

No further business appearing the Council on motion adjourned to meet again Thursday evening July 27th,

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Thursday July 27th, 1922

Pursuant to adjournment the Council met this evening for a discussion of the budgets and there was present Councilmen Cuneo, Utter and Mayor Ulrich

Absent: Councilmen Morris and Turner.

The 1922-23 budgets were presented by the various departments and the proposed revenues for the coming year were determined. Inasmuch as the amount called for by the various departments is in excess of the prospective revenues and no solution for over-

coming the difference being presented, Councilman Cuneo moved that we adjourn until Friday evening July 28th, for a further discussion of the subject.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Friday July 28th, 1922

Pursuant to adjournment the Council met for a discussion of the budgets and there were present Councilmen Cuneo, Utter and Mayor Ulrich

Absent: Councilman Morris and Turner.

The matter of budgets was again entered into and after a long discussion of the operating expenses it was determined that the tax roll as prepared would not represent enough of the assessed valuation to bring in the required revenue. No action was finally taken at this meeting.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Omit

Council, City of Modesto

Tuesday, September 5th, 1922

The Council met in special meeting at the call of the Mayor written notices having

Board of Equilization, City of Modesto

Monday August 7th, 1922

Pursuant to the provisions of the Charter of the City of Modesto and notices having been published as required therein calling attention to the meetings to be held for the purpose of assessment equilization, the members of the Council proceeded to meet this day as a Board of Equilization and there was present Councilmen Cuneo, Morris and Mayor Ulrich

Absent: Councilmen Turner and Utter

No business coming before this Board this day they adjourned to meet again at 10 o'clock A. M., Tuesday August 8th at the City Hall, City of Modesto.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

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Board of Equilization, City of Modesto  
Tuesday August 8th, 1922

The Council met pursuant to adjournment as a Board of Equilization and there was present Councilman Utter and Mayor Ulrich

Absent: Councilmen Cuneo, Morris and Turner.

For want of a quorum the members present adjourned to meet again Wednesday morning August 9th at 10 o'clock A. M.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Board of Equilization, City of Modesto  
Wednesday August 9th, 1922

The Council met pursuant to adjournment as a Board of Equilization and there was present Councilmen Utter and Mayor Ulrich

Absent: Councilmen Cuneo, Morris and Turner

For want of quorum the members present adjourned to meet again Thursday morning August 10th at 10 o'clock A. M.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Board of Equilization, City of Modesto  
Thursday August 10th, 1922

The Council met pursuant to adjournment as a Board of Equilization and there was present Councilman Utter and Mayor Ulrich

Absent: Councilmen Cuneo, Morris and Turner

For want of quorum the members present adjourned to meet again Thursday evening at 8 o'clock P. M. to take up any business that may come before the Board.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Note: Mayor Ulrich and Councilman Utter remained throughout each day on Monday, Tuesday, Wednesday and Thursday and met all people who came in to review the assessments and up to this time no written protest had been filed.

Board of Equilization, City of Modesto  
Thursday evening August 10th, 1922

The Council met pursuant to adjournment as a Board of Equilization and there was present: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilmen Morris

Mr. Sardell a representative of the Sunrise Lumber Company appeared before the Board and called attention to the Council of an apparent discrepancy in their assessment or an assessment against the Modesto Lumber Company. This representative endeavored to show that the assessment as made against the Modesto Lumber Company was too low when compared with the assessment made against the Sunrise Lumber Company. The Sunrise Lumber Company petitioned that their assessment either be reduced or that the assessment against the Modesto Lumber Company be raised. In conformity with the provisions of the Charter, Councilman Turner moved that the Clerk write the Modesto Lumber Company and ask them to appear and show cause why their assessment should not be raised. The notice requests that they appear Thursday evening August 17th at 8 o'clock P. M.

No further business appearing the Council on motion adjourned to meet again Friday Morning at 10 o'clock A. M.

Approved George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Board of Equalization, City of Hodgesto  
Friday Morning August 11th, 1922

The Council met pursuant to adjournment as a Board of Equalization and there was present:  
Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Absent: Councilmen None

Mr. F. A. West appeared before the Council and called attention of the Board to what he thought was inequality in the assessment between his property in the Maze Addition and other properties adjacent thereto, being property assessed to Warren Tillson and Avis M. Tillson. Councilman Utter moved that the Clerk be authorized to write to Warren Tillson and Avis M. Tillson and request their presence at an adjourned meeting of this Board to show cause why the assessment on the property in question should not be raised. The motion was seconded, carried and so ordered.

Mr. T. J. Le Hane appeared before the Council and filed a written petition for a reduction in the assessment of property assessed to him in Blocks 549 to 564 inclusive. The assessment on this property was reduced last year at Mr. LeHane's request before this Board by giving him a straight cut of 20%. The Assessor in making up his assessment for 1922-23 did not recognize the adjustment as made last year in this years assessment whereupon Mr. Le Hane filed with the Council a written request showing cause why his assessment should be allowed to remain at the same valuations as were used the previous year. After due consideration, Councilman Utter moved that the request be granted and that Mr. Le Hane's assessment on all property in Blocks 549 to 564 inc. be assessed on the same basis as it was assessed last year. The motion was seconded, carried and so ordered.

No further business appearing the Council on motion adjourned to meet again Thursday evening August 17th.

Approved: George J. Ulrich  
Mayor

Attest: E. W. Love  
City Clerk

Council, City of Hodgesto  
Wednesday August 9th, 1922

The Council met in regular session on August 9th, 1922 and there was  
Present: Councilmen Cuneo, Turner, Utter, Morris and Mayor Ulrich

Absent: Councilmen None

In the Matter of Minutes:

The minutes of July 26th and the adjourned meetings of July 27th and 28th were read and ordered approved as read.

In the Matter of Storm Sewer Proceedings;

Attention of the Council was called to an error made in the publication of resolution of Intention No. 151 published on the 27th and 28th day of May and in order that no controversies may possibly arise over the error in question, Councilman Turner introduced a resolution rescinding all proceedings for the work in question except the resolutions Ordering Plans and Specifications and the resolution Adoption Plans and Specifications being

RESOLUTION NO. 266-S.P.

which is on file in the office of the City Clerk and was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In order that the work may be started at the earliest possible date, Councilman Turner introduced a new resolution of intention being

RESOLUTION NO. 267-S. P.

Resolution of Intention No. 157

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

The resolution is on file in the office of the City Clerk

In the Matter of Awarding Contract for the Improvement of Morris, Castle and Auburn Streets;

The Council having heretofore duly adopted and passed resolution of intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as resolution of Intention No. 152 and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolutions and notices, for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid which opened, read as follows including the action of the Council in said matter:

Grading	\$	.05 per sq. ft.
Paving	\$	.17 per sq. ft.
Gutter	\$	.20 per sq. ft.
Curb		.75 per lin ft.
Headers		.10 per lin ft.
#700 Marbleite Stds & Foundations		67.00 each
#104 Gen Elec. Globes		10.00 each
#1104 Gen Elec. Canopies		4.72 each
Gen Elec. Bases for same		5.11 "
Gen Elec. Acorns for same		1.00 each
Pull in Boxes		4.00 each
1" Galv Conduit		.17 per lin ft.
3/4" Galv. Conduit		.15 per lin ft.
#10 A. C. Wire		.045 per lin ft.

The bid being duly considered, Councilman Cuneo moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 268-S. P Resolution of Award No. 152 which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Act of 1915;

This being the time fixed by order of the Council when bids will be recieved for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 96. The following is the resolution in accordance therewith duly adopted:

RESOLUTION NO. 269-S. P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR.

WHEREAS, the City Council of the City of Modesto, did on the 26th day of July, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on 15th, D, Burney and Jennie Streets fully described in Resolution of Intention No. 125 in pursuance of the "Improvement Act of 1911" and whereas, the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$15,455.39

The foregoing resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing Alice Street:

More than 10 days having expired since the last publication of the Notice of Public works which were posted on Alice Street from Park to Sycamore, a resolution was introduced by Councilman Cuneo being

RESOLUTION NO. 270-S.P.

setting a time for hearing of protests against the closing of this street, the time being Wednesday evening, August 23rd at 8 o'clock P. M. in the City Hall, City of Modesto.

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claims:

The claims for the month of July, were duly audited and withdrawals were made from the following fund accounts as follows:

General	\$14,963.70
Water	5,124.58
Library	670.74
Bond Red. & Int	11,468.75
St. Bond Funds	15,855.18
Tree Dist #61	30.00
Tree Dist #70	54.00
Personal Prop Tax Trust	1.68

reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts for various funds mentioned.

In the Matter of Automobile Show:

A letter to the Council from the Stanislaus Automobile Association states that that body have been able to make arrangements with the Southern Pacific Co. for the use of the railroad reservation on 9th Street for their auto show to be held in September. Their letter asks for the sanction of the Council in changing from a location previously granted them at 17th and I to this new location whereupon Councilman Morris moved that the request be granted. The motion was seconded, carried and so ordered by a vote of all members present.

In the Matter of Auditor's report:

The Auditor's report for the fiscal year ending June 30th was completed and submitted to the Council By Brotherton, Thomas & Co, the Auditors. The report was carefully examined by the Mayor and Council and upon motion by Councilman Cuneo was adopted and ordered placed on file. The motion was duly seconded, carried and so ordered.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 155 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said act, the Council proceeded to order the work done and the improvement made as set forth in resolution of Intention No. 156

RESOLUTION NO. 271-S.P.

Resolution Ordering the Work No.156

In accordance with certain plans and specifications heretofore adopted on the 12th day of July, 1922 and pursuant to Resolution of Intention No. 156 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Building Inspector Leave of Absence;

Mr. W. I. Carpenter City Building Inspector informed the Council that a special meeting was being held at the Fire Chief's Convention in San Francisco for the benefit of building inspectors and asked that he be granted a leave of absence for a few days in order that he might attend. Councilman Morris moved that permission be granted and the motion was carried by a vote of all members present.

No further business appearing the Council adjourned to meet again Wednesday evening August 10th at 7:30 o'clock P. M. in the City Hall.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love  
City Clerk

Council, City of Modesto

Wednesday August 10th, 1922

The Council met pursuant to adjournment and there was present

Councilmen Morris, Turner, Utter and Mayor Ulrich  
Tardy: Councilman Cuneo  
Absent: Councilmen None

In the Matter of Joint Meeting of Modesto Irrigation District;

Mr. Hilton, a member of the Modesto Irrigation District Board appeared before the Council to advise that the Irrigation District Board would be glad to meet with members of the Council on Monday Morning, August 21st at 10 o'clock to discuss matters pertaining to the manufacture and distribution of power to be produced at Don Pedro Dam. The arrangements were satisfactory to the Council and it was agreed to meet with them at the time set.

In the Matter of Application for Free License:

H. G. Lewis, a disabled old man, appeared before the Council and asked permission to sell solder on the streets of Modest without a license. The man showed that he was trying to make a living without becoming a dependent upon the community but was not in a position to pay the license fee. His case seemed worthy of consideration whereupon Councilman Turner moved that he be given a temporary permit revocable at the will of the Police Commissioner. The motion was seconded, carried and so ordered.

Councilman Cuneo came into the meeting at this point.

In the Matter of Adopting Budgets:

The matter of Budget allowances was again entered into and reviewed whereupon Councilman Utter introduced a resolution authorizing the adoption of the budget as allowed being

RESOLUTION NO. 754-N. S.

The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Caneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

The detail of the budgets as allowed is as follows:

Total appraised value of real Estate	7,056,568.00
Total appraised value of Improvements	9,684,490.00
	<u>17,543,058.00</u>
55% of this value	9,568,681.90
Assessed Value Personal Property	1,153,626.00
Money & Credits	<u>34,060.00</u>
Total Tax roll	10,726,568.90

		Tax Rate	
Tax Revenues	107,262.00	General Fund	1.00
Unsecured P. P.	6,500.00	Bond Red. & Int	.45
Licenses Etc.	38,000.00	Library	.11
railroad S.P.	2,400.00	Bond reserve	<u>.04</u>
Delinquent Taxes	7,600.00		1.60
Water (net)	<u>30,000.00</u>		
	188,762.00		

Budget Allowance		
	As Requested	Allowed
General Government	22,500.00	22,500.00
Sewer Maintenance	6,000.00	4,500.00
Engineering Dept	14,520.00	14,000.00
Police Dept	51,040.00	26,000.00
Fire Dept	20,000.00	20,000.00
Health	4,000.00	4,000.00
Street Dept	51,500.00	50,000.00
Electrical Dept	18,000.00	17,000.00
Parks	13,242.00	10,000.00
Music & Promotion	5,000.00	4,000.00
Deficit	31,000.00	31,000.00
Base Ball Park		1,500.00
Strawberry Park		1,000.00
Auto Camp		2,000.00
	<u>196,602.00</u>	<u>167,500.00</u>

In the Matter of Removal of Junk Yard:

A petition was made upon the Council by Mr. Highet for permission to remove his junk business from its present location on 9th Street to a new location on 7th Street between "F" and "G" Streets. After duly considering the matter Councilman Turner moved that the request be denied. The motion was seconded, carried and so ordered by a vote of all members present.

In the Matter of Report on Storm Sewer Districts:

A full and complete report of the existing storm sewer and the proposed storm sewer projects was submitted to the Council by the City Engineer, bound in book form. This report gives a complete detail of all of the work done and also of the proposed work to be done in the City of Modesto to the end of having it completely storm sewered. Councilman Morris introduced a resolution accepting and approving the above mentioned report being

Resolution No. 735-N.S.

which resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Annual Report of City Engineer:

An annual report was submitted by the City Engineer showing the activities and accomplishments of the Engineering Department for the fiscal year, June 30th, 1921 to June 30th 1922. The report shows in detail the activities in the Engineering Department, Water Department, and Forestry Department. After carefully scrutinizing the report, Councilman Utter moved that the same be accepted and placed on file which motion was seconded, carried and so ordered.

No further business appearing the Council on motion adjourned.

Approved; George J. Ulrich

Mayor

Attest; L. A. Love

City Clerk

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Board of Equilization, City of Modesto

Thursday, August 17th, 1922

The Council met pursuant to adjournment as a Board of Equilization and there was present: Councilmen Cuneo, Morris, Turner, Utter and Mayor Ulrich Absent: Councilmen None

In the Matter of Assessment against the Modesto Lumber Company:

Mr. C. R. Tillson representing the Modesto Lumber Co appeared before the Board at their request to come and show cause why his assessment should not be raised. Mr. Tillson, speaking for his company, advised the Council that he felt that a true and correct report had been given to the County Assessor from whom we took our assessments however he was willing to leave the matter wholly in the hands of the Board of Equalization as to the making of his assessment. Investigation reveals that by comparison the assessment against

the Modesto Lumber Company is somewhat lower than against other companies with the same or lesser amount of stock. After due consideration this Board sees fit to raise the assessment of the Modesto Lumber Company and put it on the same comparative basis as the assessment against other lumber companies in proportion to the stock on hand at the time the assessment was made. Councilman Cuneo moved that the assessment on personal property of the Modesto Lumber Company be increased \$8750.00. The motion was seconded by Councilman Utter and carried by the unanimous vote.

In the Matter of Assessment against Warren Tillson and Avis Tillson:

Warren Tillson appeared before the Board in compliance with the request made on him to appear and show cause why the assessment should not be raised on his property and after the matter had been reviewed by the Council with Mr. Tillson no action was taken.

No further business appearing the Council on motion adjourned finally.

Approved: George J. Ulrich

Mayor

Attest: L. A. Love

City Clerk

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Council, City of Modesto

Wednesday, August 23rd, 1922

The Council met in regular session, Wednesday August 23rd, and there was present:

Councilmen Morris, Turner, Utter and Mayor Ulrich

Absent: Councilmen Cuneo

In the Matter of Minutes:

The minutes of the regular meeting of August 9th and the adjourned meeting of August 16th were read and ordered approved as read.

Councilman Morris explained that he had some time ago made arrangements for a trip through the East and that he would be gone in the neighborhood of two months and asked that he be allowed to take a sixty day leave of absence. Councilman Turner moved that his request be granted which motion was seconded and carried by a vote of all members present.

In the Matter of Stretching Banner across McHenry Avenue:

Mr. Hyslop, representing a local business firm, appeared before the Council to ask permission to stretch a banner across McHenry Avenue for the purpose of advertising furniture and equipment installed in a new house just a few blocks from that street. It has not been the policy to permit such practice and the request was denied.

In the Matter of Appointment of Recreation Director:

Several communications were presented to the Council advocating the appointment of a recreation director for the play grounds in the City of Modesto it being the idea to have such a man to work in connection with community service and with the development of that organization. The letters presented and talks made by various interested people request that

the Council appoint Mr. Gail Shadinger whereupon Councilman Turner introduced a resolution being

RESOLUTION NO. 736-N.S.

creating the office of Recreation Director and setting forth the duties of such office also the salary. The resolution was adopted by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

In the Matter of Ordinances:

ORDINANCE NO. 232-N. S.

