

Wednesday, January 10th, 1923.

Council met in regular session this date and there were present, Councilmen Marshall, Prewett, Oswald, Boundey, and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the previous meeting of December 27th, 1922 were read and ordered approved as read.

In the Matter of Salvation Army:

Mr. Woodside who is in charge of the Salvation Army Quarters in Modesto appeared before the Council and explained the work they have been doing in caring for unemployed and homeless men. He stated that during the time between December 3rd and January 7th beds were furnished for 272 and meals to 212 men, Mr. Woodside showed that he had just paid out of his own pocket \$63.50 for the benefit of the needy and petitioned the City to reimburse him for this expense.

Councilman Boundey thereupon moved that the City Clerk draw a warrant in favor of Mr. John P. Woodside in the amount of \$63.50, in order that he might be reimbursed for his expense. The motion was duly seconded and carried by a vote of all members present.

In the Matter of Night Jailer:

Mr. Grat Hogin, Sheriff of Stanislaus County, appeared before the Council to urge that the City Continue to keep a man employed as night jailer in the County Jail to look after and help care for the prisoners which are brought in from time to time during the night. He explained that inasmuch as the City used the County Jail and its facilities, and the County being limited as to the amount of money it could spend in the up-keep of this department that it was only right and proper that the City should maintain a night jailer at the County Jail. The sense of the Council as expressed was to the effect that the night jailer be continued.

In the Matter of Petition for American Labor on Public Work:

Mr. D. E. Alexander presented a petition to the City Council reading as follows:

"We the Citizens & Tax Payers of Modesto, Petition You to Pass an Ordinance Requiring all Contractors On All Public Work, to Give the Preference of Work to the American Citizens of Modesto."

The above mentioned petition was signed by 111 citizens and after a brief discussion the matter was laid over for further consideration.

In the Matter of Removing Trees from Morris Avenue between Central Avenue and Enslan Avenue

Mr. R. E. Gilman appeared before the Council and urged that the trees now in the road way of Morris Avenue be removed by the City. Some difference of opinion existed as to the advisability of removing these trees, whereupon the Mayor suggested that all members of the Council together with himself go out and make a personal investigation of the matter before the next regular meeting.

In the Matter of Mayor's Report:

A report was filed by the Mayor pertaining to the activities, accomplishments and proposed work of all the departments in the City. The report indicated that a thorough investigation had been made into the details of each department and further reveals that the City is confronted with a deficit of several thousand dollars before the end of the present fiscal year.

The report was ordered filed with the City Clerk.

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:

General Fund	\$12836.77
Water Fund	2352.18
Library Fund	1375.63
Bond Redemption & Int.	7750.00
Personal Prop. Tax Refund	.30
Personal Prop. " "	<u>706.10</u>
Total.....	\$25020.98

In the Matter of Extension of Time on Storm Sewer Contract:

A letter from Fredrickson & Shannon Contractors who were awarded the contract for construction of storm sewers in the City of Modesto, pursuant to Resolution of Intention No. 154 and addressed to the Superintendent of Streets of this City petitioning for an extension of thirty days additional time in which to complete their contract, was referred to the City Council.

After due consideration Councilman Boundey introduced a resolution being,

RESOLUTION NO. 339-S.P.

authorizing the Street Superintendent and the City Engineer to grant said Fredrickson & Shannon thirty days additional time on 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, Osvald and Mayor Elias

Noes: Councilmen None

Absent: Councilman None

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. 103, The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 340-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 20th day of December, 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 "D" Street, Fairview Avenue, and Pleasant Street, described in Resolution of Intention No. 138, in pursuance of the "Improvement Act of 1911" and whereas the time for 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 \$12,084.95.

The resolution was adopted by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
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. 106. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 341-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 20th day of December, 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 Sycamore Avenue, from Needham to Stoddard Avenue in said City, described in Resolution of Intention No. 146, 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 \$6095.27

The resolution was adopted by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
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. 107. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 342-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 20th day of December, 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 Sycamore Avenue, from Stoddard Avenue to Lateral No. 4, described in Resolution of Intention No. 153, 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 Laving Company or its assigns, in satisfaction of the sum due said contractor upon his assessment and warrant No. 107, said bonds are for the aggregate sum of \$7321.35.

The resolution was adopted by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey, and Mayor Elias,

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
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. 105. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 343-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 20th day of December, 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 Commercial Way between 10th and 11th Streets, described in Resolution of Intention No. 156, 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 \$1368.68.

The resolution was adopted by the following vote:

Ayes: Councilmen Marshall, Oswald, Prewett, Boundey and Mayor Elias.

Noes: Councilman None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Making Appropriation for the Paving of Intersection at 17th and "I" Streets:

On the 28th day of June, 1922, the Standard Paving Company were awarded a contract for the paving of 17th and "I" Streets intersection pursuant to Resolution of Intention No. 150, which resolution provides that the expense thereof should be paid from the Street Intersection Bond Fund. By reason of certain work which was to be done on this intersection in the way of laying storm sewer, the Standard Paving Company were requested by the City Engineer to defer any active work on this intersection until such time as the storm sewer had been projected through it. In the meantime the money which was in the Street Bond Intersection Fund for the purpose of paying for the paving of this intersection was used up by reason of other work, the proceedings for which included the same phrase. The storm sewer project through this intersection is now complete and the Standard Paving Company are ready to proceed to pave it. Mr. H. B. Rice representing the Standard Paving Company appeared before the Council and petitioned that sufficient funds be transferred from the General Fund to the Street Bond Intersection Fund for the purpose of paying for the work when it is completed.

After some deliberation Councilman Boundey introduced a resolution being,

RESOLUTION NO. 764-B. S.

authorizing the City Auditor to transfer \$1285.89 from the General Fund to the Street Bond Intersection Fund for the purpose of paying the contractor the amount due him upon completion of the 17th and "I" Streets Intersection. 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 Closing Portion of Alley in Block 590:

Pursuant to Resolution No. 338-S1P. continuing the matter of closing alley in Block 590 to this meeting, deeds were presented to the City of Modesto by certain property owners in block 590 for a portion of lots 31 and 32 for the purpose of continuing the alley through block 590 from "H" Street north with the understanding that the City should close that portion of the alley in block 590 running east and west from the center of the block along the southerly line of lots 25 to Bodem Street.

The deeds were examined whereupon Councilman Boundey introduced,

RESOLUTION NO. 344-S.P.

accepting the deeds for a portion of lots 31 and 32 in this Block, the resolution was adopted by a vote of all members present and is on file in the office of the City Clerk.

Councilmen Boundey thereupon introduced a resolution, being

RESOLUTION NO. 345-S.P.

closing that portion of alley running east along the southerly line of lot 25, which 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 Prohibiting the Dumping of Rubbish on Vacant Lots:

Pursuant to a letter from Mr. Charles E. Butterfield some few weeks ago, complaining that unknown parties continued to dump rubbish on his lots in block 133, the Council proceeded to take action to stop such procedure,

In the Matter of Ordinance:

ORDINANCE NO. 242-N. S.

Entitled: "AN ORDINANCE PROHIBITING THE DUMPING OF DIRT OR RUBBISH ON PRIVATE PROPERTY OR THE PUBLIC STREETS OF THE CITY OF MODESTO" was introduced by Mayor Elias who moved its adoption. The motion was seconded by Councilman Boundey 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

In the Matter of Gasoline Pumps in Business District:

The permitting of gasoline pumps to be installed in the side walk space in front of stores, garages, and other business places was discussed. It was the sense of the Council after considering this matter that further permission would not be given to any one to install gasoline pumps in the side walk space in front of any premises in the City of Modesto.

In the Matter of Reports from Departments:

Reports were rendered from the following departments; and ordered placed on file:

Police Department
Health Department
Recreation Department
Sanitary Inspector

In the Matter of Purchasing Transit for Engineering Department:

City Engineer McCarton explained to the Council that it was necessary for the City to have a transit in its engineering equipment. Pursuant to an ordinance previously passed authorizing an expenditure for engineering equipment, Councilman Prewett moved that the City Clerk be authorized to advertise for bids for transit for Engineering Department as per specifications furnished by Engineering Department. The motion was carried by a vote of all members present.

In the Matter of Cleaning Up Refuse, Block 147:

Attention of the Council was called to the very unsightly appearance of Block 147 which has a frontage on two main thorough-fares into Modesto. It was determined that the property in this block belongs to the Tidewater-Southern Railway Company and City Attorney Carlson was authorized to write the proper parties and request that they clean up the premises.

In the Matter of Ordinance:

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, " and which was read, introduced and adopted and passed to print on December 27th, 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, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilman None

In the Matter of Rental of Sewer Farm:

It was explained that the City was in no position at this time to make any advantageous use of the sewer farm whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 765-N.S.

to the effect that the Sewer Farm be rented to Mr. Dye at the rate of \$75.00 per year ^{from Jan. 1, 1923} and that the City reserve the right to use a reasonable portion of this farm for pasture purposes during such period as it saw fit. 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 Report on Disposition of Fair Grounds:

Councilman Oswald rendered a verbal report regarding his investigation into the matter of the disposition of the Aviation Field and Fair Grounds. He reported that the School Board are much interested in the purchase of the northwest corner of the field, or in other words about five acres which they would like to buy for school purposes and they are willing to pay \$500.00 per acre for that amount of ground. After a brief discussion, the sense of the Council as voiced was that it would be agreeable to sell five acres to the School Board at \$500.00 per acre providing a school would be built on the site in the immediate future.

In the Matter of Police Signal System:

Attention of the Council was called to the lack of Police Signal System. Various suggestions were offered but in the end the matter was referred to City Engineer McCarton for further action.

No further business appearing, the Council upon motion adjourned.

Approved _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto

Wednesday, January 24th, 1923

The Council met in regular session this date and there were present Councilmen Boundey, Oswald, Marshall, Prewett, and Mayor Elias.

Absent: Councilmen None.

In the Matter of Minutes:

The minutes of the regular meeting of January 10th, 1923 were read and ordered approved as read.

In the Matter of Sale of Five Acres of Fair Ground Site of School Board:

Mr. F. E. Smith and Mr. Carl Hansen, representing the Modesto School Board, appeared before the Council and advised that the School Board was much interested in the purchase of five acres of City land situated at the northwest corner of the Aviation Field and Fair Grounds Site.

At a recent previous meeting the sense of the Council was to the effect that the five acres in question should be disposed of at \$500.00 per acre providing the School Board would assure the City of Modesto that a School Building would be erected on the site in the immediate future. It now appears that the School Board has chosen two other sites on which they contemplate erecting School Buildings very soon out of monies derived from a recent bond issue.

The School Board is still eager to purchase the five acres in question but can not assure the City that a School Building will be built on the property in the near future. It still remains the sense of the Council that the five acres in question might be disposed of to the School District at the price originally mentioned even though more money was paid for five acres on what is known as the Mensinger Site, the cost of which was \$7500.00

In the absence of an ordinance providing for the sale of this property no action could be taken in the way of agreement with the School Board, therefore the matter was laid over until the next regular meeting.

In the Matter of Modesto Irrigation District Power Project:

Mr. E. L. Routh appeared before the Council and introduced Mr. Garrison, both men being members of the Modesto Irrigation District. Mr. Garrison spoke to the Council regarding the sentiments of the Directors of the Modesto Irrigation District, relative to the distribution of power produced at the Don Pedro Power House. Mr. Garrison asked that the Council take into consideration this power project and the probable ability of the Modesto Irrigation District to serve the City of Modesto at a lower rate than it is being served at the present time, he further asks that the City of Modesto advertise for lighting and power bids as soon as the project is completed.

In the Matter of Sewer Farm:

Mr. Dye to whom the City Sewer Farm was rented recently appeared before the Council and stated that the farm could not be used to advantage by himself or any one else until it was fenced with hog-tight wire. Mr. Dye offered to furnish three strands of barbed wire and his labor without charge providing the City would furnish the necessary quantities of hog-tight wire. The matter was referred to the City Engineer McCartan for further consideration and recommendation at the next regular meeting of the City Council.