Entitled: "AN ORDINANCE REGULATING OBSTRUCTIONS UPON PUBLIC STREETS AND SIDEWALKS was introduced by Councilman Turner who moved its adoption. The motion was seconded by Councilman Utter and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

ORDINANCE NO. 233-N. S.

Entitled: "AN ORDINANCE REGULATING THE CONSTRUCTION AND USE OF AWNINGS OVER PUBLIC SIDEWALKS was introduced by Councilman Turner who moved its adoption. The motion was seconded by Councilman Utter and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Resurfacing various streets within the City of Modesto:

Proceedings were presented to the Council by the City Engineer for the resurfacing of I Street from 9th to 12th, K from 9th to 13th, 10th Street Between K and L and H from 9th to 11th as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 272-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "I" Street, from the northeast line of Ninth Street northeasterly to the southwest line of Twelfth Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a re-surfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete curbing and to further construct cement concrete gutters and gutters: excepting therefrom any of said work already done to the official line and grade: also excepting that portion of "I" Street lying between the center line and the southeasterly line thereof from the northeasterly line of Eleventh Street northeasterly to the southwesterly line of Twelfth Street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 23rd day of August 1922, by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

Attest: L. A. Love

City Clerk

#### Engineer's Estimate

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### RESOLUTION NO. 273-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 158 by the following vote, to-wit:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 274-S.P.

##### Resolution of Intention No. 158.

Providing that "I" Street, from the northeast line of Ninth Street northeasterly to the southwest line of Twelfth Street between the outer edge of the cement concrete gutter lines be repaired with re-surfacing material consisting of a one and one-half inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters as more fully set forth in said Resolution of Intention No. 158 was introduced and adopted by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 275-S.P.

##### Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "K" Street, from the northeast line of Ninth Street to the southwest line of Thirteenth Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a re-surfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing, and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also excepting therefrom the intersections of Tenth and "K" Street, Eleventh and "K" Streets, Twelfth and "K" Street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 23rd day of August 1922, by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

Attest: L. A. Love

City Clerk

Engineer's Estimate

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 276-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 159 by the following vote, to-wit:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo

RESOLUTION NO. 277-S.P.

Resolution of Intention No. 159

Providing that "K" Street from the northeast line of Ninth Street to the southwest line of Thirteenth Street between the outer edge of the cement concrete gutter lines be repaired with re-surfacing material consisting of a one and one-half inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to construct cement concrete gutters as morefully set forth in said Resolution of Intention No. 159 was introduced and adopted by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo

Resolution No. 278-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Tenth Street, from the southeast line of "K" Street northwesterly to the southeast line of "L" Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a re-surfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface: also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Eleventh Street, from the northwest line of "J" Street northwesterly to the northwesterly line of "K" Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a re-surfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade: also

That Twelfth Street, from the northwest line of "H" Street northwesterly to the northwesterly line of "K" Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a resurfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters

and gutters; excepting therefrom any of said work already done to the official line and grade; also excepting therefrom that portion of Twelfth Street lying between the center line and the southwesterly line thereof from the northwesterly line of "H" Street to the southeasterly line of "I" Street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 23rd day of August, 1922, by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

Attest: L. A. Love

City Clerk

#### Engineer's Estimate

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### RESOLUTION NO. 279-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 160 by the following vote, to-wit:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 280-S.P.

#### Resolution of Intention No. 160

Providing that Tenth Street from the southeast line of "K" Street northwesterly to the southeast line of "L" Street, that Eleventh Street from the northwest line of "J" Street northwesterly to the northwesterly line of "K" Street and that Twelfth Street from the northwest line of "H" Street northwesterly to the northwesterly line of "K" Street between the outer edge of the cement concrete gutter lines be repaired with re-surfacing material consisting of one and one-half inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to construct cement concrete gutters as more fully set forth in said Resolution of Intention No. 160 was introduced and adopted by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 281-S.P.

#### Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That "H" Street, from the northeast line of Ninth Street northeasterly to the southwesterly line of Eleventh Street, be improved, to-wit: By repairing the same between the outer edge of the cement concrete gutter lines with a resurfacing material consisting of one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 23rd day of August, 1922, by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

Attest: L. A. Love

City Clerk

#### Engineer's Estimate

In compliance with the foregoing Resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

#### RESOLUTION NO. 282-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 161 by the following vote, to-wit:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### RESOLUTION NO. 283-S.P.

#### Resolution of Intention No. 161

Providing that "H" Street from the northeast line of Ninth Street northeasterly to the southwesterly line of Eleventh Street, be repaired between the outer edge of the cement concrete gutter lines with a re-surfacing material consisting of a one and one-half ( $1\frac{1}{2}$ ) inch Warrenite-Bitulithic wearing surface and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters as more fully set forth in said Resolution of Intention No. 161 was introduced and adopted by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

#### In the Matter of Protest on Magnolia Avenue Assessment:

Certain protests having been filed against the assessment as made for the paving of Magnolia Avenue between Needham Street and Stoddard Avenue, the Council entertained a resolution introduced by Councilman Utter being

#### RESOLUTION NO. 289-S.P.

setting the time for hearing of such protests for August 30th in the City Hall at 8 o'clock P. M. The resolution was adopted by the following vote, to-wit:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

Councilman Turner was excused at this point.

In the Matter of Awarding Contract on Commercial Way:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which Resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 156 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file 1 bid to-wit: Bid of Standard Paving Co which opened, read as follows including the action of the Council in said matter.

Grading	\$	.08 per sq. ft.
Paving	\$	.255 per sq. ft.

The bid being duly considered, Councilman Morris moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 284-S. P. Resolution of Award No. 156, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Closing Alice Street:

This being the time for hearing of protests against the proposed closing of Alice Street and no protests having been filed Councilman Morris introduced a resolution being

RESOLUTION NO. 285-S.P.

A Resolution Closing Alice Street from the westerly curb line of Sycamore Avenue to the easterly curb line of Park Avenue in the City of Modesto.

WHEREAS, the City Council has heretofore passed and adopted a resolution declaring that it is the intention of the City Council of the City of Modesto to order the work done or improvement to be made which is described as follows: That Alice Street from the westerly curb line of Sycamore to the easterly line of Park Avenue which resolution was numbered Resolution of Intention No. 155, Resolution No. 245-S.P. and was adopted by the Council of said City on the 28th day of June, 1922 and

WHEREAS, thereafter the Street Superintendent caused to be posted conspicuously along the line of said contemplated work or improvement, at not more than three hundred feet in distance apart, but not less than three in all, notices of the passage of said Resolution, which notices were headed "Notice of Public Works" in letters not less than one inch in length, and which notice was in legible characters and stated the fact of the passage of the resolution, its date and briefly the work or improvement proposed, and referred to the Resolution of Intention for further particulars and also caused a notice similar in substance to be published for a period of ten days in one or more daily newspapers published and circulated in said City and designated by said City Council for such purpose, all of which will more fully appear by the affidavit of said Street Superintendent and the affidavit of the publisher of said newspaper, both of which are on file herein and are hereby referred to for greater certainty, and

WHEREAS, no objections whatever have been made to said improvement by any person whomsoever and the time for the making of objections has expired, and

WHEREAS, the Council has acquired jurisdiction to order the work to be done, and  
Whereas, it appears that no assessment is necessary.

NOW, THEREFORE, the City Council of the City of Modesto does hereby order the said work and improvement to be made which is heretofore described in this resolution to-wit: That that portion of Alice Street lying between the easterly line of Park Avenue and the westerly line of Sycamore Avenue be closed in whole and the said Council does further determine and order that upon the final adoption of this resolution the said Street above named between the points above named shall be, and the same is hereby, closed as above specified.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1922, by Councilman Utter who moved its adoption, which motion being duly seconded was carried and the resolution adopted by the following vote:

Ayes: Councilmen Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo and Turner.

L. A. Love

City Clerk

In the Matter of Filing Assessment List and of the Time fixed to Show Cause why Bonds should not be Issued:

This being the time fixed pursuant to published notice when interest persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for the work done under Resolutions of Intention Nos. 122, 137 and 140, Assessment Nos. 94, 97 and 98, and no written objections being presented the Council thereupon under Resolution Nos. 286-S. P., 287-S. P. and 288-S. P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 286-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 10th day of August, 1921, the City Council (Council) of the City of City of Modesto passed and adopted its Resolution of Intention No. 122 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 23rd day of August, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$16,990.67.

NOW; THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$16,990.67.

Be It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue

in the sum of \$16,990.67 in the aggregate; that said bonds shall be issued in fifteen series of 2 bonds in each series, shall each and all be dated the 15th day of August, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July, respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1923; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$570.67	July 2, 1923
No. 2	800.00	July 2, 1923
No. 3	350.00	July 2, 1924
No. 4	800.00	July 2, 1924
No. 5	350.00	July 2, 1925
No. 6	800.00	July 2, 1925
No. 7	350.00	July 2, 1926
No. 8	800.00	July 2, 1926
No. 9	350.00	July 2, 1927
No. 10	800.00	July 2, 1927
No. 11	350.00	July 2, 1928
No. 12	800.00	July 2, 1928
No. 13	350.00	July 2, 1929
No. 14	800.00	July 2, 1929
No. 15	350.00	July 2, 1930
No. 16	800.00	July 2, 1930
No. 17	350.00	July 2, 1931
No. 18	800.00	July 2, 1931
No. 19	350.00	July 2, 1932
No. 20	800.00	July 2, 1932
No. 21	350.00	July 2, 1933
No. 22	800.00	July 2, 1933
No. 23	350.00	July 2, 1934
No. 24	800.00	July 2, 1934
No. 25	350.00	July 2, 1935
No. 26	800.00	July 2, 1935
No. 27	350.00	July 2, 1936
No. 28	800.00	July 2, 1936
No. 29	350.00	July 2, 1937
No. 30	800.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening, the 13th day of September, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Farrer who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo and Turner.

L. A. Love

City Clerk.

RESOLUTION NO. 267-S. P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 25th day of January, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 157 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City, with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram

number in connection therewith (said return and list of assessments and assessments by diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the third day of August, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City, the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$20,126.96

NOW THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list heretofore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$20,126.96

Be It further resolved that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$20,126.96 in the aggregate; that said bonds shall be issued in fifteen series of 2 bonds in each series, shall each and all be dated the 10th day of August, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid; which interest shall be payable semiannually by coupons on the 2nd days of January and July, respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1923; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	366.96	July 2, 1923
No. 2	1000.00	July 2, 1923
No. 3	340.00	July 2, 1924
No. 4	1000.00	July 2, 1924
No. 5	340.00	July 2, 1925
No. 6	1000.00	July 2, 1925
No. 7	340.00	July 2, 1926
No. 8	1000.00	July 2, 1926
No. 9	340.00	July 2, 1927
No. 10	1000.00	July 2, 1927
No. 11	340.00	July 2, 1928
No. 12	1000.00	July 2, 1928
No. 13	340.00	July 2, 1929
No. 14	1000.00	July 2, 1929
No. 15	340.00	July 2, 1930
No. 16	1000.00	July 2, 1930
No. 17	340.00	July 2, 1931
No. 18	1000.00	July 2, 1931
No. 19	340.00	July 2, 1932
No. 20	1000.00	July 2, 1932
No. 21	340.00	July 2, 1933
No. 22	1000.00	July 2, 1933
No. 23	340.00	July 2, 1934
No. 24	1000.00	July 2, 1934
No. 25	340.00	July 2, 1935
No. 26	1000.00	July 2, 1935
No. 27	340.00	July 2, 1936
No. 28	1000.00	July 2, 1936
No. 29	340.00	July 2, 1937
No. 30	1000.00	July 2, 1937

It is further Ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to <sup>the</sup> purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening, the 10th day of September, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk,

on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Utter who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Morris, Utter and Mayor Ulrich.

Noes: Councilmen None

Assent: Councilman Cane and Turner.

L. A. Love

City Clerk

RESOLUTION NO. 286-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 8th day of March, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 140 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in which resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes;

WHEREAS, after the passage and adoption of said resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said contract and said resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place specified by said Clerk in said notice in accordance with Section 6 of the "Improvement Bond Act of 1915", to-wit: on the 29th day of August, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-306th Street in said City, the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$7,859.50.

NOW THEREFORE, Be It Resolved;

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinafore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$7,859.50.

Be It further resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$7,859.50 in the aggregate; that said bonds shall be issued in fifteen series of 1 bond in each series, shall each and all be dated the 15th day of August, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid; which interest shall be payable semi-annually by coupons on the 2nd days of January and July, respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1923; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	509.50	July 2, 1923
No. 2	525.00	July 2, 1924
No. 3	525.00	July 2, 1925
No. 4	525.00	July 2, 1926
No. 5	525.00	July 2, 1927
No. 6	525.00	July 2, 1928
No. 7	525.00	July 2, 1929
No. 8	525.00	July 2, 1930
No. 9	525.00	July 2, 1931

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 10	\$25.00	July 1, 1932
No. 11	\$25.00	July 1, 1933
No. 12	\$25.00	July 1, 1934
No. 13	\$25.00	July 1, 1935
No. 14	\$25.00	July 1, 1936
No. 15	\$25.00	July 1, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1916" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto the said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening, the 10th day of September, 1932, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication one week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Utter who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Morris, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Jones and Palmer.

L. A. Lee,  
City Clerk

In the Matter of Violation of Plumbing Ordinance:

Attention of the Council was called to the violation of the plumbing ordinance by Mr. Soepple who has a house on 8th Street between "I" and "J". He has had work done in violation of Section 4 Ordinance No. 204 whereupon the Council authorized City Engineer Freitas to disconnect his sewer from the City sewer.

In the Matter of Application for Electrical Engineering Position:

An application was received from Mr. Ernest Probert now with the Patterson Water Company at Patterson soliciting a position with the City of Modesto as an electrical engineer whereupon the Council authorized the Clerk to answer the letter advising that it had been filed for future reference.

In the Matter of Fire Prevention Meeting:

Fire Chief Wallace advised the Council that he had been able to make arrangements with J. W. Stevens, Chief of the Fire Prevention Bureau to talk to the fire boys and as many business men as cared to attend the meeting on September 1st along the lines of fire prevention. Chief Wallace suggested that it would only be proper in order to avail ourselves of the message this man has for us to prepare a light luncheon with the help of the fire boys. The chief was authorized to proceed and keep the expenses thereof under \$50.00.

No further business appearing the Council on motion adjourned to meet at the usual place at 7:30 o'clock P. M. August 30th, 1922.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Toledo

Wednesday August 30th, 1922

The Council met pursuant to adjournment and there was present Councilmen Cunco, Turner Utter and Mayor Ulrich.

Absent: Councilman Morris.

In the Matter of Storm Sewer In Capital Heights, Eastern and De Ice Additions:

This being the time for hearing protests against the proposed work to be done in Capital Heights, De Ice and Eastern Additions under Resolution of Intention No. 187 and a protest having been filed, the Council opened the matter for discussion. Several of the protestants presented arguments against proceeding with the work however after due consideration and by reason of the fact that the territory is rapidly developing and street paving is being called for Councilman Turner introduced a resolution overruling the protests being

Resolution No. 290-S. P.

The resolution was adopted by the following vote and is on file in the City Clerk's office:

Ayes: Councilmen Cunco, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

Resolution No. 291-S. P.

Resolution Granting the Work No. 187.

In accordance with certain plans and specifications heretofore adopted on the 9th day of August, 1922 and pursuant to Resolution of Intention No. 187 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cunco, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

The Resolution is on file in City Clerk's office with the proceedings

The nature of the work involved in the laying of this sewer is such that it will require the constant attention of the City Engineer therefore Councilman Cuneo introduced a resolution being

RESOLUTION NO. 292-S. P.

authorizing that the work on the storm sewer in Capital Heights, Eastern and De Lee additions be done under the supervision of the City Engineer. The resolution was adopted by the following vote and is on file in the office of the City Clerk

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Hearing on Protests Against Magnolia Avenue Assessment:

The Council proceeded to act on the protests against the assessments on Magnolia Avenue and after due consideration authorized the Street Superintendent to make an amended assessment to the extent of charging all properties which had previously installed curb and gutter and contributed towards the returns at the intersections at the same uniform rate instead of giving the property on the corners the benefit of the credit for the returns. The action of the Council in this matter is authorized by a resolution introduced by Councilman Cuneo being

Resolution No. 293-S. P.

The resolution is on file in the office of the City Clerk and was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of 1922-23 Tax rate:

The matter of the assessments having been completed, the Council proceeded to establish the 1922-23 tax rate whereupon Councilman Utter introduced an Ordinance No. 294-N. S. fixing the 1922-23 tax rate for the City of Macon to be \$1.00

ORDINANCE NO. 294-N. S.

Entitled: "An Ordinance fixing the rate of taxation in and for the City of Macon for the Fiscal Year 1922-1923 was introduced by Councilman Utter who moved its adoption. The motion was seconded by Councilman Cuneo and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Ground for Municipal Camp:

The matter of acquiring a Municipal auto camp was again entered into by the Council but inasmuch as they could find no way or means of acquiring such a site owing to insufficient funds Councilman Turner moved that the matter be left in the hands of the Chamber of Commerce. It was brought out that it would be impossible to acquire such a piece of ground without voting a bond issue for the purpose. The motion was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

No further business appearing the Council on motion adjourned.

Approved: George J. Ulrich  
Mayor

Attest: L. A. Love, City Clerk

Tuesday, September 5th, 1922

The Council met in special meeting at the call of the Mayor written notices having been delivered or mailed to each of the Council as required by Ordinance No. 2-H. S. of the City of Modesto a record of which is on file in the Clerk's office.

Present: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilman Morris

The meeting was called by order of the Mayor for the purpose to take up matter pertaining to City Government in the face of a proposed recall against the majority of the City Council and for any other business that may come before the Council.

By reason of charges made against the Council of this City this meeting was held and matters pertaining to the proceedings were thoroughly discussed. It was decided by those present to make up and publish reports explaining to those who have not kept themselves informed concerning details of matters pertaining to civic operation and activities.

No further business appearing the Council on motion adjourned to meet again Thursday evening September 7th at 7:30 o'clock P. M. at the Council Chambers.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Council, City of Modesto

Thursday September 7th, 1922

The Council met pursuant to adjournment from a special meeting held September 5th and there was present Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Absent: Councilman Morris

In the Matter of Sale of Old Dodge Car:

Councilman Turner explained that the Dodge car which has been in use in the Police Department for the past two years is in such a run down condition that it does not warrant spending any great amount of money on it to put it in the necessary repair to continue its use. He thereupon offered a resolution authorizing the Clerk to advertise for bids for the sale of this car being

Resolution No. 737-H. S.

which resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Car for Police Department:

With the Dodge car disposed of the Police Department must have a car for use as the occasion arises. The Council listened to an arrangement which it was possible to be made with the Turner Hardware Co for the leasing of a Buick car. After due deliberation Councilman Utter introduced a resolution authorizing Councilman Turner to enter into a contract for leasing a Buick car at \$200.00

per month for a period of six months after which time the Council reserves the right to purchase the car out-right being

RESOLUTION NO. 738-N. S.

which was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Explanation to Protestants of Capital Heights Storm Sewer District:

The matter of storm sewerage the Capital Heights, De Yoe and Eastern Additions was again taken up by the Council and the Clerk was authorized to mail a letter to all of the people who signed the protest against storm sewerage that district. The above action was taken upon motion by Councilman Cuneo which was carried by a vote of all members present.

No further business appearing the Council on motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Council, City of Modesto,

Wednesday, September 13, 1922.

The Council met in regular session, Wednesday, September 13, 1922 and there were present: Councilmen Cuneo, Utter, Turner, Mayor Ulrich. Absent: Councilman Morris

In the Matter of Minutes:

The minutes of the regular meeting of August 26rd and adjourn meeting of August 30th, the special meeting of September 5th and the adjourned special meeting of September 7th, were read and ordered approved as read.

In the Matter of Bids on Capital Heights, De Yoe and Eastern Addition Storm Sewers:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain storm sewer work therein described, which Resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention number 157 and all due and legal proceedings having been there after had under and pursuant to said resolutions as appears by records of said Council and said resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and Notices for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session proceeded to publicly open, examine and declare the same. There was on file two bids for each piece of work which opened, reads as follows, including the action of the Council in said matter:

BID OF HEAFY, MOORE AND MCNAIR FOR LAYING STORM SEWER IN CAPITAL HEIGHTS, DE YOE, AND EASTERN ADDITION.

The total amount of bid \$62,500; for details of this bid reference is hereby made to the proceedings on file in the City Clerk's office.

BID OF FREDRICKSON & SHANNON FOR CONSTRUCTION OF STORM SEWER IN CAPITAL HEIGHTS, DE YOE, AND EASTERN ADDITION.

The total amount of bid \$58,970.00; for details of this bid reference is hereby made to the proceedings on file in the City Clerk's office.

The bids were duly considered by the Council, but in view of the unsettled condition of affairs in the face of a proposed recall, Councilman Turner moved that action on the bids be deferred until Wednesday evening September 27, on which time the Council will again meet in regular session, this action was authorized by a resolution being

RESOLUTION NO. 294-S. P.

which was introduced by Councilman Turner. The resolution was adopted by the following vote and is on file in the office of the City Clerk with the proceedings.

Ayes: Councilmen Cuneo, Utter, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Verbal Protests in the Matter of Re-surfacing "K" Street:

Mr. W. J. Brown a property owner on "K" Street appeared before the Council and verbally registered a protest against the re-surfacing of "K" Street, particularly in the block where he lived. Mr. Brown stated in his opinion the condition of the street did not warrant re-surfacing and the expense which would be involved. In view of the argument presented by Mr. Brown, Councilman Cuneo introduced a resolution being:

RESOLUTION NO. 304-S.P.

Continuing the time for hearing of protests against the proceedings of Resolution of Intention No. 159 until September 27th. The resolution was adopted by the following vote, and is in file in the office of the City Clerk:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Closing Drive-way Entrance to Gracada Park:

Park Commissioner Morris appeared before the Council and explained certain conditions regarding automobile traffic through this park and the hazard to the children in the play grounds. By reasons of it he argued that the Council should take steps to construct a curb across all of the drive-way entrances to the park as a safety factor. This would keep the automobiles out of this particular park and thus add materially to the ease with which it may be maintained. After due consideration Councilman Cuneo introduced a resolution being:

RESOLUTION NO. 739-N.S.

authorizing that all open drive-ways to Gracada Park be closed by construction a curb across them. The resolution was adopted by the following vote, and is on file in the office of the City Clerk:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Petition for Paving Achor Court:

Mr. John Dillon presented a petition to the Council asking that Achor Court be paved with Oil Macadam. The petition was accepted, Councilman Turner moved that investigation be made as to the merits of this particular kind of paving and report upon it at a meeting to be held Wednesday evening September 30th. The motion was duly seconded and carried by vote of all the members present.

In the Matter of Petition to Pave 16th Street from "I" to Burney;

Petition was presented to the Council by the property owners on 16th Street asking that their street be paved between "I" and Burney Streets. The petition was referred to the City Engineer and a motion was made by Councilman Turner that if the petition represented a majority of the property owners in the district to be paved that the City Engineer start the necessary proceedings for the work. The motion was duly seconded, carried and so-ordered.

In the Matter of Ordinance:

ORDINANCE NO. 232-N. S.

Entitled: "AN ORDINANCE Regulating Obstructions upon public streets and sidewalks," and which was read, introduced, adopted and passed to print on the 23rd day of August, 1922 and having been published as required by law, Councilman Turner moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Ordinance:

ORDINANCE NO. 233-N.S.

Entitled: "AN ORDINANCE Regulating the Construction and use of Awnings Over Public Sidewalks", and which was read, introduced, adopted and passed to print on the 23rd day of August, 1922 and having been published as required by law, Councilman Turner, moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Morris, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo

In the Matter of Ordinance:

ORDINANCE NO. 234-N.S.

Entitled: "An Ordinance fixing the rate of Taxation in and for the City of Modesto for the Fiscal Year 1922-1923," and which was read, introduced, adopted and passed to print on the 30th day of August and, having been published as required by law, Councilman Utter moved the final adoption of the ordinance. The motion was seconded the ordinance adopted, final by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Acceptation, a Bond of Fredrickson & Shannon;

The bond was filed by Fredrickson and Shannon for faithful performance and for labor and materials for the contract awarded them under Resolution of Intention No. 154. The bond was duly examined and ordered accepted and approved, whereupon Councilman Cuneo introduced a resolution authorizing the acceptance of this bond being

RESOLUTION NO. 295-S.P.

and was adopted by the following vote and is on file in the office of the City Clerk

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Claims;

Claims for the month of August were duly audited and withdrawals were made for the following fund accounts, as follows:

General Fund .....	\$14,429.44
Water Fund.....	\$7,158.13
Storm Sewer.....	\$500.00
Street Bonds.....	\$472.46
Bond Redemption and Interest.....	\$350.00
Street Intersection.....	\$2,645.80

Reference is hereby made to the Auditor's Cash Book for further details regarding the above amounts from the various funds mentioned.

In the Matter of Donation to Woman's Christian Temperance Union;

Communication was received from the Woman's Christian Temperance Union advising that a convention of their organization was to be held in Modesto from October 16th to 20th of this year. It was explained that they expected about 400 delegates. They petitioned the City Council to make a donation in their favor to help defray the expense of their convention. Councilman Turner moved that a donation of \$50.00 be made to the organization which motion was duly seconded and carried by the vote of all of the members present.

In the Matter of Delegates of the League of Municipalities Convention;

A convention of the League of Municipalities is to be held in Palo Alto September 19th to 25rd. Councilman Turner moved that City Engineer, George Freitas, be authorized to be at this convention to represent Modesto and that he be allowed \$40.00 expense money for the trip. The motion was duly seconded, carried and so ordered.

In the Matter of Street Work;

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No.'s 158, 160 and 161 coming up for consideration and more than fifteen days having expired after the last publication of the Resolutions of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement, made as set forth in Resolution of Intention No.'s 158, 160 and 161.

RESOLUTION NO. 296-S.P.

Resolution Ordering the Work No. 158

In accordance with certain plans and specifications heretofore adopted on the 23rd day of August, 1922 and pursuant to Resolution of Intention No. 158 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

RESOLUTION NO. 297-S.P.

Resolution Ordering the Work No. 160

In accordance with certain plans and specifications heretofore adopted on the 23rd day of August, 1922 and pursuant to Resolution of Intention No. 160 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

RESOLUTION NO. 298-S.P.

Resolution Ordering the Work No. 161

In accordance with certain plans and specifications heretofore adopted on the 23rd day of August, 1922 and pursuant to Resolution of Intention No. 161 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued Under the "Improvement Bond Act of 1915":

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No.'s 94, 97 and 98

RESOLUTION NO. 299-S.P.

RESOLUTION ORDERING BONDS DELIVERED

TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 23rd day of August, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on James Street from the north line of Spencer Street north to the south line of Downey Avenue and on Downey Avenue from the east line of James Street west to the center line of "H" Street fully described in Resolution of Intention No. 122 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED, THAT the City Clerk be and he is hereby directed to deliver said bonds to the Contractor, to-wit: Standard Paving Company

or its assigns in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$16,990.67.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

RESOLUTION NO. 300-S.P.

RESOLUTION ORDERING BONDS DELIVERED

TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 23rd day of August, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvements made on Needham Street described in Resolution of Intention No. 137 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$20,126.96.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

RESOLUTION NO. 301-S.P.

RESOLUTION ORDERING BONDS DELIVERED

TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 23rd day of August, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on Magnolia Avenue from Stoddard to Lateral No. 4 of the Modesto Irrigation District as fully described in Resolution of Intention No. 140 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED THAT the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$7,859.50.

The resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Filing Assessment List and of the time Fixed to Show Cause Why Bonds Should Not be Issued;

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No.'s 153 and 159 Assessments No. 100 and 100, and no written objections being presented the Council thereupon under Resolution No. 302 and 303-S.P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the Matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 302-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 14th day of December 1921, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 153 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes:

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution Specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefore, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declared to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with section 5 of the Improvement Bond Act of 1915, to-wit: on the 15th day of September, 1922, at the hour of 7:30 o'clock P. M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$6,000.79

NOW THEREFORE, Be It Resolved :

That, the City Council of the City of Modesto does hereby find, determine and declare that all the act and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the City Clerk of the City of Modesto (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$6,000.79

Be It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$6,000.79 in the aggregate; that said bonds shall be issued in fifteen series of 1 bond in each series, shall each and all be dated the 25th day of August, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1925; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No.1	400.79	July 2, 1923
No.2	400.00	July 2, 1924
No. 3	400.00	July 2, 1925
No. 4	400.00	July 2, 1926
No. 5	400.00	July 2, 1927
No. 6	400.00	July 2, 1928
No. 7	400.00	July 2, 1929
No. 8	400.00	July 2, 1930
No. 9	400.00	July 2, 1931
No.10	400.00	July 2, 1932
No. 11	400.00	July 2, 1933
No. 12	400.00	July 2, 1934
No. 13	400.00	July 2, 1935
No. 14	400.00	July 2, 1936
No. 15	400.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefore.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 27th day of September, 1922 to the highest bidder therefore, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Utter who moved its adoption, which motion being duly seconded was carried by the following vote;

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Morris.

L. A. Love,

City Clerk

RESOLUTION NO. 303-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 8th day of March, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 139 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded, and the work therein ordered was performed in accordance with conditions of said Resolution of Intention, and a warrant was issued to the contractor therefore, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assess-

ment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declared to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 15th day of September, 1922, at the hour of 7:50 o'clock P.M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list and filed by the Street Superintendent with the City Clerk the aggregate being \$3,217.13

NOW THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of the same is the sum of \$3,217.13.

Be It Further Resolved that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issue in the sum of \$3,217.13 in the aggregate; that said bonds shall be issued in fifteen series of 1 bond in each series, shall each and all be dated the 30th day of August, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July, respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1923; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	207.15	July 2, 1923
No. 2	215.00	July 2, 1924
No. 3	215.00	July 2, 1925
No. 4,	215.00	July 2, 1926
No. 5	215.00	July 2, 1927
No. 6	215.00	July 2, 1928
No. 7	215.00	July 2, 1929
No. 8	215.00	July 2, 1930
No. 9	215.00	July 2, 1931
No. 10	215.00	July 2, 1932
No. 11	215.00	July 2, 1933
No. 12	215.00	July 2, 1934
No. 13,	215.00	July 2, 1935
No. 14	215.00	July 2, 1936
No. 15	215.00	July 2, 1937

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto, the said City Treasurer being hereby authorized to use an engraved printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefore.

It is further ordered that said bonds be sold as the law provides on Wednesday evening, the 27th day of September, 1922 to the highest bidder therefore and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Utter who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich  
 Noes: Councilmen None  
 Absent: Councilman Morris

L. A. Love,  
 City Clerk

In the Matter of Communication from Modesto Development Company;

A communication was received from the Modesto Development Company dated August 22, raising certain objections to the issuing of bonds against the property of that company of Fifth Street, in the amount of \$805.00 or any other sum. Communication was duly considered.

but it appeared that said Communication is not a legal objection, protest or appeal to the Council. Councilman Turner moved that said document be ordered placed on file, The motion was duly seconded, and carried by a vote of all present.

No further business appearing the Council on motion adjourned to meet again on Monday September 18th, at the City Hall, City of Modesto, 7:30 o'clock P.M.

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

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Council, City of Modesto,  
September 18, 1922.

The Council met pursuant to adjournment of September 13, 1922, and there were present Councilmen Cuneo, Utter, Turner, and Mayor Ulrich. Absent, Councilman Morris.

In the Matter of Application for Plumber's License:

Mr. John W. Lorenz filed an application with the City Council accompanied with a bond in the amount of \$2,500, with the request that he be permitted to practice as a plumber in the City of Modesto. The application and the bond were duly examined whereupon Councilman Turner moved that his application be granted and that it be placed on file together with the bond.

The motion was duly seconded, carried and so-ordered.

In the Matter of Personal Property of City Engineer:

As a matter of record and in order that there may be no misunderstandings at any time in the future regarding the fixtures and equipment in the Engineer's office, City Engineer Freitas, filed with the Council a complete list of his personal effects which are at the present time in that office, City Engineer Freitas explained that prior to the time he was City Engineer he had most of this equipment and since becoming City Engineer has continued to use it in discharge of his City duties just the same as he did prior to the time of his appointment as City Engineer.

The list is on file in the office of the City Clerk.

No further business appearing the Council adjourned to meet Wednesday Evening September 20th, in the City Hall, City of Modesto, 7:30 P.M.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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Council, City of Modesto,  
Wednesday, September 20th, 1922.

The Council met pursuant to adjournment September 18th, and there were present Councilmen Cuneo, Utter, Turner, and Mayor Ulrich Absent: Councilman Morris.

In the Matter of Petition to Pave "I" Street, From Third to Washington and Washington Street from "I" to "H"

A petition was filed by interested property owners asking that the Council take the necessary action to have "I" Street paved from 3rd to "H". After examining the petition the Council upon a motion from Councilman Cuneo, moved that, the City Engineer be instructed to prepare plans and specifications for the paving of these streets. The motion was duly seconded, carried and so-ordered.