In the Matter of Report from Park Commission:

Mr. E. H. Morris and Mrs. William Falger appeared before the Council to explain the functioning of the Park Commission during the last six months of the present year and after certain recommendations were made, a full and detailed report of their activities was read and ordered filed with the City Clerk.

In the Matter of Constructing Wading Pools:

The matter of constructing wading pools in the two West Side Parks was another matter urgently petitioned for by the Park Commission and this was referred to the City Engineer McCarton with instructions to make an estimate of what it would cost to construct two wading pools in the west side parks.

In the Matter of Tree on Kimble Street:

Members of the Park Commission protested against the removing the oak tree which is at present growing in the middle of Kimble Street, one block north of "H" Street. A contract has been awarded for the paving of Kimble Street and the specifications evidently provide for paving the street full width; with no exception being allowed for preserving the tree. It was explained that the tree is considerable above grade and in order that the paving may be properly done it will be necessary to grade around the roots and it is feared that this grading will so badly cripple the roots that the tree will not survive.

A committee was appointed to look into the matter further, the committee consisting of the members of the Park Commission, City Engineer and City Attorney, and are requested to report their findings at the next meeting.

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 the work done under Resolution of Intention No. 141, Assessment No. 99, and no written objections being presented the Council thereupon under Resolution No. 346-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. 346-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. 141, 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 January, 1923, 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 \$8362.18.

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 in the office of 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 therein); 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 \$8,362.18.

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 \$8362.18 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 10th 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 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	\$522.18	July 2, 1924
No. 2	560.00	July 2, 1925
No. 3	560.00	July 2, 1926
No. 4	560.00	July 2, 1927
No. 5	560.00	July 2, 1928
No. 6	560.00	July 2, 1929
No. 7	560.00	July 2, 1930
No. 8	560.00	July 2, 1931
No. 9	560.00	July 2, 1932
No. 10	560.00	July 2, 1933
No. 11	560.00	July 2, 1934
No. 12	560.00	July 2, 1935
No. 13	560.00	July 2, 1936
No. 14	560.00	July 2, 1937
No. 15	560.00	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 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 laws provides on Wednesday evening, the 14th day of February, 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 Prewett who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Oswald, Marshall, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 242-N.S.

Entitled: "AN ORDINANCE PROHIBITING THE DUMPING OF DIRT OR RUBBISH ON PRIVATE PROPERTY OR THE PUBLIC STREETS OF THE CITY OF MODESTO", and which was read, introduced, adopted and passed to print on the 10th day of January, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the Ordinance. The motion was seconded, the ordinance adopted, final by the following vote:

Ayes: Councilmen Boundey, Marshall, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claim of Thiel Detective Service Company:

A claim in the amount of \$986.78 was presented to the Council by the Police Department for Detective Service during November and December. The Detective Service in question was for the purpose of running down and prosecuting as many bootleggers as possible. After due consideration Councilman Oswald moved that the claim be allowed and that the City Auditor issue a warrant for the above amount to the Thiel Detective Service Company.

In the Matter of Contract for Incandescent Supplies:

A contract was presented to the City by the Modesto Electric Company for the furnishing of incandescent supplies from the 1st of February, 1923, to the 1st of February 1924. Councilman Prewett moved that the contract be accepted and that the Mayor be authorized to execute same.

In the Matter of Reports:

Reports were filed with the Council by the Health Department and Recreation Department and they were ordered placed on file with the City Clerk.

No further business appearing, the Council, upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

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The Council met in regular session this date and there were present, Councilmen Boundey, Oswald, Marshall, Prewett and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of January 24th, 1925 were read and ordered approved as read.

In the Matter of Petition to Hold Boxing Contests:

A petition was presented to the Council by Mr. Frank Anaya, representing Allan Hoffman of the Royal Athletic Club of San Francisco. The petition asks that the Council permit Mr. Hoffman to conduct boxing contests in the City of Modesto. Some question has arisen in the mind of the Council as to whether or not this man should be granted a permit to conduct these boxing contests even though he pays his license for same.

The matter was taken under advisement by the Council and will be continued at some future meeting.

In the Matter of Petition to Remove Bill Boards from Block 215:

A petition was presented to the Council by Mr. Henry Litt signed by himself and others who are property owners in the block 215, petitioning the Council to take some action towards having the bill boards in this block removed on the grounds that they are a nuisance in the vicinity. The petition was referred to the City Attorney for an opinion with a request to report at the next meeting.

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 Fund.....	\$18583.02
Water Fund.....	3248.02
Library Fund.....	2034.02
Street Intersection Fund.....	1285.89
Bond Red. & Int.....	24418.75
Personal Prop. Tax Refund, 1921.....	5.50
Personal Prop. Tax Refund, 1922.....	59.06
Street Bond Fund.....	9825.71
Total.....	<u>\$59458.76</u>

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 Application for Building Permit on Railroad Reservation:

Mr. J. S. West appeared before the Council and asked that he be permitted to erect a galvanized iron structure 45 x 70 feet in block 141. After due consideration Councilman Boundey in block 141. After due consideration Councilman Boundey introduced a resolution being,

RESOLUTION NO. 766-N.S.

authorizing the City Clerk to issue a permit to J. S. West to build a building of the kind he proposes. The resolution was regularly introduced and adopted by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett and Oswald,

Noes: Mayor Elias

Absent: Councilmen None

In the Matter of Petition for Sidewalks:

A petition was presented to the Council by the people living west of Washington Street, petitioning that the Council take such action as is necessary to have sidewalks constructed on both sides of "M" Street between Washington and 7th Streets. Inasmuch as the petition is signed by a majority of the property owners liable to be assessed for the improvement the Council upon motion by Councilman Oswald, authorized the City Clerk to write and advise the property owners on this street to construct sidewalks within the next 50 days. The motion was carried by a vote of all members present.

In the Matter of Petition for Sidewalks on Rosedale Avenue:

A petition signed by certain property owners on Rosedale Avenue was presented to the Council, asking that the Council take some action to compell the construction of sidewalks on lots 35 and 36 in block 349 in order that they might get mail delivery extended to that block. The petition states that sidewalks are constructed in front of all other property in this block. After due consideration Councilman Boundey moved that the City Clerk be authorized to request the owners of the lots in question to construct sidewalks within the next 50 days otherwise the City would be obliged to order the work in under the "Improvement Act of 1911", the motion was carried by a vote of all members present.

In the Matter of Sidewalk Petitions:

Petitions were presented to the Council signed by various interested property owners petitioning in three separate petitions that sidewalks be constructed along on both sides of Washington Street between Laurel and "H" Streets; that sidewalks be constructed on both sides of 6th Street between "L" and Washington; that sidewalks be constructed on both sides of "K" Street between Washington and 8th Streets. These petitions did not contain a sufficient number of signatures representing the property that would eventually be assessed for the improvement therefore the Council took the matters under advisement and will further consider them at the next regular meeting.

In the Matter of Two Inch Water Tap:

The Economy Laundry presented a petition to the Council for permission to make a two inch water tap to supply water at their establishment 424 Ninth Street. After due consideration Councilman Boundey moved that the City Clerk be instructed to take the application for the two inch tap and that the Engineer be instructed to make the proper connection upon payment by Economy Laundry of the necessary fees. The motion was carried and so ordered;

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 one bid on file the Council now proceeded to publicly open and declare the same. The bid received was from George F. Covell, which opened, read as follows:

To the Honorable City Council:

I hereby submit a bid of \$8376.00 and accrude interest to date for the purchase of City of Modesto Street Bonds.

Issue Series No. 99, amount \$8362.18

Enclosed herewith certified check in the amount of \$940.00 as per enclosed clipping. Notice to Bidders. Taken from the "Modesto Herald"

George F. Covell

After due consideration Councilman Oswald moved that the bonds be delivered to George F. Covell upon payment into the City Treasury of the amount stipulated in his bid. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 347-S.P.

RESOLUTION AWARDING BONDS TO HIGHEST BIDDER

WHEREAS, the City Council of the City of Modesto, did on the 28th day of January, 1923, 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 Magnolia Avenue between Needham Avenue and Stoddard Avenue as more fully described in Resolution of Intention No. 141, passed March 8th, 1922, in pursuance of the "Improvement Act of 1911", and whereas the time of sale having arrived and one bid having been received which opened, read as follows:

TO THE HONORABLE CITY COUNCIL:

I hereby submit a bid of \$8376.00 and accrude interest to date for the purchase of City of Modesto Street Bonds.

Issue Series No. 99, amount \$8362.18

Enclosed herewith certified check in the amount of \$940.00 as per enclosed clipping. Notice to Bidders. Taken from the "Modesto Herald."

George F. Covell

It is hereby ordered, determined and declared that the bid is satisfactory and that the City Treasurer be and he is hereby directed to deliver said bonds to George F. Covell, upon payment by said George F. Covell into the City Treasury of the amount stipulated in his bid.

The foregoing resolution was regularly introduced and 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 Communication:

Communication addressed to the Council by Mr. D. G. Kerr requests that the Street Department connect up the water holes at 16th, 17th, 18th, and 19th Streets on "H" Street with the newly installed catch basin of the new storm sewer. The matter was given attention and upon motion was referred to City Engineer for further consideration.

In the Matter of Bids for Transit:

The City having heretofore advertised for bids for the purchase of Transit and Tripod, for use of the Department of Public Works, City of Modesto, and this being the time fixed in accordance with published notice for receiveing and considering bids and there being one bid on file Councilman Boundey moved that the same be opened and considered. The bid was that of "The A. Lietz Company." After due consideration Councilman Boundey moved that the bid of "The A. Lietz Company" be accepted, which bid read as follows:-

"One (1) Lietz Transit Theodolite #5LVC, as specified, complete with Tripod, special.....\$360.00

We further wish to advise that as you now are renting this instrument from us, we agree to deduct from the above quotation all rental charged at the time of purchase."

Councilman Boundey's motion further orderd that the instrument in question be purchased according to the terms of their proposal. The motion was duly seconded, carried and so-ordered.

In the Matter of Recommendation by Councilman Oswald:

A recommendation by Councilman Oswald was presented to the Council to the effect that the City endeavor to find a way to reimburse the property owners throughout the City for moneys paid by them for civic improvements under "The Improvement Act of 1911" and the "1915 Bond Act." His recommendation was to the effect that a General Bond Issue be voted to reimburse all parties who had paid pro rata cost on street intersection and storm sewers which have heretofore been paid out of General Bond Issue funds.

The matter was referred to City Attorney Carlson with the request to render the Council a written legal opinion in regard to it.

In the Matter of Communication from W. I. Carpenter:

A communication was addressed to the City Engineer by Mr. W. I. Carpenter calling attention to a high voltage circuit which surrounded Block 56 and 69. Between the time of receipt of this communication and this Council meeting the high voltage mentioned in Mr. Carpenters communication has been reduced to the same voltage that existed during Mr. Carpenters administration.

In the Matter of Reports From Departments:

Detailed reports were rendered by the following departments and were ordered placed on file.

Engineering Department.

Fire Department

Police Department

Health Department

In the Matter of Filing Assessment List and of the Time Fixed to Show Cause Why Bond Should not Be Issued:

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and shew cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as field by the Street Superintendent for work done under Resolution of Intention No. 161, and no written objections being presented, the Council thereupon under Resolution No. 348-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. 348-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 23rd day of August, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 161 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 February, 1923, 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 said Council did meet to hear any objections presented and to pass upon the same, and there ~~was~~ no objections, and

WHEREAS, the assessments unpaid and the aggregate amount of same and as appears from said list as filed by the Street Superintendent with the City Clerk the aggregate being \$958.65

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 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 \$958.65.

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 \$958.65 in the aggregate; that said bonds shall be issued in fifteen series of one bond in each series, shall each and all be dated the 27th day of January, 1923; 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	\$63.91	July 2, 1924
No. 2	63.91	July 2, 1925
No. 3	63.91	July 2, 1926
No. 4	63.91	July 2, 1927
No. 5	63.91	July 2, 1928
No. 6	63.91	July 2, 1929
No. 7	63.91	July 2, 1930
No. 8	63.91	July 2, 1931
No. 9	63.91	July 2, 1932
No. 10	63.91	July 2, 1933
No. 11	63.91	July 2, 1934
No. 12	63.91	July 2, 1935
No. 13	63.91	July 2, 1936
No. 14	63.91	July 2, 1937
No. 15	63.91	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 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 ^{March}, 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 Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Tree on Kimble Street:

The oak tree on Kimble Street which was the subject of discussion at a previous meeting was determined to be above grade and would interfere with the paving of that street under the proceedings which are now under way. A committee appointed consisting of the Park Commission and the City Engineer agreed that it would be necessary to remove that tree in the paving of that street.

In the Matter of Traffic Officer:

Chief of Police Smith recommended that the Council consider the employment of a Motor Traffic Officer for the protection of the citizens of Modesto. The question as to whether or not the City would be entitled to the fines collected for the violation of traffic laws was raised and the City Attorney was instructed to look into the matter and determine whether or not the City would be entitled to them or a portion of them. A committee consisting of City Attorney Carlson, Chief of Police Smith and Councilman Osvald was appointed to confer with the Board of Supervisors at their first opportunity to further determine the details in regard to this subject.

No further business appearing the Council adjourned to meet again Wednesday evening, February 21st, in the City Hall, City of Modesto at 8 o'clock P.M.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto,

Wednesday, February 21st, 1923

The Council met pursuant to adjournment of February 14th, and there were present: Councilmen Boundey, Oswald, Marshall, Prewett, and Mayor Elias Absent: Councilmen None.

In the Matter of Sewer and Water in Block 27 and 29:

Mr. Walter Beard appeared before the Council and petitioned that the City establish sewer and water mains throughout blocks 27 and 29 in the very near future. Mr. Beard explained that the property in these two blocks had been sold to various individuals who are anxious for permanent improvements just as soon as these facilities are provided. Upon suggestion by Mayor Elias the matter was referred to the City Engineer McCarton, with instruction to report upon the cost of such installation at the next regular meeting.

In the Matter of Sewer on Ruberto Street:

Mr. W. H. Fields appeared before the Council and petitioned that the City construct sewer mains in Block 340 in order that property facing on Ruberto Street may have sewer service. This matter was also referred to the City Engineer with instruction to estimate the cost of such installation and report at the next regular meeting.

In the Matter of License for Revolving Swing:

Mr. Durham appeared before the Council to petition that the license fee be reduced for operating a revolving swing. The present license ordinance, being Ordinance No. 54-N.S. provides under Section 11 that the license fee shall be \$2.00 per day. The Council considered Mr. Durhams request and after due consideration Councilman Boundey introduced an ordinance amending Section 11 and 12 of Ordinance No. 54-N.S. being,

ORDINANCE NO. 243-N.S.

Entitled "AN ORDINANCE AMENDING SECTIONS 11 and 12 OF ORDINANCE NO 54-N.S." was introduced by Councilman Boundey who moved its adoption. The motion was seconded by Councilman Marshall 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

In the Matter of Salvation Army Relief:

Captain Woodside of the Salvation Army appeared before the Council to show cause why the monthly allowance to that organization should not be discontinued by the City. After some deliberation on the matter the sense of the Council as expressed was that the arrangement as existing at present be continued.

In the Matter of Water Extension to City Park:

Mrs Bates appeared before the Council and petitioned that the City provide water mains and hydrants in the little City Park in Block 131, in order that such trees and shrubbery as were planted in this space can be irrigated and properly cared for. After considering the matter the Mayor appointed a committee consisting of City Engineer McCarton, Park Superintendent Phillis, and Mrs. Bates to look into the matter further and estimate the probable cost of such an extension.

In the Matter of Building Permit in Fire Limits:

Mr. Bates appeared before the Council and requested permission to erect a galvanized iron fram building in Block 71 which is within the fire limits. Mr. Bates stated that the building was to be used as a machinery shop and garage, however, this did not satisfy the Council as to the advisability of granting the permit, whereupon it was suggested that Mr. Bates file with the Council at the next regular meeting a formal written request for this permit outlining in detail the nature of the building he proposed to construct.

The matter of installing a Police alarm System was briefly mentioned and the Engineer was asked to prepare an estimate of the probable cost of such an installation.

The matter of calling a bond issue for additional fire fighting equipment and apparatus was also briefly mentioned, but was dropped for the time being, with the understanding that it would be further taken up at the next meeting.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto

Wednesday, February 28th, 1923.

The Council met in regular session this date and there were present: Councilmen Boundey, Oswald, Marshall, Prewett, and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting, February 14th, and adjourned meeting February 21st, were read and ordered approved as read.

In the Matter of Petition for Building Permit in Fire Limits:

Mr. W. K. Bates filed a petition with the Council for a permit to erect a building within the fire limit facing 11th Street in Block 71. The plans submitted for the proposed building indicated that the building will not conform to the requirements of buildings to be built in the fire limits. The question was put to a vote of the Council and the request was over-ruled by the unanimous vote of all present.

In the Matter of Ordinance:

ORDINANCE No. 243-N.S.

Entitled: "AN ORDINANCE AMENDING SECTIONS ELEVEN AND TWELVE OF ORDINANCE NO. 54-N.S." was read introduced, adopted, and passed to print on the 21st day of February, 1923, it having been published as required by law, Councilmen Boundey moved the final adoption of the ordinance, the motion 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 Sidewalks:

The several petitions which were filed with the Council on February 14th, petitioning that the Council order sidewalks to be constructed on Washington Street Sixth Street, "X" Street and "M" Street, were taken under advisement and after considerable discussion the sentiment of the Council as expressed was to the effect that to force the construction of these sidewalks at the present time would work an undue hardship upon the property owners who must bear the cost of the improvements. It was decided to give these property owners an opportunity to construct the sidewalks between now and the next rainy season and as a result the Clerk was ordered to file the petitions.

In the Matter of Water and Sewer in Block 27 and 29:

Pursuant to previous action of the Council the matter of constructing water and sewer mains in Blocks 27 and 29 was again taken up and after being informed by Mr. T. K. Beard that considerable of the property in these two blocks was lying dormant pending the installation of the water and sewer mains in them, and as soon as water and sewer mains were constructed that the parties to whom the land has been sold would immediately start the construction of their proposed improvements, the Council upon motion directed the City Engineer to proceed with the construction of these mains.

In the Matter of Legal Opinion Regarding the Proposed Bond Issue:

Pursuant to certain recommendations made by Councilman Oswald February 14th, to the effect that the City endeavor to vote a bond issue to reimburse the property owners who have been paying the costs of street intersections, storm sewers, and resurfacing, and the request having been made upon the City Attorney to render an opinion as to the legality of such an action.

The opinion, given in writing, advises that the procedure would be contrary to the fundamental principles of municipal laws and as there is no law or statute authorizing a municipal corporation to expend public funds in paying for a public improvement which has already been paid for in accordance with some other statute. It is therefore contrary to municipal laws to reimburse citizens or property owners for money expended by them pursuant to law under local improvement acts in public improvements. The City Attorney's opinion states that a bond issue for such a purpose would be clearly illegal and that in his opinion nobody would buy such bonds.

In the Matter of Traffic Officer:

Pursuant to previous discussion on the subject and a report by City Attorney Carlson to the effect that all fines collected through the police court for violation of the Motor Vehicle Act could be turned into the City Treasury, Councilman Boundey moved that the Chief of Police be authorized to employ a traffic officer whose activities would be confined to the City of Modesto.

The motion was duly seconded and carried by a vote of all present. It was shown that it would be to the cities advantage to own its own Motorcycle and Sidecar, whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 767-N.S.

authorizing the Chief of Police to lease a Motorcycle and Sidecar on a monthly payment plan with the understanding that at the end of a certain period and so many payments that the city would be given clear title to the Motorcycle.

In the Matter of Ordinance:

ORDINANCE NO. 244-N.S.

Entitled: "AN ORDINANCE REGULATING THE CONSTRUCTION OF FOOD ESTABLISHMENTS" was regularly introduced by Councilman Osvald at a regular meeting of the Council held on the 28th day of February 1923, who moved its adoption and passage to print, which upon motion, being duly seconded, the ordinance was passed to print by the following vote:

Ayes: Councilmen Osvald, Marshall and Mayor Elias

Noes: Councilmen Boundey and Prewett

Absent: Councilmen None

In the Matter of Resignation of Recreation Director:

Mr. G. B. Shadinger tendered a letter of resignation to the Council resigning from the position of Recreation Director for the City of Modesto, explaining that he was accepting a position as Community Service Executive and Municipal Director of Recreation in the City of Visalia. A resolution was introduced by Mayor Elias to the effect that Mr. Shadinger's resignation be accepted effective this date. The resolution was duly seconded and carried by a vote of all members present. The resolution is No. 768-N.S. and is on file in the City Clerk's office.

Following the resignation of Mr. Shadinger a letter presented to the Council from Mrs. Mable Carr Warren, making application for the position made vacant by Mr. Shadinger's resignation. The Council debated on the subject for a considerable time after which Mayor Elias introduced a resolution, being,

RESOLUTION NO. 769-N.S.

to the effect that Mr. Hazard, now in charge of the Y M C A work in Modesto be appointed Recreation Director to succeed Mr. Shadinger. The resolution was regularly introduced but was lost by the following vote:

Ayes: Mayor Elias

Noes: Councilmen Osvald, Prewett, Marshall, and Boundey

Absent: Councilmen None

Following the defeat of this resolution Mayor Elias introduced another resolution being,

RESOLUTION NO. 770-N.S.

to the effect that Mr. James McGiffen now in charge of the Boy Scouts in the City of Modesto be appointed as Recreation Director to succeed Mr. Shadinger, this resolution was also lost by the following vote:

Ayes: Mayor Elias

Noes: Councilmen Osvald, Prewett, Marshall and Boundey

Absent: Councilmen None

Following the defeat of this resolution Councilman Oswald introduced a resolution, being

RESOLUTION NO. 771-N.S.

to the effect that Mrs. Mable Carr Warren be appointed as Recreation Director to succeed Mr. Shadinger. This resolution was regularly introduced and carried by the following vote:

Ayes: Councilmen Oswald, Prewett, Marshall and Boundey

Noes: Councilman Mayor Elias

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 245-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF THE INDUSTRIAL EXPOSITION PARK MUNICIPAL AVIATION FIELD AND ATHLETIC FIELD AND FOR THE SALE OF THE REAL PROPERTY EMBRACED WITHIN THE BOUNDARIES OF THE SAME," was introduced by Councilman Oswald at a regular meeting of the City Council held on the 28th day of February, who moved its adoption and passage to print, which upon motion being duly seconded the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Marshall, Prewett, Oswald, Boundey and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bond Issue for Fire Department:

The subject of additional fire fighting apparatus, buildings and equipment was called to the attention of the board by Fire Chief Wallace, and after due consideration a resolution was introduced by Councilman Oswald being,

RESOLUTION NO. 772-N.S.