**In the Matter of Bids:**

This being the time for opening bids pursuant to published notices advertising the sale of a Dodge Touring Car owned by the Police Department of the City of Modesto. The Council now in open session proceeded to publicly open and declare the same. There was on file one bid from the Turner Hardware & Implement Company which opened and read as follows:

"We are pleased to submit you a bid of \$450.00 for one Model 1920 Dodge Touring Car. A certified check for 10% of the amount is enclosed.

This bid is offered with the understanding that \$450.00 will be paid back to us on the rental contract which we hold against the City for the use of one 21-45 Buick Touring Car."

After due consideration Councilman Turner introduced a resolution being

**RESOLUTION NO. 740-N.S.**

Authorizing the acceptance of the bid of the Turner Hardware and Implement Company, the Resolution was adopted by the following vote, and is on file in the City Clerk's office:

**Ayes:** Councilmen Cuneo, Utter, Turner and Mayor Ulrich

**Noes:** Councilmen None

**Absent:** Councilman Morris

No further business appearing the Council adjourned.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

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Council, City of Modesto

Wednesday, September 27, 1922.

The Council met in regular session, Wednesday, September 27, 1922, and there were present: Councilmen Turner, Utter and Mayor Ulrich. Absent: Councilmen Cuneo, and Morris.

**In the Matter of Minutes:**

The minutes of the previous meetings of September 15th, September 18th, and September 20th were read and ordered approved as read.

**In the Matter of Protests Against the Resurfacing of "E" Street;**

Pursuant to a verbal protest by Mr. W. J. Brown, a written protest was filed at this meeting, protesting against the resurfacing of "E" Street between 9th and 15th Streets

on the grounds that the street was still in very good condition and did not warrant the expense involved in resurfacing at the present time. The protest was duly considered whereupon Councilman Turner offered a resolution being.

RESOLUTION 505-S.P.

sustaining the protest against the re-surfacing of "K" Street between the points mentioned above, which resolution was adopted by the following vote and is on file in the office of the City Clerk with the proceedings.

Ayes: Councilmen Utter, Turner, and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo and Morris

In the Matter of Patching "K" Street:

After the above mentioned protest was sustained by the Council, a discussion was introduced on which, was the best manner to keep "K" Street in repair. After due consideration Councilman Turner moved that the Street Superintendent take steps to put "K" Street in as good condition as possible without making the expenditure of any great amount of money. The motion was carried by the vote of all members present.

In the Matter of Awarding Contract for Resurfacing "I" Street, 10th Street, "H" Street:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain work therein described, which resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention No.'s 158, 160, and 161, and all due and legal proceedings having been thereafter had under and pursuant to said Resolutions, as appears by the records of said Council and said Resolutions and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and Notices for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session proceeded to publicly open, examine and declare the same. There was on file one bid for each piece of work which opened, read as follows, including the action of the Council in said manner:

BID OF STANDARD PAVING COMPANY FOR THE RESURFACING OF "I" STREET FROM 9th TO 12th.

Resurfacing @ \$.075 per sq. ft.

Cleaning Surface of foundation, including paint coat of Asphalt and distillate @ \$.01 per sq. ft.

Repairing gutters

@ \$.20 per sq. ft.

The bids being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted and thereupon introduced Resolution No. 506, Resolution of Award, No. 158 which upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF STANDARD PAVING COMPANY FOR THE RESURFACING OF 10th STREET FROM "K" TO "L" STREETS.

Resurfacing @ \$.075 per sq. ft.

Cleaning surface of foundation including paint coat of asphalt and distillate @ \$.01 per sq. ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 307, Resolution of Award No. 160, which, upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

BID OF STANDARD PAVING COMPANY FOR THE RESURFACING OF "H" STREET FROM 9th STREET TO "I" STREET.

Resurfacing @ \$.075 per sq. ft.

Cleaning Surface of foundation including paint coat of asphalt and distillate @ \$.01 per sq. ft.

Repairing gutters @ \$.20 per sq. ft.

The bid being duly considered, Councilman Turner moved that the bid of the Standard Paving Company be accepted, and thereupon introduced Resolution No. 308-S.P., Resolution of Award No. 161, which upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Sale of Improvement Bonds of the City of Modesto Issued under the Improvement Bond Act of 1915:

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 100, 101.

RESOLUTION NO. 309-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 13th day of September, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on Sixth Street from the south line of "K" Street northwesterly to the south line of "L" Street, as fully described in Resolution of Intention No. 159 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the Contractor, to-wit: Standard Paving Company or its assigns in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$5,217.15.

The resolution was adopted by the following vote:

Ayes: Councilmen Utter, Turner, and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo and Morris

RESOLUTION NO. 310-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 13th day of September, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvements made on Maynell Avenue, from the center line of McHenry Avenue to the westerly line of Johnson Street, described in Resolution of Intention No. 133 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$6,000.79.

The resolution was adopted by the following vote:

Ayes: Councilmen Utter, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cuneo and Morris

In the Matter of Police Cooperation:

Attention of the Council was called to a convention to be held in the City of Modesto by the Encampment of Odd Fellows due the week commencing Oct. 9th. The organization will occupy a portion of Enslin Park as a camp ground during the time they are here and the Police are instructed to cooperate in every way possible to guard their effects and if necessary to appoint deputies to do this. A motion was introduced by Councilman Turner, authorizing this action, which was carried by a vote of all present.

In the Matter of Capital Heights Storm Sewer:

RESOLUTION NO. 311-S.P.

WHEREAS, the City Council of the City of Modesto, did on the 9th day of August, 1922, pass its Resolution of Intention No. 157 to order certain street work to be done and improvement to be made in said City, under and in pursuance of the "Improvement Act of 1911," the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in said Resolution of Intention and which is hereby expressly referred to for further particulars.

RESOLVED, that the said City Council hereby reject all of said proposals or bids except that of Fredrickson & Shamon which bid is laid aside for further consideration until the regular meeting to be held on October 25th,

The foregoing Resolution was introduced by Councilman Turner at a regular meeting of City Council held September 27th, 1922, and upon motion made to adopt, duly seconded, the resolution was adopted by the following vote:

Ayes: Councilmen Utter, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Morris and Cuneo

In the Matter of Re-placing Amount Borrowed From Sewer Septic Fund:

On June 15th, 1921 a resolution was adopted by the Council authorizing a loan from the Sewer Septic Fund to the General Fund to defray expenses of construction of the storm sewer. The amount retained in the General Fund from the Sewer Septic Fund was \$14,000. Investigation reveals to the Council that there is now sufficient money in the Water Fund to absorb the amount borrowed from the Sewer Septic Fund, under the provision of the above mentioned Resolution. Whereupon, Councilman Utter introduced a resolution being,

RESOLUTION NO. 741-N.S.

authorizing the re-payment of \$14,000 from the Water Fund to the Sewer Septic Fund. The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Utter, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Morris and Cuneo

In the Matter of Claims Against the Municipal Athletic Field:

During last spring certain improvements were made on the Modesto Municipal Athletic Field, in the way of a Baseball Park, a grand stand, and a fence around this park. The improvements were made under the direction of the Modesto Municipal Athletic Association with the sanction of the City Council. The organization made a strenuous effort to raise sufficient money with which to pay all claims, but owing to adverse conditions finances did not become available, and as a result the following claims were presented against the City for materials furnished:

Sunrise Lumber Company:

February 24, 1922	@	\$166.25
February 24, 1922	@	\$180.85
February 24, 1922	@	\$194.30
February 24, 1922	@	\$199.55

Modesto Lumber Company:

January 25, 1922	@	\$59.02
January 25, 1922	@	\$21.50
January 25, 1922	@	\$37.80
January 28, 1922	@	\$168.78
February 4, 1922	@	\$23.31
February 8, 1922	@	\$10.67
February 11, 1922	@	\$54.62
February 13, 1922	@	\$131.42
February 17, 1922	@	\$65.12
February 17, 1922	@	\$129.52
February 17, 1922	@	\$20.64
March 1, 1922	@	\$14.50
March 4, 1922	@	\$4.82

Ward Lumber Company:

January 26, 1922	@	\$110.73
February 28, 1922	@	\$59.16
March 17, 1922	@	\$153.24
March 17, 1922	@	\$22.32
March 21, 1922	@	\$27.00
February 28, 1922	@	\$164.32

February 13, 1922	@	\$62.16
February 17, 1922	@	\$71.20
March 11, 1922	@	\$134.37
March 16, 1922	@	\$30.08
March 1, 1922	@	\$76.97
March 2, 1922	@	\$17.21
March 7, 1922	@	\$12.91
January 11, 1922	@	\$55.94

Stanislaus Lumber Company:

February 18, 1922	@	\$186.09
February 1, 1922	@	\$136.34
January 31, 1922	@	\$196.88

After due consideration Councilman Turner moved that the above claims be allowed and instructed the City Clerk to draw a warrant for them. The motion was duly seconded, carried and so-ordered.

No further business the Council adjourned to meet Wednesday evening, October 4, 1922, in the City Hall, 7:30 P.M.

Approved: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

REPORT OF ACTIVITIES OF CITY CLERK

On September 13th, 1922, a petition was filed with me containing the signatures of qualified electors of the City of Modesto in excess of 15% of the total votes cast at the last General Municipal Election, asking for the removal of Mayor George J. Ulrich, Councilman John C. Cuneo, Councilman E. R. Utter, and Councilman Alvin H. Turner, for various reasons as set forth in the petition which is on file in my office.

I proceeded with my duties with regard to the recall as set forth in Article 12 of the City Charter, prepared the Election Proclamation and called for an election to be held on September 27th, 1922. For the purpose of this election the City of Modesto was divided into six separate polling precincts. The election was conducted in all details as provided for under Article 12 in the City Charter.

A canvassing board duly appointed and consisting of:

W. H. Faukenberry,

D. T. Bunker

W. F. Ramont

made a canvass of the votes cast at this election and declared the result to be as follows:

	YES	NO
Shall George J. Ulrich be recalled	1440	732
Shall Alvin H. Turner be recalled	1355	782
Shall John C. Cuneo be recalled	1302	820
Shall E. R. Utter be recalled	1310	816

A majority of the City Council having been removed by reasons of the recall election, I immediately set forth to appoint members to serve temporary in the places of the men who had been recalled. After much deliberation and care I made appointments as follows, on October 3, 1922.

Sol. P. Elias, Mayor

J. M. Bomberger, Councilman

M. G. Payne, Councilman

C. W. Smith, Councilman

As provided in Article 12 in the Charter, I must within three days after the canvassing of the returns of the recall election, issue a call for an election, for the purpose of electing substitutes to the offices which were made vacant by the recall. On October 3, 1922, I issued this call setting the date for the election to be held for electing new officers, Tuesday, October 24th, 1922. At this election members are to be elected to fill the unexpired terms of the officers removed as follows:

A Mayor to fill the vacancy caused by the removal of George J. Ulrich, to serve until the first Monday in May 1923.

A Councilman to fill the vacancy caused by the removal of Alvin H. Turner, to serve until the first Monday in May 1923.

A Councilman to fill the vacancy caused by the removal of John C. Cuneo, to serve until the first Monday in May 1925.

A Councilman to fill the vacancy caused by the removal of E. R. Utter, to serve until the first Monday in May 1925.

In the meantime between this date (October 3, 1922 and four days after October 24, 1922) the members appointed by me on this day will serve as duly appointed Councilmen in every respect with regard to Municipal duties and affairs.

This report will be continued immediately after the election of the new council which is scheduled to take place on October 24, 1922.

L. A. Love,  
City Clerk

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Council, City of Modesto,  
Wednesday, October 4, 1922.

Members of a temporary Council appointed by the City Clerk, met pursuant to adjournment set for this date and there were present Mayor Sol P. Elias, Councilmen Bomberger, Payne, and Smith. Absent: Councilman Morris.

**In the Matter of Minutes:**

The minutes of the three previous meetings were read to the new Council, that they might be informed on matters most recently discussed by the previous Council. Mayor Elias, made an opening address to the assembly and briefly stated the intention of the temporary Council and outlined a brief policy. An invitation was extended to the people of Modesto, by the Mayor to meet in the City Hall with the Council next Wednesday night, October 11th, 1922, at which time it is hoped a representative body will be present. It is the intention of the present Council as expressed by them to co-operate with the people and to ask their co-operation and it is the purpose of this meeting to determine if possible, what the people want most.

**In the Matter of Resurfacing Streets:**

On September 27th the Council awarded three separate contracts for resurfacing certain streets in the City of Modesto as are more specifically described in Resolution of Intention No.'s 158, 160 and 161. Mr. George Perley appeared before the Council to ask if some action can not be taken by this Council to defer proceedings with regard to this contract until certain interested parties could hold a meeting and determine whether or not the work should be proceeded with. After due consideration and questioning of our City Attorney, reference was made to the Improvement Act of 1911, where in it appears that the Council had lost jurisdiction in the matter and Mr. Perley was so advised.

**In the Matter of Assigning Commissions to the Newly Appointed Councilmen:**

**RESOLUTION NO. 742-N.S.**

Under a resolution introduced by Councilman Payne, the following commissions were assigned to the newly appointed Councilmen,

M. G. Payne, Commissioner of Public Works  
C. W. Smith, Commissioner of Health and Safety  
J. M. Bomberger, Commissioner of Finance and Revenue.

The resolution was duly introduced and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias,

Nees: Councilmen None

Absent: Councilman Morris

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of Poplar Avenue, from the north line of Needham Street, northerly to the center line of Stoddard Avenue, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 312-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Poplar Avenue, from the north line of Needham Street northerly to the center line of Stoddard Avenue, be improved, to-wit: By grading; also paving between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade; also

That Concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) complete with globe, wires, pipe, conduit, pull in boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street be constructed at the following points: One (1) on the east curb line of Poplar Avenue one hundred sixty-two (162) feet north of the north line of Needham Street; one (1) on the west curb line of Poplar Avenue two hundred seventy-one and three-tenths (271.3) feet north of the north line of Needham Street; one (1) on the southeast curb line of Poplar Avenue and Alice Street; one (1) on the west curb line of Poplar Avenue one hundred ten (110) feet north of the north line of Alice Street; one (1) on the east curb line of Poplar Avenue two hundred sixty-three (263) feet north of the north line of Alice Street; one (1) on the southwest curb line of Poplar Avenue and Wright Street; one (1) on the east curb line of Poplar Avenue one hundred four (104) feet north of the north line of Wright Street; one (1) on the southwest curb line of Poplar Avenue and Stoddard Avenue.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 4th day of October, 1922, by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

Attest L. A. Love,

City Clerk

\*\*Engineer's Estimate\*\*

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 313-S.P.

Resolution Adopting Plans and Specifications, as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 162, by the following vote, to-wit:

Ayes: Councilmen Payne, Bomberger, Smith, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love,

City Clerk

RESOLUTION NO. 314-S.P.

Resolution of Intention No. 162

Providing that Poplar Avenue, from the north line of Needham Street northerly to the center line of Stoddard Avenue, be graded; also paved between the gutters to the official grade with pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one half ( $1\frac{1}{2}$ ) inches in thickness; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters as more fully set forth in said Resolution of Intention No. 162 was introduced and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love,

City Clerk

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of Sixteenth Street, from the southeast line of "I" Street southeasterly to the westerly line of Burney Street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 315-S.P.

Resolution Ordering Plans and Specifications

RESOLVED, that the Engineer of the City of Modesto be, and he is hereby ordered to prepare plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Sixteenth Street, from the southeast line of "I" Street southeasterly to the westerly line of Burney Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gutters; excepting therefrom any of said work already done to the official line and grade.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 4th day of October, 1922, by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love,  
City Clerk

**\*\*Engineer's Estimate\*\***

In compliance with the foregoing resolution, the City Engineer submitted plans and specifications for his estimate of the cost of the work.

**RESOLUTION NO. 316-S.P.**

**Resolution Adopting Plans and Specifications**

as prepared and submitted by the City Engineer, Geo. Freitas, was introduced and upon roll call was declared adopted as outline in the Resolution of Intention No. 163 by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

Attest: L. A. Love,  
City Clerk

**RESOLUTION NO. 317-S.P.**

**Resolution of Intention No. 163**

Providing that Sixteenth Street, from the southeast line of "I" Street southeasterly to the westerly line of Burney Street, be graded; also paved between the gutters to the official grade with a pavement consisting of an Asphaltic Concrete base two and one-half ( $2\frac{1}{2}$ ) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ( $1\frac{1}{2}$ ) inches in thickness and curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters and gitters as more fully set forth in said Resolution of Intention No. 163 was introduced and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

No further business appearing the Council upon motion adjourned.

Approved: Sol P. Elias  
Mayor

Attest: L. A. Love,  
City Clerk.

Council, City of Modesto

Wednesday, October 11, 1922.

The Council met in regular session, Wednesday, October 11, 1922, and there were present: Councilmen Payne, Bomberger, Smith and Mayor Elias. Absent: Councilman Morris

In the Matter of Minutes:

The minutes of the previous meetings, September 27th and October 4th, 1922, were read and approved as read.

In the Matter of Protests Against the Assessment made on "D" Street Under Resolution of Intention No. 138, as Provided for Under "Improvement Act of 1911":

A protest was filed by Mr. J. D. Stewart protesting against the assessment made against his property being lots 13, 14, 15, and 16 in Block 215, City of Modesto. The protest was considered, whereupon Councilman Bomberger introduced a resolution, being

RESOLUTION NO. 318-S.P.

setting the time for hearing the protest against this assessment as Wednesday, evening October 18, 1922, at 8 o'clock P.M. City Hall, City of Modesto.

The resolution was adopted by the following vote; and is on file in the office of the City Clerk, with the proceedings:

Ayes: Councilmen Payne, Bomberger, Smith, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Ordinance:

A great deal of complaint having been made to the City Council with regard to the Parking Ordinance 213-N.S. A new ordinance is hereby submitted for approval, which ordinance was introduced by Councilman Payne, and

ORDINANCE NO. 235-N.S.

Entitled: "AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 143-N.S. AS AMENDED BY ORDINANCE NO. 214-N.S., was introduced at a regular meeting of the Council, City of Modesto, held on the 11th day of October, 1922. Councilman Payne, moved this ordinance be adopted and passed to print, which motion being duly seconded, was carried and the ordinance was passed to print by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Resurfacing Certain Streets in the City of Modesto:

By reasons of certain protests which were verbally registered with the Council, Wednesday evening October 4, 1922., protesting against any work being done under Resolution of Intention No. 158, 160 and 161.

The contract for the work outlined in the above resolution was awarded to the Standard Paving Company on September 27, and according to court ruling in the matter and legal opinion which was submitted by the City Attorney Carlson, and which is on file with the proceedings, the Council have no further jurisdiction in the matter.

Mr. J. M. Waltham, President of the Standard Paving Company made remarks to the effect that the Standard Paving Company was willing to withdraw the contract providing a

release be given them by all the property owners in the district together with a bond protecting them from any liability, in case they withdraw their contract. While the Council had lost jurisdiction in this matter they upon motion adjourned the meeting until Friday evening October 13, to further review the matter with regard to executing the contract in question.

**In the Matter of Capital Heights Storm Sewer Project:**

Pursuant to action already taken under Resolution of Intention No. 157 and before making any award of contract on the bids which were opened, September 13, 1922, the City Council again invited the property owners of Capital Heights, Eastern and De Yoe Additions to confer with them at this meeting to help them arrive at a conclusion in the matter of whether the contract should be awarded or not. The people present protested vigorously against proceeding further with the work and their protest being well founded the Council rejected the bids by the following procedure:

Councilman Payne moved that the Council re-consider the adoption of Resolution No. 311-S.P. which was adopted by a majority vote of the Council, September 27, 1922. The motion, was duly seconded, carried and so-ordered.

Upon a re-consideration of this Resolution the vote was, as follows:

Ayes: Councilmen None

Noes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Absent: Councilman Morris

After the above action, Councilman Payne introduced a resolution being,

**RESOLUTION NO. 319-S.P.**

rejecting all bids for the storm sewer and authorizing the City Clerk to return their bonds or certified checks. The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

**In the Matter of Claims:**

The Claims for the month of September, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$11,109.28
Water Fund.....	\$2,523.40
Library Fund.....	\$1,696.92
Bond Red. & Int. Fund.....	\$112.50
Street Intersection Fund.....	\$8,042.01
St. Bond Red. Funds.....	\$498.52
Total.....	\$23,982.63

Reference is hereby made to the Auditor's Cash Book for further details regarding the above mentioned amounts for various funds mentioned.

No further business appearing the Council adjourned to meet Friday evening at 7:30 P.M., October 13, 1922, City Hall, City of Modesto.

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Approved: Sol P. Elias.  
Mayor

Attest: L. A. Love,  
City Clerk

Council, City of Modesto

Friday, October 13, 1922.

The Council met pursuant to adjournment of October 11th, and there were present Councilmen Payne, Bomberger, Smith, and Mayor Elias. Absent: Councilman Morris

The meeting of October 11th, was adjourned until this date to go into the matter of awarding contract for the resurfacing of certain streets in the City of Modesto. Parties who protested against the awarding of the contract were advised Wednesday Evening October 11, that if they would obtain a release together with the signatures of all of the interested property owners within the district to be assessed for the resurfacing, releasing the contractor from any liability in case he withdrew from the deal, that the Council would endeavor to have the contract withdrawn.

The time for presenting this release was set for this evening and no release having been presented the Council did not take any further action and left the matter where it legally stood in the hands of the Street Superintendent.

In the Matter of Claim of Modesto Iron Foundry:

The claim was presented by the "Modesto Iron Foundry" in the amount of \$138.00 for castings furnished the City and by reason of the foundry being urgently in need of cash the Council upon motion by Councilman Payne, authorized the Clerk to issue a warrant for the amount.

In the Matter of Purchasing Asphalt for Repairing Streets:

It was explained that the stock of asphalt in the Street Department was about gone and that a considerable quantity would be needed during the next several months for the purpose of repairing the streets, whereupon, Councilman Bomberger introduced a resolution being,

RESOLUTION NO. 743-N.S.

authorizing the Street Superintendent to purchase fifteen barrels of asphalt. The resolution was regularly introduced, and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias,

Noes: Councilman None

Absent: Councilman Morris

In the Matter of Purchasing Horse for Street Department:

One of the horses in the service of the Street Department, recently contracted an illness and died, thus handicapping that department. The necessity for another horse was explained.

Whereupon Councilman Bomberger introduced a resolution being,

RESOLUTION NO. 744-N.S.

authorizing the Street Superintendent to purchase a horse for use in his department at a cost not to exceed \$200.00. The above resolution was regularly introduced, and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

No further business appearing the Council adjourned to meet Wednesday evening October 18, 1922, in the City Hall.

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Approved: Sol P. Elias  
Mayor  
Attest: L. A. Love,  
City Clerk

Council, City of Modesto

Wednesday, October 18th, 1922.

The Council met pursuant to adjournment of October 13th, 1922, and there were present Councilmen Payne, Bomberger, Smith, and Mayor Elias.

Absent: Councilman Morris.

The Council met pursuant to posted notice to the effect that they would hear all protests against assessment number 103 which was made as a result of the improvement performed under Resolution of Intention No. 138.

Two interested parties appearing in the persons of Mr. J. D. Steward, and Mr. W. W. Voice, and protests were heard, but owing to incomplete information on the subject Councilman Payne introduced a resolution being,

RESOLUTION NO. 320-S.P.

continuing the hearing on this matter until Wednesday evening October 25th, 1922. The resolution was regularly introduced and adopted by the following vote:

Ayes: Councilmen Payne, Bomberger, Smith and Mayor Elias

Noes: Councilmen None

Absent: Councilman Morris

In the Matter of Sewer in Block 562:

Mr. H. Tennyson appeared before the Council in behalf of the interested property owners in Block 562 and petitioned that sewer be laid so that connections can be made from properties in this block. After due consideration and consultation with the City Engineer, the Council upon motion by Councilman Payne authorized the Engineering Department to install such sewer and water mains as was necessary to serve this block.

No further business appearing the Council upon motion adjourned.

Approved: Sol P. Elias,

Mayor

Attest: L. A. Love,

City Clerk

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Council, City of Modesto

Wednesday, October 25, 1922

The Council met in regular session, Wednesday, October 25th, 1922, and there were present: Councilmen Payne, Smith, Morris, and Mayor Elias. Absent: Councilman Bomberger.

In the Matter of Minutes:

The minutes of the regular meeting of October 11th, and the adjourned meetings of October 13th, and 18th, were read and ordered approved as read.

In the Matter of Claim of Boy's Band:

A claim was presented to the Council in the amount of \$665.00, representing the balance due the Boy's Band for concerts given in the Courthouse Park during the summer months. The bill was in line with the attangement entered into with the Band. Whereupon, Councilman Morris moved that the claim be allowed, the motion was duly seconded and carried by the vote of all the members present.

**In the Matter of Petition Against Closing of Alley in Block 590:**

A petition was presented to the Council by certain interested property owners in the Capital Heights Addition protesting against any action that the Council might contemplate to the end of closing a portion of the alley in Block 590. In as much as, no proceedings have been started to close any portion of this alley, the matter was laid over.

**In the Matter of Claim of N. E. Leek:**

For court reporting, two claims were presented to the Council by Attorney A. J. Carlson, representing amount due N. E. Leek for services rendered to the City of Modesto, in the way of court reporting on criminal cases of the City against Etta Roberts and against Porch, the claims are in the amount of \$24.40 and \$10.00. Upon motion by Councilman Morris which was duly seconded the City Clerk was authorized to draw a warrant for these claims in the regular manner.

**In the Matter of Ordinance:**

**ORDINANCE NO. 235-N.S.**

Entitled: "AN ORDINANCE AMENDING SECTION 1 of ORDINANCE NO. 143-N.S. AS AMENDED BY ORDINANCE NO. 214-N.S.," and which was read, introduced adopted and passed to print on the 11th day of October, 1922 and having been published as required by law, Councilman Payne moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

**Ayes:** Councilmen Payne, Smith, Morris, and Mayer Elias

**Noes:** Councilmen None

**Absent:** Councilman Bomberger

**In the Matter of Hearing Protests Against Assessments Under Resolution of Intention No. 138**

Pursuant to Resolution No. 320-S.P., continuing the hearing of protests on the assessment made for work done under Resolution of Intention No. 138, the Council amended the assessment in question, which amendment is authorized by Resolution, being

**RESOLUTION NO. 321-S.P.**

a resolution providing for the amendment and correction of assessment for the paving of "D" Street between Fourteenth Street and Burney.

The Resolution was regularly introduced this 25th day of October 1922, and upon roll call was adopted by the following vote:

**Ayes:** Councilman Payne, Smith, Morris, and Mayer Elias

**Noes:** Councilmen None

**Absent:** Councilman Bomberger.

**In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bonds Should Not Be Issued:**

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention No. 145, Assessment No. 102, and no written objections being presented, the Council thereupon under Resolution No. 322-S.P. determined the assessments which are unpaid and the aggregate amount of the same and the denomination of the bonds. The following is the Resolution of the Council in the matter duly passed and ordered entered upon its minutes:

RESOLUTION NO. 322-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 26th day of April, 1922, the City Council, of the City of Modesto passed and adopted its Resolution of Intention No. 145 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes:

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 25th day of October 1922, at the hour of 7:30 o'clock P.M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections, and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$774.92.

NOW, THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein); and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$774.92.

Be It Further Resolved that Serial Bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary to and amendatory thereof, issued in the sum of \$8774.92 in the aggregate; that said bonds shall be issued in ten series of 1 bond in each series, shall each and all be dated the 2nd day of October, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds that is, on January 2nd, 1923; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendents list of unpaid assessments to the 2nd day of January 1924; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	584.92	July 2, 1924
No. 2	585.00	July 2, 1925
No. 3	585.00	July 2, 1926
No. 4	585.00	July 2, 1927
No. 5	585.00	July 2, 1928
No. 6	585.00	July 2, 1929
No. 7	585.00	July 2, 1930
No. 8	585.00	July 2, 1931
No. 9	585.00	July 2, 1932
No. 10	585.00	July 2, 1933
No. 11	585.00	July 2, 1934
No. 12	585.00	July 2, 1935
No. 13	585.00	July 2, 1936
No. 14	585.00	July 2, 1937
No. 15	585.00	July 2, 1938

It is further ordered that said bonds shall be in the form prescribed by said improvement Bond Act of 1915 and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 22nd day of November, 1922, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing Resolution was introduced by Councilman Payne who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Payne, Smith, Morris, and Mayor Elias,

Noes: Councilmen None

Absent: Councilman Bomberger

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto this 25th day of October, 1922.

Attest: L. A. Love,  
City Clerk

**In the Matter of Street Work:**

The work heretofore authorized to be done by the Council of the City of Modesto, under the Street Improvement Act of 1911 in pursuance to Resolution of Intentions No.'s 162 and 163 coming up for consideration and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolutions of Intentions No's 162 and 163

**RESOLUTION NO. 323-S.P.**

**Resolution Ordering the Work No. 163**

In accordance with certain plans and specifications heretofore adopted on the 4th day of October, 1922, and pursuant to Resolution of Intention No. 163 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Payne, Smith, Morris and Mayor Elias

Noes: Councilmen None

Absent: Councilman Bomberger

**RESOLUTION NO. 324-S.P.**

**Resolution Ordering the Work No. 162**

In accordance with certain plans and specifications heretofore adopted on the 4th day of October, 1922, and pursuant to Resolution of Intention No. 162 was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Payne, Smith, Morris, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Bomberger

**In the Matter of Request for Donation:**

A letter addressed to the Council by the Stanislaus County Poultry Association, petitioning for a donation from the City to that organization, to help defray expenses of a convention which is proposed to be held in the City of Modesto, during the month of December. After a discussion of the City's financial condition the matter was tabled and no action taken.

In the Matter of Purchase of Sewer Pipe:

It was explained to the Council that the City supply of sewer pipe was about exhausted. Whereupon, Councilman Payne, introduced a resolution being,

RESOLUTION NO. 745-N.S.

authorizing the City Engineer to purchase a car load of sewer pipe, or as much of a car load as his requirements demanded.

The foregoing resolution was regularly introduced at this meeting October 25th, 1922. and was adopted by the following vote:

Ayes: Councilmen Payne, Smith, Morris, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Bomberger.

In the Matter of Purchase of Cast Iron Pipe:

It was explained to the Council that the City's supply of cast iron pipe was exhausted, and that it would be necessary to purchase a considerable quantity. Whereupon Councilman Payne introduced an ordinance, being,

ORDINANCE NO. 236-N.S.

Entitled: AN ORDINANCE AUTHORIZING THE PURCHASE OF 240 TONS OF CAST IRON PIPE, was introduced by Councilman Payne, who moved its adoption. The motion was seconded by Councilman Morris, and the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Payne, Smith, Morris, and Mayor Elias.

Noes: Councilmen None

Absent: Councilman Bomberger.

No further business appearing the Council adjourned to meet Saturday morning, October 28, at 10 A.M. as a canvassing board to canvass the returns of the Special Election held in the City of Modesto, October 24, 1922; and further adjourned to meet Wednesday evening November 1, 1922, in the City Council Chambers, City of Modesto, at 8 o'clock P.M.

Approved: Mayor

Attest: City Clerk

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Council, City of Modesto,  
Saturday, October 28, 1922.

The Council met pursuant to adjournment of October 25th, to meet as a canvassing board, in the City Hall, City of Modesto, at 10 A.M. this date, and there were present Councilmen Payne, Smith and Morris. Absent: Councilmen Bomberger, and Mayor Elias.

A joint canvass of the returns of the Special Election held the 24th day of October, to elect a Mayor and four Councilmen was made by the above mentioned members of the Council and a canvassing board, consisting of Mr. J. W. Hawkins, John Moorehead, and E. A. Bundy. After a careful canvass of the election returns, Councilman Payne, introduced a resolution being,

RESOLUTION NO. 746-N.S.

determining the result of the election. The above resolution was regularly introduced at a regular adjourned meeting held on the 28th day of October 1922, and was adopted by the following vote:

Ayes: Councilmen Payne, Smith, and Morris

Noes: Councilmen None

Absent: Councilmen Bomberger and Mayor Elias.

The above resolution is on file in the office of the City Clerk. No further business, appearing, the Council upon motion adjourned.

Attest: \_\_\_\_\_,  
City Clerk

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Council, City of Modesto,

Wednesday, November 1, 1922

The Council, met pursuant to adjournment of October 25th, 1922.

A newly elected Council, elected to fill the unexpired terms of offices, of the officers recalled at a recall election on September 27th, 1922, assembled at the City Hall at 8 o'clock P.M. this date, to take the oath of office as prescribed in the Charter. A canvass of the Special Election returns for the election held October 24th, shows the following men elected:

Sol P. Elias, Mayor

R. S. Marshall, Councilman

E. J. Boundey, Councilman

T. H. Prewett, Councilman

All of the newly elected members except R. S. Marshall were present and signed the oath of office as prescribed.

The newly elected Council met pursuant to adjournment of October 25th, 1922, and there were present Councilmen Boundey, Prewett, and Mayor Elias, absent, Councilmen Bomberger and Smith.

The Council immediately proceeded to canvass the election returns of the Special Election held October 31st, 1922. After careful canvass of the votes Councilman Prewett introduced a resolution, being

RESOLUTION NO. 747-N.S.

an order determining the result of the election, which shows that 893 votes were cast for Albert Oswald and 351 cast for J. L. Hennemuth for Councilmen. The canvass determines that the total number of votes cast in favor of Albert Oswald was greater than  $\frac{1}{2}$  of the number of ballots cast at the election, and as a result Albert Oswald is hereby determined to be elected.