WHEREAS, the City of Modesto is a municipal corporation of and within the State of California; and

WHEREAS, the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements hereinafter specified; and

WHEREAS, the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto; and

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation, and the Mayor of the City of Modesto is the chief executive officer of said City of Modesto;

NOW, THEREFORE, Be It Resolved by the Council of the City of Modesto, at a regular meeting thereof duly and regularly had, held and conducted; (And the said City Council so determines and declares)

That the public interest and necessity of the said City of Modesto and the inhabitants thereof demands the acquisition and construction of the municipal improvements hereinafter specified and named; and that the cost of said improvements and any and all thereof will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the municipal improvements, the acquisition and construction of which are demanded by public interest and necessity as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

Fire Apparatus, including buildings for municipal uses, to-wit, the use of the fire department, as specified in the plans and specifications therefore filed with the City Clerk by the Chief of the Fire Department, of the estimated cost of Fifty-five Thousand Dollars (\$55,000.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of February, 1923, by Councilman Boundey, which motion, being duly seconded, was upon roll call carried 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

~~Providing that the proposition be placed upon the ballot at the next regular election to be held on April 10th, 1923, giving the people of the City of Modesto an opportunity to vote for or against the issuance of Municipal Bonds in the amount of \$55,000.00. Bonds are for the purpose of erecting two new fire houses and purchasing additional fire fighting equipment.~~

~~The resolution was regularly introduced and upon roll call was carried 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 to meet Wednesday evening March 7th, 1923, in the City Hall, City of Modesto, at 7:30P.M.

Attest: L. A. Love
City Clerk

Approved: _____
Mayor

.....

Council, City of Modesto
Wednesday, March 7th, 1923.

The Council met pursuant to adjournment February 28th, and there were present: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias, Absent: Councilmen None.

In the Matter of Ordinance:

P^resuant to the passage of R^esolution No. 772-N.S., February 28th, signifying the intention of the Council to place upon the ballot at the next coming election a proposition to enable the voters to vote a \$55,000.00 bond issue for fire equipment and fire houses, Councilman Oswald introduced an ordinance, being,

ORDINANCE NO. 246-N.S.

Entitled: "AN ORDINANCE CALLING A SPECIAL ELECTION (TO BE HELD IN CONNECTION WITH THE

GENERAL MUNICIPAL ELECTION) TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY OF MODESTO THE PROPOSITION OF INCURRING BONDED INDEBTEDNESS FOR THE ACQUISITION AND CONSTRUCTION OF CERTAIN MUNICIPAL IMPROVEMENTS, THE COST OF WHICH WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUES OF SAID CITY: ESTABLISHING ELECTION PRECINCTS AND DESIGNATING ELECTION OFFICERS FOR THE HOLDING OF SAID ELECTION: FIXING THE DATE ON WHICH SAID ELECTION SHALL BE HELD: THE MANNER OF HOLDING THE SAME, AND OF VOTING FOR OR AGAINST THE INCURRING OF SUCH INDEBTEDNESS." was introduced by Councilman Oswald at an adjourned meeting March 7th, 1923,

who moved its adoption, which motion being duly seconded was carried and the ordinance passed to print by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

Reports were filed with the Council by the City Engineer and Health Department, which were ordered placed on file.

In the Matter of Maine Memorial Tablet:

A representative from the Spanish War Veterans appeared before the Council in behalf of his organization and petitioned that the Council donate to their organization the Maine Memorial Plate which was cast from the metal recovered from the U.S.S. Maine and which for the past several years has been the property of the City of Modesto and in the office of the City Clerk. The sentiment of the Council in regard to this matter was strongly expressed to the effect that the City of Modesto was as proud of this memorial plate as any organization could be and that they thought the most satisfactory place for it was in the City offices of our city and that it should be retained in the possession of the City of Modesto.

In the Matter of Numbering Streets;

This matter was mentioned and the Clerk was authorized to bring the matter up at the next regular meeting.

In the Matter of Wading Pools in Westside Parks:

Pursuant to previous action taken by the Council some time ago wherein the City Engineer was authorized to draw up plans and make estimates for the cost of two wading pools one in each of the west side parks and such plans having been prepared the City Engineer was authorized to proceed to construct the pools as designed.

No further business appearing the Council upon motion by Councilman Marshall, adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto

Wednesday, March 14th, 1923.

The Council met in regular session March 14th, and there were present, Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias, Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of February 28th, and adjourned meeting of March 7th, were read and approved.

In the Matter of Director of Recreation:

Mrs. Mable Carr Warren the newly appointed Director of Recreation appeared before the Council in company with Mr. T. K. Beard and stated that she had taken up her duties under date of March 7th, and was preparing a program for the months that are to follow:

In the Matter of Paving of Poplar Avenue:

Mr. Hoover and others owning property on Poplar Avenue appeared before the Council to protest against the removing of the existing curb by the paving company incidental to the paving of that street. The contract as awarded provides for the removing of a considerable stretch of curb which according to the plans and specifications for the work to be done is not to the existing line and grade.

The Council were unable to take any action in regard to this matter, however, the interested parties were asked to meet with the City Engineer McCarton and City Attorney Carlson with the idea of making some satisfactory arrangement which would be satisfactory to all concerned.

In the Matter of Repeal of Ordinance No. 229-N.S.

Mr. F. O. Hoover appeared before the Council and called attention to a petition which had been circulated and which had been subscribed to by more than 200 people asking for the repeal of 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." After due consideration

ORDINANCE NO. 247.-N.S.

Entitled: "AN ORDINANCE REPEALING ORDINANCE NO. 229-N.S. OF THE CITY OF MODESTO" was introduced by Councilman Oswald at a regular meeting of the Council on March 14th, 1923, who moved its adoption, which motion being duly seconded was carried and the ordinance passed to print by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claims:

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

General Fund.....	\$15666.60
Water Fund.....	4097.13
Library Fund.....	769.61
Bond Red. & Intrest.....	200.00
St. Bond Red. & Int.....	8852.33
Miscellaneous Funds.....	8.78
Total.....	\$29594.45

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

In the Matter of Claim for Resurfacing of Twelfth and "I" Streets;

Pursuant to street proceedings which were regularly passed and to the resurfacing which was recently done on Twelfth Street and on "I" Street in front of lots 11 to 16 inclusive, Block 84 which is the property of the United States Government and against which an assessment was made for the cost of this resurfacing. The Council authorized the City Clerk to draw a warrant in favor of the Standard Paving Company in the amount of \$915.04 to pay the cost of this resurfacing. City Attorney Carlson was instructed to prepare a claim against the government asking that the City of Modesto be reimbursed for the cost of this work.

In the Matter of Banner Across Tenth Street;

A letter addressed to the Council by the Scot's Fair Committee petitioning for permission to put a banner across the intersection of Tenth and "I" Streets, advertising the Scot's Charity Fair which is to be given in this City on April 4th, 5th, 6th, 7th, and 9th. After due consideration Councilman Oswald moved that the request be granted which motion was carried by the vote of all members present.

In the Matter of Reports:

Reports were filed with the Council by the Health Department and Police Department and were ordered placed on file.

In the Matter of Ordinance No. 244-N.S.

This ordinance framed to regulate the construction of food establishments coming up for final adoption was put before the Council but owing to various matters which are under consideration and which will have a bearing upon this ordinance, Mayor Elias suggested that the matter be laid over for four weeks, whereupon Councilmen Boundey moved that the Mayor's suggestion be followed out. The motion was duly seconded and carried by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 245-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF THE INDUSTRIAL EXPOSITION PARK, MUNICIPAL AVIATION FIELD AND ATHLETIC FIELD AND FOR THE SALE OF THE REAL PROPERTY EMBRACED WITHIN THE BOUNDARIES OF THE SAME," was read introduced, adopted and passed to print on the 28th day

of February, 1923, it having been published as required by law, Councilman Boundey moved the final adoption of the ordinance, the motion 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 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 of 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. 108. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 349-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 20th day of February, 1923, 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 by resurfacing of "H" Street, from 9th Street to 11th Street described in Resolution of Intention No. 161, 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 \$958.65.

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

No further business appearing, the Council, upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto
Wednesday, March 21st, 1923.

The Council met in special session 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, a record of which is on file in the Clerk's office.

Present: Councilmen Boundey, Oswald, Prewett, and Mayor Elias

Absent: Councilman Marshall

The meeting was called by order of the Mayor for the purpose of transferring funds to Street Intersection Bond Fund in order that the claim of the Standard Paving Company for paving of intersection on "H" Street may be allowed and for the purpose of approving the assessment diagram and map of the assessment district to be assessed under the proceedings of Resolution of Intention No. 143, and any other business that may come before the Council.

In the Matter of Transferal of Funds:

An examination of the fund accounts reveals that the General Fund is running low and that for the purpose of general operations it is necessary to transfer moneys from the Water Fund to the General Fund, Councilman Boundey offered a resolution being,

RESOLUTION NO. 773-N.S.

authorizing the transfer of \$25000.00 from the water fund to the General Fund. The resolution was adopted by the following vote,

Ayes: Councilmen Oswald, Boundey, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen Marshall

In the Matter of Transfer of Funds to the Street Intersection Bond Fund:

By reason of certain street work having been completed pursuant to the passage of Resolution of Intention No. 143 a claim was presented to the Council in the amount of \$5134.83 for the paving of the intersection, curb, gutter etc. installed under the above mentioned resolution. The proceedings for this work stipulated that the cost of same was to be paid out of the Street Intersection Bond Fund and no moneys are now available in that fund. Councilman Prewett thereupon introduced

RESOLUTION NO. 774-N.S.

authorizing the transfer of \$5672.11 from the General fund to the Street Intersection Bond Fund. The resolution was regularly introduced and adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

Of the above amount \$537.28 is to be set aside for the payment of an assessment against a piece of City Property situated at the intersection of "Hfgh", "Downey" and "H" Streets. The authorization for this work is provided for under Resolution of Intention No. 143.

In the Matter of Claims:

Claims in the amount of \$5134.83 and \$537.28 were presented to the Council by the Standard Paving Company for work performed under Resolution of Intention No. 143 and chargeable against the City of Modesto. After due consideration Councilman Boundey moved that a warrant be drawn in favor of the Standard Paving Company from the Street Intersection Bond Fund in payment of the claims as presented. The motion was duly seconded and carried by the following vote:

Ayes: Councilmen Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

In the Matter of Approval of Assessment Maps and Diagram:

The assessment map and diagram for the district to be assessed for the work done under Resolution of Intention No. 143 was presented to the Council for approval. After an examination of the above mentioned maps Councilman Boundey introduced a resolution being,

RESOLUTION NO. 350-S.P.

approving the assessment map and diagram of the district as outlined. The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Boundey, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

In the Matter of Approval of Assessment Map and Diagram:

The assessment map and diagram for the district to be assessed for the work done under Resolution of Intention No. 149 was presented to the Council for approval. After an examination of the above mentioned maps Councilman Boundey introduced a resolution being,

RESOLUTION NO. 351-S.P.

approving the assessment map and diagram of the district as outlined. The resolution was adopted by the following vote and is on file in the office of the City Clerk:

Ayes: Councilmen Boundey, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen Marshall

In the Matter of Approval of Assessment Map and Diagram:

The assessment map and diagram for the district to be assessed for the work done under Resolution of Intention No. 148 was presented to the Council for approval. After an examination of the above mentioned maps Councilman Boundey introduced a resolution being,

RESOLUTION NO. 352-S.P.

approving the assessment map and diagram of the district as outlined. The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

In the Matter of Approval of Assessment Map and Diagram:

The assessment map and diagram for the district to be assessed for the work done under Resolution of Intention No. 152 was presented to the Council for approval. After an examination of the above mentioned maps Councilmen Boundey introduced a resolution being,

RESOLUTION NO. 353-S.P.

approving the assessment map and diagram of the district as outlined. The resolution was adopted by the following vote and is on file in the office of the City Clerk.

Ayes: Councilmen Boundey, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

In the Matter of Transferal of Funds:

The Councils attention was called to certain deficient fund accounts which have been carried on the ledger for a considerable length of time awaiting a time when sufficient funds would be available with which to replenish them. After due consideration of the accounts Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 775-N.S.

authorizing the City Auditor to make a transfer from the General Fund to the Storm Sewer Fund \$50235.32, to the Aviation Field and Fair Grounds Funds \$606.19, to the Tree District Fund No. 61, \$309.43, to the Tree District Fund No. 70 \$282.49, and to Borden's Storm Sewer Fund, \$61.27.