The foregoing Resolution was introduced by Councilman Prewett at a regular adjourned meeting of the Council, at the City Hall, City of Modesto, on the 1st day of November, 1922, and was adopted by the following vote:

Ayes: Councilmen Boundey, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen Bomberger and Smith.

Mr. Albert Oswald, took office and assumed duties.

Mayor Elias addressed the Council and the people assembled and explained the conditions in civic affairs, as he saw them, outlining in a measure some of the policies which would have to be adopted, some of the problems with which they were confronted.

A report of the Health Department, showing the sanitary standing of food producing establishments in the City of Modesto, was examined, and ordered placed on file.

**In the Matter of Request for Donation:**

A letter from the Boy Scouts Council, pleading for a donation from the City of Modesto was presented. Following a policy adopted by the Council at the previous meeting October 25th, the letter was tabled and no action taken.

**In the Matter of Petition to Close Alley in Block 590:**

A petition to close a portion of the alley in Block 590 was presented to the Council signed by Frank Smith, and Margaret W. Smith. After due consideration the Council decided, that before any action be taken in regard to the matter that a personal investigation of the premises be made by the members of the Council. Whereupon Councilman Boundey moved that the petition be laid over until the next meeting. The motion was duly seconded, and carried by a vote of all members present.

**In the Matter of Mosquito Control:**

Pursuant to complaint about mosquitos in the vicinity of Elmwood Avenue, and Needham Street, sanitary inspector Holtham was ordered to make an investigation and a report as to his findings. Inspector Holtham's report was to the effect that the sediment which accumulates in the upper end of Needham Street storm sewer provides a breeding place for mosquitos, he explained that a small flow of water into this storm sewer did not have a tendency to dislodge the sediment. Whereupon the Council upon motion authorized the Street Department to co-operate with the Health Department to the end of eliminating the sediment in this sewer by flushing the sewer as often as the condition required it.

**In the Matter of Drainage, Corner of Washington and Oak Streets:**

Mr. H. W. Fields appeared before the Council to ask if some step could not be taken to drain the surplus water from the corner of Washington and Oak Streets, during the winter months, the matter was referred to the Street Superintendent and City Engineer.

**In the Matter of Request for Sewer and Water in Block 605:**

Mr. Atkinson being the owner of Block 605, City of Modesto, appeared before the Council and explained that he contemplated subdividing this block for residence property. Mr. Atkinson stated that he was ready to make this subdivision providing he could be assured by the Council that the City would provide sewer and water mains through-out the block. The Council considered the matter and reported to Mr. Atkinson that owing to the depleted condition of the City's funds, that they were not in a position to make any promises, at this time, but that if the district became settled by people enough to warrant expenditure, that the Council would undoubtedly endeavor to make some provision for the extensions asked for.

No further business appearing, the Council upon motion by Councilman Boundey, adjourned.

Attest:

\*\*\*\*\*

Council, City of Modesto,

Wednesday, November 8th, 1922.

The Council met at a regular meeting this date, and there were present, Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias.

**In the Matter of Minutes:**

The minutes of the regular meeting of October 25th, and the adjourned meetings October 28th and November 1st, were read and ordered approved as read.

**In the Matter of Closing Alley in Block 590:**

A petition was presented to the Council by Mr. Frank Smith and his wife, asking that the Council take steps to have a portion of the alley in block 590 closed. A counter-petition was also presented by certain interested owners in this block, protesting against the closing of this alley. Mr. Smith urged the Council to pass a Resolution of Intention to close this alley, it being understood that Frank Smith would advance the money necessary to pay the cost of the necessary publications and notices of improvement. Whereupon Councilman Marshall introduced a Resolution of Intention being,

**RESOLUTION NO. 325-S.P.**

**Resolution of Intention No. 164**

Providing for the closing of a portion of alley in Block 590. The resolution was regularly introduced and adopted by the following vote; and is on file in the office of the City Clerk.

**Ayes:** Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias.

**Noes:** Councilmen None

**Absent:** Councilmen None

**In the Matter of Appointing Vice-President of the Council:**

Before assigning the various Commissions to the newly elected Council, a resolution was introduced by Councilman Boundey appointing Councilman Albert Oswald vice-president of the Council, the resolution being,

**RESOLUTION NO. 748-N.S.**

and was regularly introduced and adopted by the following vote, and is on file in the office of the City Clerk:

**Ayes:** Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

**Noes:** Councilmen None

**Absent:** Councilmen None.

**In the Matter of Appointing Commissioners:**

The Council as a body at this time proceeded to make the appointment of the various commissions, and after due consideration a resolution was introduced by Councilman Boundey, being,

**RESOLUTION NO. 749-N.S.**

making the following appointments:

Albert Oswald--Commissioner of Public Health & Safety

R. S. Marshall--Commissioner of Public Supplies

F. H. Brewett--Commissioner of Public Works

E. J. Boundey--Commissioner of Revenue & Finance

The resolution was regularly introduced and adopted by the following vote, and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Resignation of City Engineer George Freitas:

A letter was tendered the the Council by City Engineer George Freitas, asking that the Council accept his resignation as City Engineer, effective, January 1, 1923. Councilman Marshall, moved that the resignation be accepted, which motion was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Resignation of City Electrician, W. I. Carpenter:

A letter was tendered to the Council by City Electrician, W. I. Carpenter, asking that the Council accept his resignation as City Electrician, effective, January 1, 1923. Councilman Prewett, moved that the resignation be accepted, which motion was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent; Councilmen None

In the Matter of a City Manager Plan:

The City Attorney was authorized to draft an ordinance providing for consolidation of such offices and departments as would permit a City Manager Plan of operation, the ordinance to be ready by the next regular meeting night of the Council.

In the Matter of Appointment of Relief Association:

The Council's attention has been drawn to the fact that a member of the Council has always been a member of the Stanislaus County Relief Association. Whereupon, Councilman Boundey moved that Mayor Elias be appointed as a member of the City Council to serve with the Relief Association. The motion was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 236-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF CAST IRON PIPE FOR THE WATER DEPARTMENT OF THE CITY OF MODESTO," which was read, introduced adopted, and passed to print on the 25th day of October 1922, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded and the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Osvald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Insurance Policy for Street Department Ford:

An Insurance Policy was submitted to the Council, insuring the City of Modesto against damage to the Street Department Ford. The policy was not accepted finally, but referred to Councilman Boundey for investigation. Councilman Boundey was also instructed to look into the question of placing insurance on the fire trucks.

In the Matter of Complying to Water Ordinances:

A matter was presented to the Council by the request of W. F. Ramont, regarding a payment of water account. During the month of May, 1922, the water was shut off at 2202 "H" Street, by reason of non-payment of the account. The water has remained off up to the present time. However, in the meantime the property has been purchased by Mr. W. F. Ramont, who has just requested that the water be turned on. A city ordinance provides that no water be turned on at any place, unless all arrears and penalties have first been paid, Mr. Ramont requested that we accept payment for the current month of November, and turn the water on at these premises.

After due consideration Councilman Marshall moved that the Clerk continue to enforce the existing ordinances and to advise Mr. Ramont accordingly. The motion was carried by a vote of all members present.

In the Matter of Changing Street Lighting Equipment:

Mr. W. I. Carpenter, asked the Council for authority to change the street lighting equipment from gas to electricity. Whereupon the Council as a whole expressed themselves as favorable to continuing the work.

In the Matter of Claims:

The claims for the month of October, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$13,952.67
Water Fund.....	2,627.72
Library Fund.....	1,698.32
Bond Red. & Int. Fund.....	117.96
St. Intersection Fund.....	8,042.01
St. Bond Funds.....	498.52
Misc. Funds.....	.76
Total.....	\$26,937.96

Reference is hereby made to the Auditor's Cash Book for further details regarding the above mention amounts for various funds mentioned.

In the Matter of Observing Armistice Day:

Mr. Wherry, acting as spokesman for a delegation of Ex-Service Men petitioned the Council to pass a Resolution endorsing the observance of Armistice Day, November 11, 1922. Whereupon, Councilman Marshall introduced a resolution being,

RESOLUTION NO. 750-N.S.

endorsing the activities of the Veterans of Foreign Wars and the American Legion, for the observance of Armistice Day. The resolution was regularly introduced by the following vote, and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business the Council upon motion, adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

.....

Council, City of Modesto,  
Wednesday, November 22nd, 1922.

The Council met in regular session this date, and there were present Councilmen Boundey Marshall, Prewett, Oswald, and Mayor Elias.

In the Matter of Minutes:

The minutes of the regular meeting of November 8th, 1922, were read and ordered approved as read.

In the Matter of Appointment of City Engineer:

Pursuant to resignation of City Engineer, George Freitas, the Council took under consideration the appointment of a City Engineer to take Mr. Freitas's place. Councilman Marshall introduced a resolution being,

RESOLUTION NO. 751.-N.S.

appointing Mr. N. E. Niven to the position. The resolution was put to a vote of the members present and was lost by the following vote:

Ayes: Councilmen Marshall and Oswald

Noes: Councilmen Boundey, Prewett, and Mayor Elias

Absent: Councilmen None

Councilman Prewett, then introduced a resolution being,

RESOLUTION NO. 752-N.S.

appointing Mr. F. W. McCarton, as City Engineer to succeed Mr. George Freitas. The resolution was adopted and carried by the following vote:

Ayes: Councilmen Prewett, Boundey, and Mayor Elias

Noes: Councilmen Marshall and Oswald

Absent: Councilmen None

Following the passage of the above resolution Councilman Marshall, introduced a subsequent resolution, being,

RESOLUTION NO. 753-N.S.

making the vote in favor of appointing Mr. F. W. McCarton, as City Engineer unanimous. The resolution was adopted by an unanimous vote of the Council and is on file in the office of the City Clerk along with the two previous resolutions.

In the Matter of Ordinance:

ORDINANCE NO. 237-N.S.

Entitled: "AN ORDINANCE CONSOLIDATION CERTAIN OFFICES OF THE CITY WITH THAT OF CITY ENGINEER, PRESCRIBING THE DUTIES TO BE PERFORMED IN CONNECTION THEREWITH, AND FIXING THE SALARY OF THE CITY ENGINEER", was introduced by Councilman Boundey, who moved its adoption. The motion was seconded and the ordinance adopted and passed to print this 22nd day of November 1922, by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 238-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF FURNITURE AND EQUIPMENT FOR THE CITY ENGINEER AND MAKING AN APPROPRIATION, THEREFOR," was introduced by Councilman Marshall, who moved its adoption. The motion was duly seconded by Councilman Oswald and the ordinance adopted and passed to print this 22nd day of November 1922, by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of Poplar Avenue:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which Resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 162 and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening,

examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file two bids for each piece of work which opened, read as follows including the action of the Council in said matter.

BID OF STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF POPLAR AVENUE:

Grading	@	\$ .05 per sq. ft.
Paving	@	.17 " " "
Gutters	@	.20 " " "
Curb	@	.70 " lin."
Removing curb	@	.05 " " "
Headers	@	.10 " lin. ft.
#700 Marbleite Standards and Foundations	@	67.00 each
Globes, Gen. Elec. #104@	@	10.00 "
#1104 Gen. Elec. Canopies @	@	4.72 "
Gen. Elec. Bands for same @	@	5.11 "
" " Acorns " " @	@	5.53 "
Pull in boxes	@	4.60 "
1" Galv. Conduit	@	.19 per lin. Ft.
3/4" Galv. Conduit	@	.17 " " "
#10 R.C. Wire	@	.045 " " "

BID OF A. TEICHERT & SON FOR THE IMPROVEMENT OF POPLAR AVENUE:

Grading	@	\$ .049 per sq. ft.
Paving	@	.176 " " "
Gutter	@	.22 " " "
Curb	@	.69 " lin. "
Headers	@	.095 " " "
Curb to be removed	@	.05 " " "
Con. Electrelrier Stan. @	@	68.00 each
Globe	@	10.50 "
Canopy	@	5.02 "
Band	@	6.10 "
Acorn	@	4.00 "
Pull in Box	@	4.75 "
1 1/2" Conduit	@	.20 per lin. ft.
3/4" "	@	.18 " " "
#10 R. C. Wire	@	.055 " " "

The bids being duly considered, Councilman Oswald moved that the bid of the Standard Paving Company be accepted, and thereupon introduced

RESOLUTION NO. 326-S.P.

Resolution of Award No. 162

which upon roll call was declared adopted. Said Resolution awards the contract to the Standard Paving Company at the prices named in their proposal.

In the Matter of Awarding Contract for the Improvement of "16th" Street from "I" to Burney:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which Resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 163 and all due and legal proceedings having been thereafter had under and pursuant to said resolution, as appears by the records of said Council and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said Resolution and notices, for receiving, opening, examining, and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file two bids for each piece of work which opened, read as follows including the action of the Council in said matter.

BID OF STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF "16th" STREET:

Grading	@	\$.05	per sq. ft.
Paving	@	.17	" " "
Gutter	@	.20	" " "
Curb	@	.70	" lin. "
Headers	@	.10	" " "

BID OF A. TEICHERT & SON FOR THE IMPROVEMENT OF "16th" STREET:

Grading	@	\$.049	per sq. ft.
Paving	@	.176	" " "
Gutter	@	.22	" " "
Curb	@	.69	" lin. "
Headers	@	.096	" " "

The bids being duly considered the question arose as to the advisability of doing this work immediately. Councilman Prewett stated that several property owners had appealed to him to defer the awarding of this contract until after the dirt in the trenches of the newly laid storm sewers had time to settle more thoroughly.

Councilman Prewett, thereupon introduced,

RESOLUTION NO. 327-S.P.

to with hold the awarding of the contract on this job pending consideration of the circumstances until the next regular meeting to be held on December 13th, 1922. The resolution was regularly introduced and upon roll call was adopted by the unanimous vote of the Council.

In the Matter of Sale of Improvement Bonds of the City of Modesto, Issued Under the "Improvement Act of 1915":

This being the time fixed by order of the Council when bids will be received for the Improvement Bonds for the City of Modesto issued under the Improvement Bond Act of 1915, and there being no bids received or delivered, the Council upon motion directed the City Clerk to deliver bonds to the contractor in satisfaction of the sum due him upon his assessment and warrant No. 102. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO 328-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 4th day of November, 1922, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessments levied for certain work done and improvement made on Fifth Street from "F" to "H" Street fully described in Resolution of Intention No. 145 in pursuance of the "Improvement Act of 1911" and whereas the time of sale having arrived and no bids having been received,

IT IS HEREBY ORDERED, DETERMINED AND DECLARED that the City Clerk be and he is hereby directed to deliver said bonds to the contractor, to-wit: Standard Paving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant. Said bonds are for the aggregate sum of \$8,774.92.

The resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,

City Clerk

**In the Matter of Maps:**

A map of the Level Land Tract, being a tract of land within the three mile limit of the City of Modesto to be sub-divided, was submitted to the Council for its approval. Owing to incomplete data and recommendations pertaining to this map, the Council ordered it returned to the party who presented it with the request that they again present the map at an adjourned meeting to be held by the Council on November 29th, 1922, with the additional data and recommendations in order that the Council may take some definite action in regard to it.

**In the Matter of Claims:**

A claim was presented to the Council in the amount of \$13.90 by Recreation Director Gale Shaddinger for expenses incurred on account of holding Hollow'een Festivities for the children of Modesto. The Council upon the motion of Councilman Marshall, authorized the payment of the claim by unanimous vote.

**In the Matter of Report for Health Department:**

A report of the activities of the Health Department were presented and ordered placed on file.

**In the Matter of Protection to Railroad Crossing on Kansas Avenue:**

A letter addressed to the Council by Borden's Condensed Milk Factory, recommends that the Council take some action to see that the crossing on Kansas Avenue is protected, by placing proper warning signals on it. The matter was referred to the City Attorney who was requested to take the matter up with the Southern Pacific Company, and report at the next meeting.

**In the Matter of Peace Officers Convention:**

A letter from the Peace Officers Association addressed to the Chief of Police was presented to the Council for consideration. The Association is having a convention in Fresno on December 6th, 1922, and requests the presence of the Chief of Police from Modesto. Councilman Oswald moved that the Chief of Police attend the convention in question and that the city would stand the reasonable expenses thereof. The motion was carried by an unanimous vote of all the members present.

**In the Matter of Storm Waters on Jennie Street:**

Mr. J. H. Courtney, appeared before the Council and asked that Jennie Street be relieved of the storm waters which at the present time are not provided for. The matter was referred to the City Engineer and Street Superintendent for further action.

**In the Matter of Water in Gutter on 13th Street:**

Felix Anaya appeared before the Council and asked that relief be given his block from the accumulation of storm waters, by installing a catch-basin or manhole in his immediate vicinity. Mr. Anaya lives at 611-13th Street. The matter was referred to the City Engineer for consideration.