The foregoing resolution was introduced by Councilman Oswald at a special meeting, this 21st day of March, 1923, and was adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Marshall

Approved: _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto

Wednesday, March 28th, 1923

The Council met in regular session this date, and there were present Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias. Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of March 14th, and the special meeting of March 21st, were read and ordered approved.

In the Matter of Petition of Tidewater Southern Railway Company for Extension of Spur Track:

A petition from the Tidewater Southern Railway Company was presented to the Council by Attorney Hawkins petitioning that the Council give them permission to extend their spur tracks across the alley in Block 60 into lot 1. The petition states that they wish to make this extension in order to facilitate the unloading of automobiles and other freight. After due consideration the Council decided to investigate the details of the project and therefore laid the matter over, to be taken up further at the next regular meeting.

In the Matter of Map of Virginia Sub-tract No. 1:

A map was presented to the City Council by Attorney Hawkins accompanied by a letter from the City Planning Commission to the effect that it would be proper for the City Council to approve the map of the Virginia Tract, Sub-tract No. 1, as submitted, whereupon Councilman Boundey introduced a resolution, being

RESOLUTION NO. 776-N.S.

to the effect that the map be approved, which resolution was carried 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 Approval of Map for Sub-division Outside the City Limits:

Mr. Quinn of the Quinn Fuegol Realty Company appeared before the Council and expressed that he was contemplating putting on the market a subdivision, which is located one and half miles north of Modesto on the right-hand side of McHenry Road. The map was not the final map and inasmuch as it showed the streets were to be only forty feet wide, the Council advised Mr. Quinn if he would make the streets fifty feet wide and present the map which was to be recorded that there was no doubt but what the Council would approve of the tract.

In the Matter of Shooting in the City Limits:

A petition was filed with the Council protesting against the activities of the Owl Rod & Gun Club in the old Baseball Park situated in the northwest portion of the City. The petition calls attention to an ordinance which forbids the firing or discharging of fire-arms within the corporate limits of the City of Modesto. After due consideration the Council referred the matter to the Chief of Police with instructions to see that Section 2, of Ordinance No. 10-N.S. was complied with.

In the Matter of Franchise Payment by the Pacific Gas & Electric Company:

A letter was tendered to the Council which accompanied a check in the amount of \$5139.52, representing 2% of the gross revenue of the Pacific Gas & Electric Company in Modesto for the year ending December 31st, 1922.

The letter was read to the members of the Council by the Mayor and the Clerk was ordered to place same on file.

In the Matter of Reports:

Reports were submitted to the Council by City Engineer and City Electrician which recommended the purchase of a stock of poles and a quantity of conduit inasmuch as the City is badly in need of these items. After due consideration an ordinance was presented, being

ORDINANCE NO. 248-N.S.

Entitled: "An Ordinance Providing for the Purchase of Certain Supplies for the Electrical Department," which was introduced by Councilman Prewett 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, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition for Underground Wiring on High Street:

A petition was presented to the Council signed by several property owners on High Street between Cedar and Redwood Streets, petitioning that the electric light wires running along the west side of High Street between Cedar and Redwood Streets be removed explaining that unless the wires were removed the growing shade trees would come in contact with them and as a result the trees would have to be trimmed to such an extent that their beauty and usefulness would be destroyed. The petition asks that the wires be placed underground between these points. After considering the matter it was referred to the City Engineer for a report.

In the Matter of Resolution Protesting Against the Passage of Assembly Constitutional Amendments Numbered No. 10 and No. 27:

After a brief discussion concerning a resolution protesting against the passage of Assembly Constitutional Amendments No. 10 and No. 27, Councilman Boundey, introduced:

RESOLUTION NO. 777-N.S.

WHEREAS, There is now pending in the Legislature of the State of California, Assembly Constitutional Amendments numbered No. 10 and No. 27, the passage and adoption of either of which would deprive the several municipalities of this State from acquiring and profit or revenue over cost, and expressly inhibiting the merger of any revenue from the operation of public utilities with the general funds, and

WHEREAS, By reason of the inadequacy of the revenues that can be derived from a limited rate of taxation, many of the Towns and Cities of the State derive and employ the profits of their publicly owned utilities for the benefit of their general funds; now, therefore, it is hereby

RESOLVED, By the City Council of the City of Modesto that Assembly Constitutional Amendments No. 10 and No. 27 ought not to pass, and the Clerk of this Council is authorized and directed to memorialize the Stanislaus County delegation in both Assembly and Senate to oppose the passage of said Amendments Nos. 10 and 27, by transmission thereto of a copy of this resolution.

The foregoing resolution was introduced by Councilman Boundey this 28th day of March, 1923, and was adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Prewett, Marshall and Mayor Elias

Noes: Councilmen None

Attest: L. A. Love
City Clerk

In the Matter of Two Inch Water Tap;

Appeal was made to the City Council by Mr. William Virgo for a two inch water tap to serve lots 15 & 18 in Block 332 for the purpose of supplying an Apartment House. Councilman Boundey moved that the permit be granted and that the Clerk and Engineer be authorized to see that the proper formalities are complied with.

The motion was carried by an unanimous vote of the Council.

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. 154, Assessment No. 109, and no written objections being presented, the Council thereupon under Resolution No. 354-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. 354-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. 154, 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, find, 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 March, 1923, 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 \$20,685.22.

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 occurred; that the assessments which are unpaid are those shown on the list hereinafter 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 \$20,685.22.

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 \$20,685.22 in the aggregate; that said bonds shall be issued in fifteen series of two bonds in each series, shall each and all be dated the 20th day of February, 1923; 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 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	\$365.22	July 2, 1924
No. 2	1000.00	July 2, 1924
No. 3	380.00	July 2, 1925
No. 4	1000.00	July 2, 1925
No. 5	380.00	July 2, 1926
No. 6	1000.00	July 2, 1926
No. 7	380.00	July 2 1927

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 8	\$1000.00	July 2, 1927
No. 9	380.00	July 2, 1928
No. 10	1000.00	July 2, 1928
No. 11	380.00	July 2, 1929
No. 12	1000.00	July 2, 1929
No. 13	380.00	July 2, 1930
No. 14	1000.00	July 2, 1930
No. 15	380.00	July 2, 1931
No. 16	1000.00	July 2, 1931
No. 17	380.00	July 2, 1932
No. 18	1000.00	July 2, 1932
No. 19	380.00	July 2, 1933
No. 20	1000.00	July 2, 1933
No. 21	380.00	July 2, 1934
No. 22	1000.00	July 2, 1934
No. 23	380.00	July 2, 1935
No. 24	1000.00	July 2, 1935
No. 25	380.00	July 2, 1936
No. 26	1000.00	July 2, 1936
No. 27	380.00	July 2, 1937
No. 28	1000.00	July 2, 1937
No. 29	380.00	July 2, 1938
No. 30	1000.00	July 2, 1938

It is further ordered that said bonds 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 25th day of April, 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 bond, 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 at a regular meeting, March 28th, 1923 by Councilman Boundey who moved its adoption, which motion being duly seconded was carried

by the following vote:

Ayes: Councilmen Boundey, Marshall, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 247-N.S.

Entitled: "AN ORDINANCE REPEALING ORDINANCE NO. 229-N.S. OF THE CITY OF MODESTO" and which was read, introduced, adopted and passed to print on the 14th day of March, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Prewett, Osvald, Marshall, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Setting Date of General Municipal Election:

In conformity with the rules of the Charter of the City of Modesto a resolution was introduced by Councilman Prewett setting the day for the general municipal election for the City of Modesto as Tuesday, the 10th day of April, 1923, being

RESOLUTION NO. 778-N.S.

Providing for a general municipal election in and for the City of Modesto and a General Election in and for the Modesto City School District.

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

That under and pursuant to the Charter of the City of Modesto, a general municipal election in and for the City of Modesto be and the same is hereby called to be held on Tuesday, the 10th day of April, 1923, for the purpose of electing the following officers for the City of Modesto, to-wit: A Mayor and two councilmen, and voting upon the question of the adoption of an ordinance submitted in accordance with Section 89 of the Charter of the City of Modesto, entitled "An Ordinance fixing the compensation of certain public officers of the City of Modesto"; and a general election in and for the Modesto City School District is likewise called to be held on the same day, to-wit, on Tuesday, the 10th day of April, 1923, for the purpose of electing certain officers of the said Modesto City School District, to-wit: Three members of the Board of Education of the Modesto City School District.

For the purpose of holding said election the said City of Modesto and that portion of the Modesto City School District lying within the corporate limits of the City of Modesto shall be and the same is hereby precincted and established into six election precincts, to be known and designated as follows:

- Special Election or Consolidated Election Precinct No. 1
- Special Election or Consolidated Election Precinct No. 2
- Special Election or Consolidated Election Precinct No. 3
- Special Election or Consolidated Election Precinct No. 4
- Special Election or Consolidated Election Precinct No. 5
- Special Election or Consolidated Election Precinct No. 6

Said special election or consolidated election precincts are established by consolidating the general election precincts within the City of Modesto (except as hereinafter noted) as established by the orders or resolution of the Board of Supervisors of Stanislaus County,

California now in force for general election purposes within the City, (which said orders or resolution now on file and of record in the office of the Clerk of the Board of Supervisors of Stanislaus County are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof), in the following manner, (said precincts so established by said Board of Supervisors being herein referred to as General Election Precincts);

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 1, Modesto No. 2, and Modesto No. 3, together with all of the territory annexed to the City of Modesto as described in Ordinance No. 169-N.S. as being the north half of the southwest quarter of Section 29, Township 3 South, Range 9 East M.D. B. & M., are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 1";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 4, Modesto No. 5, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 2";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 6, Modesto No. 7, Modesto No. 8 and Modesto No. 9, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 3";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 10, Modesto No. 11, Modesto No. 12, Modesto No. 13, Modesto No. 14, and Modesto No. 15 are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 4";

Said General Election Precincts so designated by said Board of Supervisors as Modesto No. 16, Modesto No. 17, Modesto No. 18, and Modesto No. 19, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 5";

Said General Election Precinct so designated by said Board of Supervisors as Modesto No. 20, Modesto No. 21, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 6";

For the purpose of holding said election (in so far as the election of members of the Board of Education of the Modesto City School District is concerned) the boundaries of the Modesto City School District shall be as follows, to-wit: The boundaries of the Modesto City School District shall embrace all of the territory included and embraced within the exterior boundaries of the following elementary school districts of Stanislaus County, California, as established by the orders of the Board of Supervisors of said Stanislaus County and as the same appear upon the minutes of said Board of Supervisors to-wit: Jackson, Salida, Stanislaus, McHenry, Prescott, Bellpassi, Cole, Hart, Ransom, Garner, New Hope, Paradise, and Fairview, as well as all the territory heretofore embraced within the exterior boundaries of the Modesto Grammar School District and the Modesto High School District.

The territory included within said Modesto City School District, but outside of the corporate limits of the City of Modesto, is for the purpose of said election hereby divided and established into seven special election precinct, the designation and boundaries of which and the territory within each of which are hereby established and defined as follows:

SPECIAL ELECTION PRECINCT NO. 7

which shall comprise all of the territory within the said Modesto City School District heretofore described outside of the corporate limits of the City of Modesto which is embraced within the exterior boundaries of Paradise School District, and of the Modesto Grammar or Elementary School District outside of said City lying north of the Tuolumne River and west of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 8

which shall comprise all of the territory within the Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Hart and Ransom.

SPECIAL ELECTION PRECINCT NO.9

which shall comprise all of the territory within said Modesto City School District hereinbefore described and embraced within the exterior boundaries of the following elementary school districts, to-wit: Jackson and Salida.

SPECIAL ELECTION PRECINCT NO. 10

which shall comprise all of the territory within said Modesto City School District hereinbefore described embraced within the exterior boundaries of the following elementary school districts, to-wit: Stanislaus, McHenry, Prescott and Bellpassi, as well as all of the territory within the boundaries of the Modesto Grammar or Elementary School District outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

SPECIAL ELECTION PRECINCT NO. 11

which shall comprise all of the territory within the said Modesto City School District hereinbefore described embraced within the exterior boundary lines of the following elementary school districts, to-wit: Cole, Garner and New Hope.

SPECIAL ELECTION PRECINCT NO. 12

which shall comprise all of the territory within the Modesto Grammar School District and outside of the corporate limits of the City of Modesto which lies south of Dry Creek and north of the Tuolumne River.

SPECIAL ELECTION PRECINCT NO.13

which shall comprise all of the territory within said Modesto City School District hereinbefore described embraced within the exterior boundaries of Fairview Elementary School District, and also that portion of the Modesto Elementary or Grammar School District lying south of the Tuolumne River.

The following places are hereby fixed and designated as and for the places of holding said election with the said City of Modesto, and the following named persons are hereby designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District, and will conduct the same, to-wit:

Special Election or Consolidated election Precinct No. 1
Polling Place : T. K. Beard's Garage, 1515 Needham Avenue
Inspector; J. I. Jones
Judges: S. D. Clopine and J. W. Stebbins
Clerks: Verona E. Payne, Lula R. Henley, Dora J. Russell

Special Election or Consolidated election Precinct No. 2

Polling Place: Garage 110 Kimble Street,

Inspectors: Verna McGee,

Judges: Lillian Bundy and Lottie Young

Clerks: Mary Estes, Gertrude Ramont, and Mary Drouillard

Special Election or consolidated election precinct No. 3

Polling Place: Adam's Warshouse, 1301--10th Street,

Inspectors: A. M. Briggs,

Judges: Mayme Cotton and Corda Stone

Clerks: Stanton Briggs, Eva Downer, and Lillie Elliott

Special Election of Consolidated election precinct No. 4

Polling Place: City Hall, 717 Tenth Street

Inspector Fern Brainard

Judges: Joe Edwards, and George Utterback

Clerks: Minnie Eline, O. F. Pero, and Mayy M. Perry

Special Election or consolidated election Precinct No. 5

Polling Place: Alameda Rug Works, 428 "I" Street

Inspector: A. W. Turpen,

Judges: Annie E. Ecker, and J. D. Ford

Clerks: Grace Tester, Josephine Reese, and Minna H. Damrell

Special election or consolidated election Precinct No. 6

Polling Place: City Pump Station, 2nd & "G" Streets,

Inspector: H. W. Atwood,

Judges: W. J. Nichols and Gertrude Robbins

Clerks: Mary Bowman, Anna Walsh, and Lillie Turpen

The following places are hereby fixed and designated as and for the holding of said general school election in that portion of the Modesto City School District which lie outside of the corporate limits of the City of Modesto and the following named persons are hereby designated to act as officers of election for said election within said territory to-wit:

SPECIAL ELECTION PRECINCT NO. 7

Polling Place: Paradise School

Inspector: Mrs. Mary Cullen

Judges: Wm C. Chumlea and T. T. Hawkins

Clerks: Lucile Benoit, Clena Hansen, and Laura Sharp

SPECIAL ELECTION PRECINCT NO. 8

Polling Place: Ransom School

Inspector: Sam Montgomery

Judges: Louis Calais, and F. L. Worsley

Clerks: Ella Van Buren, Elizabeth Hayworth, and Fern Kelly

SPECIAL ELECTION PRECINCT NO. 9

Polling Place: Maple Hall, Salida

Inspector: G. W. Prickett

Judges: J. G. Elmore, and Beessie M. Capps,

Clerks: Viola Hammett, Marie Brown, Francis P. Gray

SPECIAL ELECTION PRECINCT NO. 10

Polling Place: Sylvan Clubhouse

Inspector: W. R. Mensinger

Judges: J. P. Melrose and Hester Drake

Clerks: Mildred Meily, Ethel M. Ouderkirk, Emma E. Phillips

SPECIAL ELECTION PRECINCT NO. 11

Polling Place: Empire School

Inspector: A. M. Bechtel

Judges: J. D. Bonsack and Chas. Swanger

Clerks: Myrtle H. Moody, Ruby Butler, and Alto P. Beekly

SPECIAL ELECTION PRECINCT NO. 12

Polling Place: Roy Morgan's Garage

Inspectors: Carlana C. Morris

Judges: Maryon J. Bell and Mrs. Clara Dean

Clerks: Rev. Z. J. Needham, R. V. Lamminan, and L. R. Swain

SPECIAL ELECTION PRECINCT NO. 13

Polling Place: Fairview School

Inspectors: Mrs. Clara Rowe

Judges: Hattie Clay and Ila Rutherford

Clerks: Mattie Fellows, Estella Jones, and Mrs. Dorothy Magladry

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election or supply the place of any absent member thereof.

It is further ordered that such election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the Charter of the City of Modesto. On the day the election is held, the polls shall be opened at 6 o'clock A. M. and must be kept open until 7 o'clock in the afternoon of said day when the polls shall be closed.

The City Clerk is hereby ordered to publish an election proclamation as required by law, containing a certified list of names and the offices to be filled, designating whether for a full term or unexpired term (which said certified list of names of candidates and the offices to be filled has heretofore been certified to this Council by the City Clerk as being the list of candidates nominated as required by the Charter of the City of Modesto) said publication of said election proclamation to be for the time and in the manner required by law.

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 28th day of March, 1925, by the following vote:

Ayes: Councilmen Boundey, Prewett, Osvald, Marshall, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: S. P. Elias
Mayor

Attest: L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 246-N.B.

Entitled "AN ORDINANCE CALLING A SPECIAL ELECTION (TO BE HELD IN CONNECTION WITH THE GENERAL MUNICIPAL ELECTION) TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY OF MODESTO THE PROPOSITION OF INCURRING BONDED INDEBTEDNESS FOR THE ACQUISITION AND CONSTRUCTION OF CERTAIN IMPROVEMENTS, THE COST OF WHICH WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUES OF SAID CITY: ESTABLISHING ELECTION PRECINCTS AND DESIGNATING ELECTION OFFICERS FOR THE HOLDING OF SAID ELECTION: FIXING THE DATE ON WHICH SAID ELECTION SHALL BE HELD: THE MANNER OF HOLDING THE SAME, AND OF VOTING FOR OR AGAINST THE INCURRING OF SUCH INDEBTEDNESS",

and which was read introduced, adopted and passed to print on the 7th day of March, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned:

Approved: _____

Mayor

Attest:  _____

City Clerk

.....

Council, City of Modesto,

Wednesday, April 11th, 1923

The Council met in regular session this date and there were present Councilman

Boundey, Marshall, Prewett, Oswald and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of March 28th, were read and ordered approved as read.

In the Matter of Tidewater Southern Railway Companys Petition for Spwr Tracks:

A petition was presented to the Council on March 28th, by the Tidewater Southern Railway Company, asking permission to extend a spur track into Lot 1, Block 60, but owing to a difference of opinion of the members of the Council the matter was laid over until this meeting. In the mean time a protest was presented, signed by approximately eighty-five citizens, protesting against the granting of the permission to extend the spur tracks in the above mentioned lot. The petition asks that a time be set for hearing before the Council take any decisive action, whereupon the matter was laid over until the next regular meeting of the Council to be held April 25th, at which time the matter will be taken up further.

In the Matter of Permit to Modesto Irrigation District for Pole Line:

Mr. J. R. Broughton, representing the Modesto Irrigation District appeared before the Council and explained that the Modesto Irrigation District were making plans to bring the power from Don Pedro Dam into the City of Modesto and he asks that the Council grant

a permit to the Modesto Irrigation District to use the "City's streets, alleys, lanes, etc. for the purpose of extending power transmission lines throughout the City. The sense of the Council as expressed was to the effect that it would be agreeable to grant such a permit for the purpose of extending lines throughout the City for the purpose of lighting but a request was made upon Mr. Broughton to have the district file an application in writing setting forth the nature of their proposed operation and the routes which they wish to use. The matter was then laid over for further consideration.

In the Matter of Maps:

Mr. Quinn of the Quinn Fugle Realty Company presented a map of a small tract of land within the three mile limit of the City of Modesto and asked that it be approved by the City Council. After an examination of the map a resolution was introduced, being

RESOLUTION NO. 779-N.S.

WHEREAS, there has been presented to this Council for its approval a certain map, entitled "Map of Quinn and Fugle Tract" being a subdivision of lots 7 Coolidge Colony in Sec. 21 T. 3 S. R 9 E. M. D. M. in two sheets, surveyed in April, 1923, by George H. Freitas CE, and drawn by F. S. Kelley.

Be It Resolved, that said map be approved by this Council and the City Clerk be and he is here by instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County, together with a copy of this resolution, indicating the action taken by the City Council of this City.

Adopted by the Council of the City of Modesto, April 11th, 1923, by the following vote:

Ayes: Councilmen Oswald, Boundey, Marshall, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Petition to Pave Hackberry Avenue:

Two separate petitions were filed and presented to the Council petitioning that action be taken immediately to pave Hackberry Avenue under two sets of proceedings, one set to cover the paving from Needham to Stoddard Avenue, and the other set from Stoddard to Morris Avenue. After an examination of the petition Councilman Boundey moved that that the Engineer be instructed to prepare the necessary plans and specifications and proceedings for this work which motion was seconded and carried by a vote of all members present.

In the Matter of Ordinance:

ORDINANCE NO. 244-N.S.

Entitled: "AN ORDINANCE REGULATING THE CONSTRUCTION OF FOOD ESTABLISHMENTS" and which was read, introduced, adopted, and passed to print on the 28th day of February, 1923 and having been published as required by law, Councilman Oswald, moved the final adoption of the ordinance, which ordinance was not adopted by reason of the following vote:

Ayes: Councilman Oswald,

Noes: Councilmen Boundey, Prewett, Marshall, and Mayor Elias

Absent: Councilmen None

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 Fund.....	\$18852.52
Water Fund.....	7619.25
Library Fund.....	1141.38
Street Intersection Fund	195.12
Storm Sewer Fund.....	2041.50
Miscellaneous Fund.....	530.94
Total.....	\$30180.71

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

In the Matter of Reports from Departments:

Reports were filed with the Council by the Health Department, Police Department and Engineering Department, which were ordered placed on file.

In the Matter of Canvassing the Returns of the General Municipal Election Held on April 10th, 1923, in the City of Modesto:

The returns of the General Municipal Election of the City of Modesto held April 10th, 1923, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open, and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the General Municipal Election held April 10th, 1923, for the purpose of electing a Mayor and two Councilmen, also three members of the Board of Education.

RESOLUTION NO. 780-N.S.

Resolution Determining the Result of Election

WHEREAS, a General Municipal Election was held in and for the City of Modesto, and a General School Election in and for the Modesto City School District, on the 10th day of April, 1923; 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 the said General Municipal Election in and for the City of Modesto, and said General School Election in and for said Modesto City School District, 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 general municipal election in and for the City of Modesto the total number of votes cast was 2041; that there was but one candidate for Mayor, to-wit: Sol P. Elias, and that he received 1398 votes therefore; that the number of votes received by said Sol P. Elias is greater than one-half of the number of ballots cast at such election, and that said Sol P. Elias is elected to the office of Mayor of the City of Modesto, and that a certificate of election to the office of Mayor of the City of Modesto be issued to said Sol P. Elias under the hand and seal of the City Clerk.