**In the Matter of Water in Voorheis Garage:**

Complaint has been made by Mrs. Voorheis that the water supply in her garage in block 122 has been cut off since the alley was paved some few months ago. She claims that whoever is the responsible party for cutting off the pipe which led to her garage

should be compelled to replace it. The matter was referred to the City Engineer with instructions to co-operate with the paving company to the end of having this matter cared for.

**In the Matter of Grease in Sewers:**

Attention of the Council was called to the fact that several garages are dumping oil and grease from the flushing of automobiles into the City Sewers. This, is deemed to be very detrimental to the sewers and was referred to the Street Superintendent, City Engineer, City Attorney, as to recommendations as to further actions.

**In the Matter of Seeding Fair Grounds to Oats:**

Attention of the Council was called to the fact that the City might raise grain on the Fair Grounds, inasmuch as the Fair Grounds are put to no public use. Whereupon Councilman Boundey moved that the Street Superintendent be authorized and instructed to plow and seed all that portion of the Aviation and Fair Grounds to oats, excepting the portion which is planned to be used as the Baseball Park the Aviation Runway and the Athletic Grounds. The motion was carried by a vote of all members present.

**In the Matter of Change-Over of Street Lights:**

Criticism has been made regarding the manner in which the work is being done in regard to changing the gas lighting system over to electricity. The method being used at present time is only temporary, however, it is criticised and reported to be in violation of the Railroad Commission's rulings. The City Electrician was authorized to discontinue further work in this regard until an opinion is obtained by the City Attorney as to whether or not it is in order for him to continue the work as started.

**In the Matter of Report on Sixth Street School Conditions:**

Fire Chief Wallace, gave a verbal report of a visit he had made to Sixth Street School to-day in company with an out-side Fire Commissioner and reported that the condition of the school is far from being safe in many ways. Chief Wallace was instructed to take the matter up with the School Board, with the idea of having conditions changed for the safety and the protection of the children.

**In the Matter of Hatch Crossing, Out-side of City Limits:**

Attention of the Council was called to a hazardous crossing on the State Highway about a mile south of Modesto, known as the Hatch Crossing. Several accidents both serious and fatal have taken place at this crossing and it is the sense of the Council that steps should be taken to have safety signals placed upon the approach to this crossing. In the hopes of accomplishing something in this regard the Council authorized the City Clerk to write to the Turlock Irrigation District, the Board of Supervisors, the Division of Motor Vehicles and State Highway Commission, asking that they co-operate and bring about a condition of safety for the traveling public, at this point.

**In the Matter of Cutting Trains at Crossings:**

Councilman Oswald called attention of the Council to the fact that trains stand on the tracks over the railroad crossings for long intervals without being cut, especially at night. The Council considered the matter and authorized the Chief of Police to take the matter up with the Railroad Agent.

In the Matter of Creating Quiet Zone Near the Hospital:

Dr. Mrogan appeared, and asked the Council to take some steps to help bring about a zone of quiet on "J" Street between Eleventh and Twelfth Streets. Dr. Morgan, claims that people thoughtlessly make an unnecessary amount of noise, especially at night to the starting and warming up of automobiles and motor vehicles etc., and requested permission in behalf of the Robertson Hospital to erect signs in the block where the hospital is located asking that the public observe that district as a zone of quiet. Upon motion, permission was granted by an unanimous vote of the Council.

In the Matter of Recreation Director:

The Council took a matter under discussion pertaining to the retaining of the present Recreation Director: Being unable to arrive at a conclusion, Councilmen Boundey and Marshall, were instructed to investigate the merits of the office and report at the next meeting.

No further business appearing, the Council upon motion adjourned to meet Wednesday, November 29th, 1922, to take up the matter of adopting a map of "The Level Land Tract."

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

.....

Council, City of Modesto,  
Wednesday, November 29th, 1922.

The Council met pursuant to adjournment of November 22nd, and there were present Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias.

The meeting was opened by the reading of a communication from the Mayor recommending that the Council take immediate steps to find ways and means of disposing of the Municipal Aviation Field and Fair Grounds. It was recommended that the monies received for the sale of this tract of municipally owned land be used to redeem the bonds and interest out-standing against it, and that any profit realized be used for installing permanent improvements in the City of a different nature.

The motion was made and duly seconded authorizing the City Attorney and Councilman Oswald to outline a method of procedure for making this move.

In the Matter of Maps:

A map of the Leveland Tract was presented to the Council for its approval and after due consideration, a resolution was introduced by Councilman Boundey being,

RESOLUTION NO. 754-N.S.

to the effect that the map in question be approved, and that the City Clerk be instructed to deliver same to the Clerk of Board of Supervisors of the County. The resolution was adopted by the following vote:

Ayes: Councilmen Prewett, Boundey, Marshall, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Planning Commission:

A letter was addressed to the Mayor, under date of November 28th, 1922, tendering the resignation of Mr. J. W. Hasband, Mr. W. R. Parks, and Mr. Frank Paradis, as members of the Modesto City Planning Commission, appointed by Mayor George J. Ulrich. After considering communication Councilman Marshall moved that the resignation be not accepted and that the Planning Commission as originally appointed, continue to function. The motion was carried by a vote of all members present.

As provided in the City Charter and under the state law, some member of the Council must also serve as a member of the Planning Commission, and inasmuch as no appointment has yet been made, Councilman Prewett introduced a resolution, being:

RESOLUTION NO. 755-N.S.

appointing Councilman Boundey as the member of the Council to act with the City Planning Commission. The resolution was adopted by the following vote, and is on file in the office of the City Clerk:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes; Councilmen None

Absent: Councilmen None

In the Matter of Appointing of City Electrician:

Councilman Prewett offered a resolution being,

RESOLUTION NO. 756-N.S.

appointing Mr. George Potts, 223 Virginia Avenue as the City Electrician to succeed Mr. W. I. Carpenter,--his term of office to begin on December 15th, 1922. The resolution was regularly introduced and adopted this 29th day of November, 1922, by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Appeal for Reimbursement to Mr. B. C. Turner for the Amount Paid for the Installing of Sanitary Sewers in Block 343.

Mr. B. C. Turner appeared before the Council and asked that body to take under advisement the matter of reimbursing himself and the other property owners in block 343 for the cost of a Sanitary Sewer which was installed in that block during 1921 under the "Improvement Act of 1911". Mr. Turner explained that all sewer work of the same nature had previously been installed at the expense of the City and that to his knowledge block 343 is the only block in the City where in sewers were installed at the expense of the property owners. Mr. Turner feels that he has been discriminated against and that he and the other property owners should be relieved of any further assessments on this project. The Council took no action in the matter except for referring it to the City Attorney and Councilman Oswald.

In the Matter of Continuance of Recreation Director:

Some discussion has arisen as to the advisability of continuing the office of Recreation Director and the payment by the City to the officer involved in recreation work, of \$100.00 per month. A resolution was introduced by Mayor Elias to abolish the office of Recreation Director, effective December 1st, 1922, being

RESOLUTION NO. 757-N.S.

a lengthy argument was introduced regarding the merits of the office and the salary paid, after which a vote was taken, The vote to abolish the office was by Councilmen Prewett and Mayor Elias, the vote against abolishing the office was by Councilmen Boundey, Marshall, and Oswald. The resolution is on file in the office of the City Clerk.

In the Matter of Reducing Salary of City Clerk, Assessor, Auditor, Tax Collector, and Treasurer :

Councilman Prewett offered a resolution to reduce the salary of the City Clerk \$100.00 per month. The matter was discussed briefly by the Council and the City Clerk and it was suggested that the Board make an investigation as to the duties, responsibilities and services of the official in charge before going any further with the matter. Whereupon Councilman Prewett with-drew his resolution with the understanding that a thorough investigation would be made as to the conduct of the office, his efficiency and the volume of work handled through it.

In the Matter of Seeding Ground Around City Pumps:

Councilman Oswald moved that the Commissioner of Public Supplies be authorized to purchase the necessary seed for putting in lawn around the various City Pumps Plants and that the work of seeding it, be done by the Superintendent of Parks. The motion was duly seconded and carried by a vote of all members present.

In the Matter of Advertising Rental of Sewer Farm:

Attention of the Council was called to the fact that the present lease on the City Sewer Farm has expired whereupon the City Clerk was authorized to advertise for bids for the rental of this farm for the coming year. The motion was carried by a vote of all members present.

No further business appearing the Council upon motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

.....

Council, City of Modesto,  
Wednesday, December, 13th, 1922.

The Council met in regular session this date and there were present Councilmen Marshall, Boundey, Prewett, Oswald and Mayor Elias.

In the Matter of Minutes:

The minutes of the meetings of November 22nd and November 29th, were read and with certain amendments were ordered approved as read.

A report from the Mayor was read pertaining to the protection of women on the streets at night and certain recommendations were made to the Police Department for carrying out the procedure.

**In the Matter of Request for Franchise for Automobile Bus Line:**

Attorney Tom Scott appeared before the Council in behalf of Rendol & Ertle and petitioned that a matter of granting a franchise to these men for the purpose of running a bus line over certain designated streets at regular intervals be taken under consideration by the Council. It was explained that the matter was partially cared for under the ruling of Ordinance No. 205-N.S. however, the proposition was referred to the City Attorney for report.

**In the Matter of Extension of Time to Contractor on Storm Sewer Project.**

The Street Superintendent referred to the Council a letter from Fredrickson & Shannon dated December 1st, 1922, requesting the extension of 60 days additional time for the completion of their contract for the construction of storm sewers in the City of Modesto. After due consideration Councilman Boundey introduced a resolution being,

**RESOLUTION NO. 329-S.P.**

authorizing the Street Superintendent to grant to Fredrickson & Shannon 30 days additional time in which to complete their contract. The resolution was adopted by the following vote and is on file in the office of the City Clerk with the proceedings.

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

**In the Matter of Opening Morris Avenue and Enslin Avenue:**

A letter was presented to the Council signed by Mr. R. E. Gilman petitioning the board to take some steps to open to traffic Morris Avenue and Enslin Avenue, which were legally opened some time ago as set forth in Resolution No. 149-S.P. Upon motion by Councilman Boundey the matter was laid over to be taken up at the first regular meeting in February. The motion was carried by an unanimous vote of all members present.

**In the Matter of Deed from School District to City:**

By reason of the closing of a portion of 18th Street and a portion of the alley in Block 132 some time ago, the land abutting the school property automatically became the possession of the Modesto School District, by reason of this action and in accordance with the agreement which was entered into at that time. The school district have presented a deed to the City of Modesto for lots 11 and 22 in Block 132, according to the official map thereof on file and of record in the office of the County Recorder of Stanislaus County State of California, in volume 10 of Maps.

After an examination of the document, Councilman Boundey introduced a Resolution being,

**RESOLUTION NO. 758-N.S.**

accepting the deed from the Modesto School District for the property as set forth thereon. The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing Alley in Block 590:

More than ten days having transpired since the last publication of the Notices of Public Work which were posted in the Alley in Block 590, a resolution was introduced being,

RESOLUTION NO. 330-S.P.

setting the time for hearing of protests against the closing of this alley, the time being Wednesday evening December 27th, 1922, at 8 o'clock P.M. City Hall, City of Modesto.

The above resolution was regularly introduced and adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Storm Sewer Assessment District Number I:

The assessment map for the work being completed on the storm sewer Contract, as authorized under Resolution of Intention No. 154 has been filed with this Council for approval, Councilman Oswald introduced a resolution being,

RESOLUTION NO. 331-S.P.

approving the Storm Sewer District Assessment Map, which resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

Pursuant to previous discussion of the matter an ordinance was introduced by Councilman Prewett to reduce the salary of City Clerk, City Treasurer, City Auditor, City Assessor and City Tax Collector, being,

ORDINANCE NO . 239-N.S.

Entitled: "AN ORDINANCE FIXING THE SALARIED OF THE CITY CLERK, CITY AUDITOR, CITY ASSESSOR CITY TREASURER AND CITY TAX COLLECTOR" The above Ordinance was introduced by Councilman Prewett who moved its adoption. The motion was seconded by Councilman Marshall and the Ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Marshall, and Prewett.

Noes: Councilmen Oswald and Mayor Elias

Absent: Councilmen None

In the Matter of Awarding Contract on Sixteenth Street Paving:

Pursuant to action taken by the Council November 22nd, 1922 under Resolution No. 327-S.P. the council now proceeded to open up the matter of awarding the Contract for the paving of Sixteenth Street from "I" to "Burney" Streets. After due consideration Councilman Prewett moved that the bid of the Standard Paving Company, which was opened <sup>and</sup> read on November 22, 1922,

be accepted and that they be awarded the contract for said improvement and at the prices named in their proposal, on file. He thereon introduced

RESOLUTION NO. 332-S.P.  
Resolution of Award No. 163

which was upon roll call was declared adopted. Said Resolution Awards the contract to the Standard Paving Company at the prices named in their proposal.

RESOLUTION NO. 333-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 12th day of July, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 156 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes;

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declared to be the facts. The City Clerk did then give notice of the filing of said list and of the time fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915 to-wit: on the 13th day of December, 1922, at the hour of 7:30 o'clock P.M. and at the Council Chamber of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk the aggregate being \$1368.68.

NOW, THEREFORE , Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein;) and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$1368.68.

Be It Further Resolved, that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary and to amendatory thereof, issue in the sum of \$1368.69 in the aggregate; that said bonds shall be issued in fifteen series of 1 bonds in each series, shall each and all be dated the 23rd day of November, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is on January 2nd, 1924; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1922; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$91.32	July 2nd, 1924
No. 2	91.24	July 2nd, 1925
No. 3	91.24	July 2nd, 1926
No. 4	91.24	July 2nd, 1927
No. 5	91.24	July 2nd, 1928
No. 6	91.24	July 2nd, 1929
No. 7	91.24	July 2nd, 1930
No. 8	91.24	July 2nd, 1931
No. 9	91.24	July 2nd, 1932
No. 10	91.24	July 2nd, 1933
No. 11	91.24	July 2nd, 1934
No. 12	91.24	July 2nd, 1935
No. 13	91.24	July 2nd, 1936
No. 14	91.24	July 2nd, 1937
No. 15	91.24	July 2nd, 1938

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provided on Wednesday evening the 19th day of January, 1923, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that his order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Oswald who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto, this 13th day of December, 1922.

Attest: I. A. Love,  
City Clerk

RESOLUTION NO. 334-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 26th day of April, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 146 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes.

WHEREAS, after the passage and adoption of said Resolution of Intention proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets

of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the City Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection herewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty all of which the City Council finds, determined and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law and,

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 13th day of December, 1922, at the hour of 7:30 o'clock P.M. and at the Council Chamber, of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City and the said Council did meet to hear any objections presented and pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk the aggregate being \$6095.27.

NOW, THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are these shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein) and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$6095.27.

Be It Further Resolved, that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary and to amendatory thereof issue in the sum of \$6095.27 in the aggregate; that said bonds shall be issued in fifteen series of 1 bond in each series, shall each and all be dated the 28th day of November, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is on January 2nd, 1924; and that

the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January, 1924; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$425.27	July 2, 1924
No. 2	405.00	July 2, 1925
No. 3	405.00	July 2, 1926
No. 4	405.00	July 2, 1927
No. 5	405.00	July 2, 1928
No. 6	405.00	July 2, 1929
No. 7	405.00	July 2, 1930
No. 8	405.00	July 2, 1931
No. 9	405.00	July 2, 1932
No. 10	405.00	July 2, 1933
No. 11	405.00	July 2, 1934
No. 12	405.00	July 2, 1935
No. 13	405.00	July 2, 1936
No. 14	405.00	July 2, 1937
No. 15	405.00	July 2, 1938

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved printed or lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 10th day of January, 1923, to the highest bidder therefor, and the proceeds of the sale shall be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Oswald, who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Oswald, Prewett, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto, this 13th day of December, 1922.

Attest: L. A. Love  
City Clerk

RESOLUTION NO. 335-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 14th day of June, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 153 ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes.

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said Contract is awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said Contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract and said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection herewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law and,

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: on the 13th day of December, 1922, at the hour of 7:30 o'clock P.M. and at the Council Chamber of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk the aggregate being \$7321.35.

NOW THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find, determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, performed and occurred; that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein:) and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$7321.35.