That the number of votes received by the respective candidates for the office of Councilman were as follows:

For A. N. Brown.....680 votes
For W. I. Carpenter.....164 votes
For M. P. Kepford.....237 votes
For George C. Nelson.....853 votes
For Albert Oswald.....1078 votes
For T. B. Townsend..... 586 votes

That the number of votes received by the following, to-wit: Albert Oswald, is greater than one-half of the number of ballots cast at such election, and that said Albert Oswald is elected to the office of Councilman of the City of Modesto, and that a certificate of election to the office of Councilman of the City of Modesto be issued to said Albert Oswald under the hand and seal of the City Clerk. That none of the other candidates for the office of Councilman received the required number of votes for election thereto, to-wit: more than one-half of the votes cast, and that A. N. Brown and George C. Nelson received the highest number of votes for said office next after the said Albert Oswald and are entitled to be placed upon the ballot for a second election.

The said Council sitting as such canvassing board as aforesaid, further finds and declares that at said General School Election in and for the said Modesto City School District the total number of votes cast was 2128; that the number of votes received by each of the candidates for election to the office of member of the Board of Education of said Modesto City School District was as follows:

John W. Guyler.....1327 votes
Walter Johnson.....1430 votes
R. H. McDrew..... 575 votes
F. E. Smith,.....1298 votes
C. D. Swan.....1288 votes

That the number of votes received by John W. Guyler, Walter Johnson, and F. E. Smith, and each of them, is greater than one-half of the number of ballots cast at such election, and that said John W. Guyler, Walter Johnson and F. E. Smith, were, and each of them was elected to the office of member of the Board of Education of the Modesto City School District, and that certificates of election be issued to them as such under the hand and seal of the City Clerk.

It is ordered by the Council that a second election be called in and for the City of Modesto to be held on the 24th day of April, 1923, to fill the remaining office of Councilman of the City of Modesto, and that the names of A. N. Brown and George C. Nelson be placed upon the ballot to be voted on at such election.

It is further ordered that the Clerk give notice of the holding of said election by issuing a proclamation thereof as required by law, and that the provisions of previous ordinances and resolutions of this Council and of the Statutes of the State of California with reference to the holding and conduct of said election be complied with by the proper officers; that the election precincts and polling places and election officers at said second election shall be the same as they were at the general municipal election held on April 10th, 1923.

The foregoing Resolution was introduced by Councilman Boundey, who moved its

adoption, which motion being duly seconded, the resolution was, upon roll call, adopted by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Canvassing the Returns of the Municipal Bond Election Held on April 10th, 1923, in the City of Modesto:

The returns of the Municipal Bond Election of the City of Modesto held April 10th, 1923, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open, and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the Municipal Bond Election held April 10th, 1923, for the purpose of submitting to the qualified voters of said city the proposition of incurring an indebtedness.

RESOLUTION NO. 781-N.S.

A Resolution declaring the result of a certain election in and for the City of Modesto held on the 10th day of April, 1923.

WHEREAS, the City Council of the City of Modesto, by Ordinance No. 246-N.S. called a special election to be held in connection with the general municipal election on the 10th day of April, 1923, to submit to the qualified voters of said city the proposition of incurring an indebtedness for the purpose in said ordinance set forth, and which said ordinance was published once a day for at least seven days before holding said election in the Modesto Morning Herald, a newspaper of general circulation published in said City at least six days a week, and

WHEREAS, all the provisions of law requisite to the calling of said election and the notice thereof were duly complied with, and the City Council of the City of Modesto so find, and

WHEREAS, said election was held on the 10th day of April, 1923 and was duly conducted in all respects in conformity with the laws of the State of California and the ordinances of the City of Modesto, and

WHEREAS, the proper officers of said election returned to and filed with the City Clerk of said City of Modesto returns of said election, which said returns were duly opened and canvassed by the said Council of said City and the results of said election ascertained on this the 11th day of April, 1923.

NOW, THEREFORE, it is by said City Council hereby found and declared that all of the acts and things required by law and the ordinances of this city relative to the calling, conducting and holding of said election to be done and performed have been done and performed; that the proper and necessary resolution required by law was introduced and passed by a two-thirds vote of the City Council and approved by the chief executive of said municipality; that an ordinance containing all of the statements and things required by law to be contained therein calling said election was duly introduced, passed, approved, and published in the manner and for the time required by law; that said special election was in every respect held and conducted as required by law and the ordinances of this city; that the returns thereof were duly and regularly made and filed with the City Clerk and were duly opened and canvassed

by said City Council as required by law; that the results of said special election and the votes cast for the proposition submitted were as follows:

The proposition submitted was that of incurring an indebtedness by the City of Modesto in the sum of Fifty-five Thousand Dollars, for the acquisition and construction of fire apparatus, including buildings for municipal purposes, to-wit: the use of the fire department, as specified in the plans and specifications therefor filed with the City Clerk by the chief of the Fire Department. That the total number of votes cast at said election was 2041; that 1386 votes were cast in favor of incurring the said indebtedness, and 520 votes were cast against incurring said indebtedness, and that the affirmative of the proposition voted upon (being in favor of the incurring of said indebtedness) received more than 1361 votes, which was more than two-thirds of all the votes cast by the voters voting at said special election held in connection with the general election, and that said indebtedness, to-wit: Fifty-five Thousand Dollars, as specified in said proposition, and the issuance of bonds of the City of Modesto to that amount, are hereby declared to be determined, accepted and authorized by said election to issue bonds of said city in the sum of Fifty-five Thousand Dollars for the purposes therein specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of April, 1923, by Councilman Bpundey, who moved its adoption, which motion, being duly seconded, the Resolution was upon roll call 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

No further business appearing the Council upon motion, adjourned.

Approved: _____
Mayor

Attest:  _____
City Clerk

Council, City of Modesto

Wednesday, April 25th, 1923

The Council met in regular session this date and there were present Councilmen Boundey, Prewett, Marshall, Oswald and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 11th, were read and ordered approved as read.

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 three bids on file the Council now proceeded to publicly open and declare the same. The bids received were from the Modesto Bank, United Bank & Trust Company, and Elliott & Horne Company, which opened, read as follows:

Modesto Bank: Principal and accrued interest, plus a premium of \$72.55
United Bank & Trust Company, Principal and accrued interest, plus a premium of \$21.00
Elliott & Horne Company, Principal and accrued interest, plus a premium of \$295.95

After due consideration Councilman Marshall moved that the bonds be delivered to Elliott & Horne Company upon payment into the City Treasury of the amount stipulated in their bid. The following is the Resolution in accordance therewith duly adopted.

RESOLUTION NO. 355-S.P.

RESOLUTION AWARDING BONDS TO HIGHEST BIDDER

WHEREAS, the time for sale has arrived and three bids have been received for the Improvement Bonds issued by virtue of the provisions of the "Improvement Bond Act of 1915" and represent and are secured by assessments made to pay the cost of construction storm water sewers in a portion of District No. 1, in said City, fully described in Resolution of Intention No. 154 passed by the City Council, June 14th, 1922, to which reference is hereby made under proceedings taken in pursuance of the "Improvement Act of 1911" and aggregate in the amount of \$20,685.22, which were opened and read as follows:

Modesto Bank: Principal and accrued interest, plus a premium of \$72.55
United Bank & Trust Company: Principal and accrued interest, plus a premium of \$21.00
Elliott & Horne Company: Principal and accrued interest, plus a premium of \$295.95

NOW THEREFORE, Be It Resolved that the bid of Elliott & Horne Company be accepted in the amount of \$20685.22 plus accrued interest a premium of \$295.95, and that the bids of the United Bank & Trust Company and Modesto Bank be rejected.

BE IT FURTHER, Resolved, that the City Treasurer be and he is hereby directed to deliver said bonds to Elliott & Horne Company into the City Treasury of the amount stipulated in their bid.

The foregoing resolution was regularly introduced and adopted at a regular meeting of the City Council held April 25th, 1923 by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Rejecting Bids:

Upon the adoption of Resolution No. 355-S.P. awarding the Improvement Bonds to the Highest Bidder, a resolution was introduced rejecting the bids of the Modesto Bank and the United Bank & Trust Company, and authorizing the City Clerk to return the certified checks accompanying the bids, being

RESOLUTION NO. 356-S.P.

WHEREAS, the City Council, City of Modesto did on the 25th day of April, 1923 open bids for the Street Improvement Bonds issued under 1915 Improvement Act, which were issued to cover the unpaid assessments arising out of work done under Resolution of Intention No. 154, and

WHEREAS, three bids were submitted:

NOW THEREFORE, Be It Resolved, that all of the bids other than the bid of Elliott & Horne Company of Los Angeles be and are hereby rejected and the City Clerk is hereby authorized to return the certified checks to the various bidders whose bids were rejected.

The foregoing resolution was introduced by Councilman Marshall this 25th day of April, 1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L.A. Love,
City Clerk

In the Matter of Tidewater Southern Railway Company's Spur Track:

The Tidewater Southern Railway Company having heretofore presented a petition for a permit to cross an alley in Block 60 of the City of Modesto and the petition having met with vigorous protest the Tidewater Southern Railway Company at this time have by written notice withdrawn the application heretofore made and by the unanimous vote of the Council the application was dismissed.

In the Matter of Claims:

A claim was presented to the Council by Lee Smith for detective service performed by R. I. McDaniel including his expenses and maintenance in the amount of \$81.25 and a further claim was presented by D. Darrenougue for reporting testimony of Joe Goodman, et al, for the City of Modesto, in the amount of \$12.00. After due consideration the Council authorized that a warrant be drawn in favor of the above mentioned parties in the amount specified in their claims.

In the Matter of Petition to Close 19th Street:

A petition was presented to the Council signed by Mr. F. V. Suggett and Alma W. Masters asking that the Council take the necessary steps to have Nineteenth Street closed between Downey Avenue and "H" Street, on the grounds that Nineteenth Street serves no particular purpose in that locality and that if it was not closed that some day it would be necessary to pave it and it was explained that the cost of paving this street would create an excessive burden on the property owners on both sides of it. After due consideration the matter was laid over in order that an investigation may be made of the circumstances between now and the next regular meeting.

In the Matter of Ordinance:

ORDINANCE NO. 249-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ISSUANCE, SALE AND REDEMPTION OF BONDS OF THE CITY OF MODOESTO IN ACCORDANCE WITH THE RESULT OF A CERTAIN ELECTION HELD IN SAID CITY ON THE 10th DAY OF APRIL, 1923, AND PROVIDING FOR THE FORM AND DENOMINATION OF SAID BONDS," was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of April, 1923, by Councilman Marshall, who moved its adoption and passage to print, which motion, being duly seconded, the ordinance was upon roll call passed and adopted on first reading and ordered printed and published 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 Changing the Name of Myrtle Avenue to College Avenue:

A petition was presented to the Council by various interested property owners living on Myrtle Avenue asking that the name be changed from Myrtle Avenue to College Avenue, whereupon an ordinance was introduced being,

ORDINANCE NO. 250-N.S.

Entitled: "AN ORDINANCE CHANGING THE NAME OF MYRTLE AVENUE TO COLLEGE AVENUE," was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of April, 1923 by Councilman Marshall, who moved its adoption and passage to print, which motion being duly seconded was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen Boundey, Prewett, Oswald, Marshall and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Paving "F" Street between Sixteenth and Seventeenth Streets;

A petition was presented to the Council signed by a majority of the property owners on "F" Street between Sixteenth and Seventeenth Streets asking that "F" Street between Sixteenth and Seventeenth Streets be paved with pavement of the standard specifications at the earliest possible moment. The petition was referred to the City Engineer with instructions to prepare the necessary plans, specifications and proceedings for going ahead with this work.

In the Matter of Ordinance No. 248-N.S.:

An ordinance providing for the purchase of certain supplies for the Electrical Department was presented for final adoption but owing to the apparent shortage of funds with which the City is faced during the next several months the Council took no action upon this ordinance with regard to its final adoption and post-poned further action until the second meeting in May.