Be It Further Resolved, that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary and to amendatory thereof, issue in the sum of \$7321.35 in the aggregate; that said bonds shall be issued in fifteen series of 1 bond in each series shall each and all be dated the 1st day of December, 1922, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the showl of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds that is, on January 2nd, 1924; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1924; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MAFURITY
No. 1	\$461.35	July 2, 1924
No. 2	490.00	July 2, 1925
No. 3	490.00	July 2, 1926
No. 4	490.00	July 2, 1927
No. 5	490.00	July 2, 1928
No. 6	490.00	July 2, 1929
No. 7	490.00	July 2, 1930
No. 8	490.00	July 2, 1931
No. 9	490.00	July 2, 1932
No. 10	490.00	July 2, 1933
No. 11	490.00	July 2, 1934
No. 12	490.00	July 2, 1935
No. 13	490.00	July 2, 1936
No. 14	490.00	July 2, 1937
No. 15	490.00	July 2, 1938

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved printed an lithographed signature in place of a signature by hand, and the said City Clerk and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 10th day of January, 1923, to the highest bidder therefore, and the proceeds of the sale be deposited in the City Treasury; that the City Clerk on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation

published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Osvald who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Osvald, Prewett, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto, this 13th day of December, 1922.

Attest: L. A. Love,  
City Clerk

RESOLUTION NO. 336-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 8th day of March, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 138, ordering the improvement of certain streets and other public ways within the City of Modesto as in said Resolution specified, and in which Resolution of Intention the City Council declared and determined that Serial Bonds should be issued to represent the expense of the work and improvement therein proposed, which said Resolution of Intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part thereof for all purposes.

WHEREAS, after the passage and adoption of said Resolution of Intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said Resolution specified, was awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said Contract is awarded and entered into by the Superintendent of Streets of the City of Modesto on behalf of said City with the person to whom said contract is awarded; and the work therein ordered was performed in accordance with conditions of said contract of said Resolution of Intention, and a warrant was issued to the contractor therefor, and no appeal taken to the City Council in connection therewith, and after the full expiration of the thirty days from the date of the warrant and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection herewith (said return and list of assessments and assessment or diagram numbers now on file in the office of the City Clerk of said City being hereby referred to for greater certainty) all of which the City Council finds, determines and declares to be the facts. The City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of unpaid assessments shown on said list, which time was that of said regular meeting of the City Council and which said notice was posted and published as required by law, and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the "Improvement Bond Act of 1915" to-wit: on the 13th day of December, 1922, at the hour of 7:30 o'clock P.M. and at the Council Chamber of the Council of the City of Modesto at the City Hall, No. 717-10th Street in said City the said Council did meet to hear any objections presented and to pass upon the same, and there being no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same are as appears from said list as filed by the Street Superintendent with the City Clerk the aggregate being \$12084.95.

NOW THEREFORE, Be It Resolved:

That the City Council of the City of Modesto does hereby find determine and declare that all the acts and conditions precedent to the adoption of this Resolution and the issuance and sale of bonds to pay for said paving have been done, and performed and occurred that the assessments which are unpaid are those shown on the list hereinbefore referred to and on file with the Clerk of the City Council (which list so on file as aforesaid is hereby referred to for greater certainty and more particular description of the unpaid assessments as if set out in full herein;) and that said list is a complete and accurate list of all assessments unpaid and that the aggregate amount of the same is the sum of \$12084.95

Be It Further Resolved, that serial bonds as provided by the Act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915" and the acts supplementary and to amendatory thereof, issue in the sum of \$12084.95 in the aggregate; that said bonds shall be issued in fifteen series of 2 bonds in each series, shall each and all be dated November 28th, 1922; that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after date until the whole is paid; and that the said bonds shall bear interest at the rate of seven per cent per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively, of each year; and that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, that is, on January 2nd, 1924; and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments to the 2nd day of January 1924; and that interest thereafter shall be for the semi-annual periods; that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MAJORITY
No. 1	\$384.95	July 2, 1924
No. 2	500.00	July 2, 1924
No. 3	300.00	July 2, 1925
No. 4	500.00	July 2, 1925
No. 5	300.00	July 2, 1926
No. 6	500.00	July 2, 1926
No. 7	300.00	July 2, 1927

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 8	500.00	July 2, 1927
No. 9	300.00	July 2, 1928
No. 10	500.00	July 2, 1928
No. 11	300.00	July 2, 1929
No. 12	500.00	July 2, 1929
No. 13	300.00	July 2, 1930
No. 14	500.00	July 2, 1930
No. 15	300.00	July 2, 1931
No. 16	500.00	July 2, 1931
No. 17	300.00	July 2, 1932
No. 18	500.00	July 2, 1932
No. 19	300.00	July 2, 1933
No. 20	500.00	July 2, 1933
No. 21	300.00	July 2, 1934
No. 22	500.00	July 2, 1934
No. 23	300.00	July 2, 1935
No. 24	500.00	July 2, 1935
No. 25	300.00	July 2, 1936
No. 26	500.00	July 2, 1936
No. 27	300.00	July 2, 1937
No. 28	500.00	July 2, 1937
No. 29	300.00	July 2, 1938
No. 30	500.00	July 2, 1938

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1915" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer of the City of Modesto and said City Treasurer being hereby authorized to use an engraved, printed or lithographed signature in place of a signature by hand, and the said City Clerk, and City Treasurer are hereby authorized and directed to carry out the provisions of this Resolution with reference to the execution and delivery of said bonds, and to deliver the same to the purchaser upon the receipt of the purchase price therefor.

It is further ordered that said bonds be sold as the law provides on Wednesday evening the 10th day of January, 1923, to the highest bidder therefor, and the proceeds of the sale be deposited in the City Treasury; that the City Clerk, on behalf of the City Council, advertise for bids for the sale of said bonds, by publication once a week for at least two weeks in the Modesto Morning Herald, a newspaper of general circulation published in said City.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

The foregoing resolution was introduced by Councilman Oswald who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Frewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Modesto, this 13th, day of December, 1922.

Attest: L. A. Love,  
City Clerk

In the Matter of Claims:

The claims for the month of November, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$11979.27
Water Fund.....	2670.46
Library Fund.....	623.94
Bond Red. & Int. Fund.....	19.55
Misc. Funds.....	30.94
Total.....	\$15,324.16

Reference is hereby made to the Auditor's Cash Book for further details regarding the above mentioned amounts for various funds mentioned.

In the Matter of Ordinance:

ORDINANCE NO. 237-N.S.

Entitled: "AN ORDINANCE CONSOLIDATING CERTAIN OFFICES OF THE CITY WITH THAT OF THE CITY ENGINEER, PRESCRIBING THE DUTIES TO BE PERFORMED IN CONNECTION THEREWITH, AND FIXING THE SALARY OF THE CITY ENGINEER", and which was read, introduced adopted, and passed to print November 22nd, 1922 and having been published as required by law Councilman Prewett moved the final adoption of the ordinance. The motion was seconded, and the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 238-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF FURNITURE AND EQUIPMENT FOR THE CITY ENGINEER AND MAKING AN APPROPRIATION THEREFOR," and which was read, introduced, adopted, and passed to print on the 22nd day of November, 1922, and having been published as required by law Councilman Marshall moved the final adoption of the ordinance. The motion was seconded, and the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bonds of City Engineer:

Pursuant to previous instruction City Engineer, Mr. F. W. McCarton this day filed a bond in favor of the City of Modesto in the amount of \$5,000.00. After an examination of this document Councilman Marshall moved that the bond be approved and placed on file. The motion was duly seconded, carried and so-ordered.

In the Matter of Report of Committees:

The matter of reimbursing Mr. B. C. Turner for the laying of sewers in Block 343 was previously referred to a committee consisting of City Attorney Carlson and Councilman Oswald. The Committee advised that they were not ready to render a report.

The committee appointed to investigate a means of eliminating grease from garages getting into sanitary sewers, consisting of Street Superintendent, City Engineer, and

City Attorney advised that they were not as yet ready to report.

The committee to which the matter of the sale of the Municipal Aviation Field and Fair Grounds was referred to, consisting of City Attorney and Councilman Oswald, advised they were not ready to report.

A report was rendered by City Electrician, Mr. W. I. Carpenter outlining various incomplete matters. The report was ordered filed.

**In the Matter of Wireless Outfit:**

City Electrician Carpenter explained that some time ago when the wireless outfit was made up for the use of the Fire Boys in the Club Rooms, that he had spent a great deal of time and labor on it on his own personal time and that aside from this he had furnished and personally made a great many of the parts which went into it. He petitioned the Council to allow him to have possession of it in as much as it was not satisfactory to the Fire Boys.

Councilman Prewett moved that the wireless outfit be given to Mr. Carpenter which motion was carried by the unanimous vote of all present.

**In the Matter of Reports from Departments:**

Reports from the various departments were read and ordered placed on file.

**In the Matter of Tidewater Crossing on Needham Avenue:**

Attention of the Council was called to the fact that the crossing on Needham Avenue, by the Tidewater Railway was dangerous. The matter was referred to the Chief of Police for investigation and report.

**In the Matter of Storm Inlets to Storm Sewer:**

**RESOLUTION NO. 759-N.S.**

A resolution requiring the City Engineer to make certain connections with the Storm Sewer.

WHEREAS, certain connections with the Storm sewer on Ninth Street and the storm sewer in other portions of the City have not been made, and

WHEREAS, said storm sewer is now in condition to have connections made so as not only to relieve the sanitary sewer of its over-load, but also so as to take the water from the streets adjacent to the sewer districts.

THEREFORE, It is Hereby Resolved, and ordered that the City Engineer be and he is hereby directed to make all connections with the Storm sewer on Ninth Street and on "K" Street and wherever else within the city it is now or hereafter possible to make such connections. He is instructed to buy whatever material is necessary for such construction, in amounts not exceeding Two Hundred Dollars (\$200.00) for each purchase, and to employ whatever labor is necessary to make said connections on force account, and to report the cost thereof to the City Clerk. The cost of such connections shall be charged against the budget allowance of the engineering department therefor.

The foregoing Resolution was introduced by Councilman Boundey who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Marshall, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,  
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 240-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS AT THE EIGHTH STREET PUMPING STATION:" was introduced by Councilman Boundey who moved its adoption the motion was seconded by Councilman Oswald and the ordinance adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing, the Council upon motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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Council, City of Modesto,  
Wednesday, December 27th, 1922.

The Council met in regular session this date and there were present Councilmen Marshall, Boundey, Prewett, Oswald and Mayor Elias.

Absent: Councilmen None

In the Matter of Minutes:

The minutes of December 13th, were read and ordered approved as read.

The Mayor rendered a verbal report pertaining to the placing of a traffic officer at 10th and "I" Streets during the period of evening traffic, incidental to the holiday shopping period. He also reported upon his findings in the Electrical Department, subsequent to a tour throughout the City with the City Electrician.

In the Matter of Petition for Side Walks:

Mr. F. A. Weast presented a petition to the Council signed by a great many property owners of property west of the north end of 7th Street, petitioning the Council to take steps to have side walks installed on both sides of 7th to "Washington" Streets. After due consideration Councilman Boundey introduced a resolution being:

RESOLUTION NO. 760-N.S.

authorizing the City Clerk to notify the property owners on 7th Street between "J" and Washington Streets to construct side walk within 50 days from date, otherwise the City would order them in under the "Improvement Act of 1911" The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Marshall, Boundey, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Opening Morris and Enslin Avenues:

Subsequent to previous action taken Mr. R. E. Gilman appeared before the Council and petitioned that some immediate action be taken towards opening Morris Avenue and Enslin Avenue to traffic. Councilman Boundey offered a resolution being

RESOLUTION NO. 337-S.P.

authorizing the Street Superintendent to open Morris Avenue and Enslin Avenue to traffic and make whatever arrangements as are necessary with Mr. Gilman or any one else for removing existing trees which are now obstacles in the way. The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Marshall, Boundey, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing Alley in Block 590:

Pursuant to the passage of Resolution of Intention No. 164 and all due and legal proceedings in connection therewith and this being the time set for hearing of protests against the closing of the portion of the alley in Block 590 and there being no protests it develops that certain property owners are willing to deed the City sufficient ground to open an alley through from "H" Street to connect with and become a part of the alley which now runs north and south through this block. Pending the receipt of the deeds by the City from these property owners a resolution was introduced by Councilman Boundey being,

RESOLUTION NO. 338-S.P.

continuing the matter until the next regular meeting January 10th, 1923. The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 239-N.S.

Entitled: "AN ORDINANCE FIXING THE SALARIES OF THE CITY CLERK, CITY AUDITOR, CITY ASSESSOR, CITY TREASURER AND CITY TAX COLLECTOR", which was read introduced, adopted, and passed to print on the 13th day of December, 1922, it having been published as required by law Councilman Prewett moved the final adoption of the ordinance.

A discussion by the members of the Council and various interested citizens was entered into regarding this matter wherein it was shown that the reduction as proposed was not warranted. A lengthy petition signed by many of the heaviest tax payers of the City was presented to the Council requesting that they re-consider their action in the matter of the reduction of the salary of the City Clerk. Mayor Elias moved that action on this matter be postponed indefinitely which motion was lost by the following vote:

Ayes: Councilmen Oswald and Mayor Elias,

Noes: Councilmen Boundey, Marshall and Prewett

Absent: Councilmen None

Councilman Prewett then proposed that a compromise be effected in regard to the reduction as proposed and that the salary for the combined offices be reduced \$50.00 per month, whereupon a vote was taken on the original ordinance, which ordinance was lost by the following vote:

Ayes: Councilmen None

Noes: Councilmen Boundey, Marshall, Prewett Oswald and Mayor Elias

Absent: Councilmen None

Councilman Prewett thereupon introduced a new ordinance, being,

ORDINANCE NO . 241-N.S.

Entitled: "AN ORDINANCE FIXING THE SALARIES OF THE CITY CLERK, CITY AUDITOR, CITY ASSESSOR CITY TREASURER AND CITY TAX COLLECTOR", which reduced the salary for the combined five offices \$50.00 per month. The ordinance was read, introduced by Councilman Prewett who moved its adoption; the motion was seconded by Councilman Marshall and the ordinance adopted, passed to print by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett.

Noes: Councilmen Oswald and Mayor Elias

Absent: Councilmen None.

In the Matter of Ordinance:

ORDINANCE NO. 240-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS AT THE EIGHTH STREET PUMPING STATION" and which was read, introduced, adopted and passed to print on the 13th day of December, 1922, and having been published as required by law Councilman Boundey moved the final adoption of the ordinance, the motion was seconded, adopted final by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Using City Sewer Farm:

Pursuant to published notices asking for bids for the lease of the City Sewer Farm and no bids having been received Councilman Boundey introduced a Resolution being,

RESOLUTION NO. 761-N.S.

giving the jurisdiction over this farm to the Superintendent of Streets and that he be authorized to put it to whatever use he saw fit for the best interest of the City of Modesto. The resolution was introduced by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sale of Fair Grounds:

The committee to which this matter had been referred stated that they were not as yet ready to make their report. They were requested to report at the next regular meeting.

In the Matter of Reimbursing Property Owners in Block 343;

Committee which was requested to investigate this matter stated that they were not as yet ready to report. The matter was laid over to the next regular meeting.

In the Matter of Report from Departments:

Reports were filed with the Council from the following departments,  
Recreation Department, by Mr. Shadinger  
Fire Department, by George Wallace  
Health Department, by Frank Holtham  
Engineer and Water Department, by George Freitas

The reports were ordered filed.

In the Matter of Request for Street Light:

Mr. Floyd appeared before the Council and petitioned that a light be installed at the intersection of Elm and Madison Streets. The matter was referred to the City Engineer McCarton.

In the Matter of Report from City Engineer McCarton :

A report was submitted by City Engineer McCarton outlining the organization of the "Department of Public Works" and the salaries of the various employees therein. Councilman Boundey introduced a resolution being,

RESOLUTION NO. 762-N.S. .

approving the report and the salary schedule as outlined, which report was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Marshall, Prewett, Osvald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Appropriation for Wiring:

City Engineer McCarton explained to the Council that the Fire House was badly in need of re-wiring by reason of the fact that the present wiring is improperly done and considered to be unsafe and that some of the City Pump Stations are badly in need of re-wiring. Councilman Boundey thereupon introduced a resolution being,

RESOLUTION NO. 763-N.S.

authorizing the appropriation of \$1000.00 for the purpose of re-wiring the Fire House and Pump Stations. The above resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Boundey, Marshall, Prewett, Osvald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Request to Tidewater-Southern Railway Company to Repair Street:

Attention of the Council was called to the bad condition of the intersection of 11th and "N" Streets where the Tidewater-Southern had torn up their tracks some time ago. Upon motion by Councilman Boundey the City Clerk was authorized to write to the Tidewater-Southern Company and request that they re-pave the intersection at 11th and "N" Streets as soon as possible.

In the Matter of Fire Calls from Outside of the City:

The Fire Chief advised the Council that he is frequently called upon to make runs outside of the City in cases of fire. Chief Wallace asked the pleasure of the Council in this matter whereupon the general sense of the Council seemed to be that the Chief should use his own judgment as to whether or not he should respond to calls made outside of our own City.

In the Matter of Gasoline Pumps;

The question was raised as to whether or not gasoline pumps should be allowed to be installed in front of stores or business houses. The matter was laid over until the next regular meeting, January 10th, 1923.

No further business appearing the Council upon motion adjourned.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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