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. 158, Assessment No. 111, and no written objections being presented, the Council thereupon under Resolution No. 357-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. 357-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 23rd day of August 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 158, 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 Bond 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 Street 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, find, 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 April, 1923, 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

\$1041.71.

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 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 on all assessments unpaid and that the aggregate amount of the same is the sum of \$1041.71.

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 \$1041.71, in the aggregate; that said bonds shall be issued in fifteen series of one bond in each series, shall each and all be dated the 5th day of April, 1923; 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	\$61.70	July 2, 1924
No. 2	70.00	July 2, 1925
No. 3	70.00	July 2, 1926
No. 4	70.00	July 2, 1927
No. 5	70.00	July 2, 1928
No. 6	70.00	July 2, 1929
No. 7	70.00	July 2, 1930
No. 8	70.00	July 2, 1931
No. 9	70.00	July 2, 1932
No. 10	70.00	July 2, 1933
No. 11	70.00	July 2, 1934
No. 12	70.00	July 2, 1935
No. 13	70.00	July 2, 1936
No. 14	70.00	July 2, 1937
No. 15	70.00	July 2, 1938

It is further ordered that said bonds 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 23rd day of May, 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 bond, 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 at a regular meeting of the City Council April 25th, 1923, by Councilman Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Marshall, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

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 No. 160, Assessment No. 110, and no written objections being present, the Council thereupon under Resolution No. 358-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. 358-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS.

WHEREAS, on the 23rd day of August, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 160, 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 there-

is 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 find, 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 April, 1923, 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 \$3358.13.

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 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 \$3358.13.

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 \$3358.13 in the aggregate; that said bonds shall be issued in fifteen series of one bond in each series, shall each and all be dated the 23rd day of May, 1923, 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	\$233.21	July 2, 1924
No. 2	225.00	July 2, 1925
No. 3	225.00	July 2, 1926
No. 4	225.00	July 2, 1927
No. 5	225.00	July 2, 1928
No. 6	225.00	July 2, 1929
No. 7	225.00	July 2, 1930
No. 8	225.00	July 2, 1931
No. 9	225.00	July 2, 1932
No. 10	225.00	July 2, 1933
No. 11	225.00	July 2, 1934
No. 12	225.00	July 2, 1935
No. 13	225.00	July 2, 1936
No. 14	225.00	July 2, 1937
No. 15	225.00	July 2, 1938

It is further ordered that said bonds 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 June 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 bond, 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 at a regular meeting of the City Council April 25th, 1923, by Councilman Boundey 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

L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 251-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF ADDITIONAL BOXES AND EQUIPMENT FOR FIRE ALARM SYSTEM AND APPROPRIATING \$5000.00 FROM THE FIRE BOND ISSUE FUND TO PAY FOR THE SAME AFTER THE BONDS HAVE BEEN SOLD",

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held the 25th day of April 1923, by Councilman Marshall, who moved its adoption and passage to print, which motion, being duly seconded, the ordinance was upon roll call passed and adopted on first reading and ordered printed and published as above by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leasing Automobile for Engineering Department:

The City Engineer explained that it was urgent and necessary that an automobile be procured for use in that department and after due consideration a resolution was introduced by Councilman Marshall being

RESOLUTION No. 782-N.S.

authorizing the lease of an automobile for the Engineering Department and providing for the terms of the lease. The resolution was regularly introduced and adopted this 25th day of April, 1923 by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, Oswald and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Canvassing the Returns of the General Municipal Election Held on April 24th, 1923, in the City of Modesto;

The returns of the General Municipal Election of the City of Modesto held April 24th, 1923, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open, and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the General Municipal Election held April 24th, 1923, for the purpose of electing a Councilman for the City of Modesto.

RESOLUTION NO. 783-N.S.

RESOLUTION DETERMINING RESULT OF ELECTION

WHEREAS, a General Municipal Election was held in and for the City of Modesto on the 24th day of April, 1923; 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 the said General Municipal Election in and for the City of Modesto, was regularly called, held and conducted as required by law; that the proper and complete returns thereof

have been made 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 general municipal election in and for the City of Modesto the total number of votes cast was 813;

That the number of votes received by the respective candidates for the office of Councilman were as follows:

For A. N. Brown.....596 votes
Geo. C. Nelson.....68 "
T. B. Townsend.....338 "

That the number of votes received by A. N. Brown is greater than the number of votes received by George Nelson or T. B. Townsend and that said A. N. Brown is elected to the office of Councilman of the City of Modesto and that a certificate of election to the office of Councilman of the City of Modesto be issued to said A. N. Brown under the hand and seal of the City Clerk.

The foregoing resolution was introduced by Councilman Marshall at a regular meeting held on April 25th, 1923, which motion being duly seconded, the resolution was upon roll call, 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

No further business appearing the Council upon Motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

COUNCIL, City of Modesto,
Wednesday, May 9th, 1923.

The Council met this day in regular session and there were present Councilmen Boundey, Brown, Prewett and Oswald. Absent: Mayor Elias, Vice-President of the Council, Oswald, Presiding.

In the Matter of Minutes:

The minutes of the previous meeting April 25th, were read and ordered approved as read.

In the Matter of Music Week:

Mr. T. K. Beard, together with Mr. Smith appeared before the Council to ask if the Civic Body would not extend an invitation to Major General George A. Barnett, of San Francisco, and request the presence of the Marine Band in Modesto, during Music Week.

Whereupon, Councilman Prewett moved that the Mayor write to the General and make such request as outlined. The motion was duly seconded and carried by a vote of all members present.

In the Matter of Trees in Tree Planting District:

Mr. F. A. Weast appeared before the Council to call the attention of that body to the fact that a great many of the trees, which were planted during the period in which the tree planting assessment was effective, had died and had not been replaced. No action was taken by the Council in this matter.

In the Matter of Bridging Canal Across Ensen Avenue:

Mr. J. R. Broughton representing the Modesto Irrigation District appeared before the Council to determine whether the City would construct a bridge across the canal at Ensen Avenue. It was explained that the City's financial condition at the present time did not permit an expenditure for this purpose and furthermore the sentiment as was expressed was to the effect that the cost of the bridge across the canal at this point should be partially borne by the Irrigation District.

In the Matter of Request for Use of Seats:

The Chamber of Commerce petitioned that the City Council permit the benches which are in the City Hall to be taken out and placed at convenient locations on the streets during the G. A. R. Convention for the use and accommodation of the G. A. R. Veterans. A further request was made by the Chamber of Commerce, for Street Lights to be installed on Twelfth Street between "H" and "I" Streets, in order that Twelfth Street might be lighted on Friday night, May 18th, at which time competitive teams of the G. A. R. will hold their military drills on that street. Councilman Boundey moved that the seats be loaned for the occasion and that the City Engineer be instructed to install the temporary wiring and lights. The motion was duly seconded and carried by a vote of all members present.

In the Matter of Parking Taxicabs:

A petition was filed by the various taxicab drivers petitioning the Council to allow them the privilege of parking their cars in the center of "I" Street between 9th and 10th Streets. The petition states that if such a privilege is granted them an improved condition will be brought about to both themselves and the general public. After some discussion on the subject Councilman Boundey introduced an ordinance being,

ORDINANCE NO. 252-N.S.

Entitled: "AN ORDINANCE PROVIDING PARKING SPACES FOR LICENSED TAXICABS" was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of May, 1923, by Councilman Boundey who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilman Boundey, Brown, Prewett; Oswald,

Noes: Councilmen None

Absent: Councilman, Mayor Elias.

In the Matter of Ordinance:

ORDINANCE NO. 253-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN APPARATUS FOR THE FIRE DEPARTMENT" was introduced at a regular meeting of the Council of the City of Modesto, held on the 9th day of May, 1923, by Councilman Oswald who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald and Prewett

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Ordinance:

ORDINANCE NO. 249-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ISSUANCE, SALE AND REDEMPTION OF BONDS OF THE CITY OF MODESTO IN ACCORDANCE WITH THE RESULT OF A CERTAIN ELECTION HELD IN SAID CITY ON THE 10th DAY OF APRIL, 1923, AND PROVIDING FOR THE FORM AND DENOMINATION OF SAID BONDS," and which was read, introduced, adopted and passed to print on the 25th day of April, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Ordinance:

ORDINANCE NO. 250-N.S.

Entitled: "AN ORDINANCE CHANGING THE NAME OF MYRTLE AVENUE TO COLLEGE AVENUE", having been published as required by law, coming up for final adoption, it was determined that a map has been previously filed for a portion of the street in question whereon the name of that street does not agree with the name of the street outlined in the Ordinance, therefore the Council decided to not finally adopt the Ordinance as originally presented, but voted it out by the following vote:

Ayes: Councilmen None

Noes: Councilmen Brown, Boundey, Oswald and Prewett,

Absent: Mayor Elias

In the Matter of Ordinance:

ORDINANCE NO. 251-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF CERTAIN SUPPLIES FOR THE FIRE DEPARTMENT", and which was read, introduced, adopted and passed to print on the 25th day of April, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, and Prewett

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Ordinance:

ORDINANCE NO. 254-N.S.

Entitled: "AN ORDINANCE CHANGING THE NAME OF MYRTLE AVENUE FROM NEEDHAM AVENUE TO THE CANAL TO THE NAME OF COLLEGE AVENUE" was introduced at a regular meeting of the Council of the City of Modesto, held on the 9th day of May, 1923, by Councilman Boundey who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published, by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald and Prewett

Noes: Councilmen None

Absent: Mayor Elias

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:

General Fund.....	\$16189.79
Water Fund.....	3026.59
Library Fund.....	1271.64
Bond Red. & Int. Fund.....	450.00
Total.....	<u>\$20938.02</u>

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

In the Matter of Public Improvement Under The Improvement Act of 1911:

RESOLUTION NO. 359-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 "F" Street from the northerly line of Sixteenth Street to the Southerly line of Seventeenth Street, 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; 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 9th day of May, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown Osvald and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 360-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 Hackberry Avenue from the North Line of Needham Street to the center line of Stoddard Avenue be graded to the official subgrade; 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 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 9th day of May, 1923, by the following vote;

Ayes: Councilmen Boundey, Brown, Oswald, and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 361-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 Hackberry Avenue from the Center Line of Stoddard Avenue to the center line of Morris Avenue, be graded to the official subgrade; 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; 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 9th day of May, 1925, by the following vote;

Ayes: Councilmen Boundey, Brown, Prewett and Oswald

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love,
City Clerk

In the Matter of Sale of a Portion of Fair Grounds:

RESOLUTION NO. 784-N.S.

providing for the sale and disposal of certain real property within the City Limits, acquired for the purpose of an Industrial Exposition Park, Aviation Field and Athletic Grounds, and more specifically outlining a portion of this land to be sold and conveyed to the Modesto City School District for school purposes, was introduced by Councilman Prewett who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Reports:

Reports were filed with the Council by the Police Department, Health Department, and Engineering Department, and after an examination of same, were ordered placed on file in the office of the City Clerk.

No further business appearing the Council, upon motion by Councilman Prewett, adjourned to meet at a regular adjourned meeting, Wednesday May 16th, 1923, at 7:30 o'clock P.M. at the City Hall, City of Modesto.

Approved: _____

Mayor

Attest: _____

City Clerk

.....

Council, City of Modesto

Wednesday, May 16th, 1923.

The Council met in adjourned session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias Absent: Councilmen None.

In the Matter of Assigning Commission to Councilman A. N. Brown.

RESOLUTION NO. 785-N.S.

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

That Mr. A. N. Brown, who was regularly elected at a General Municipal Election on April 24th, 1923, in the City of Modesto, be and he is hereby appointed as Commissioner of Public Supplies and that such appointment shall be subject in every way to the provisions of the Charter of the City of Modesto.

The foregoing resolution was introduced at an adjourned meeting of the Council, this 16th day of May, 1923, and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love
City Clerk

In the Matter of Connecting Up a Sewer Outside of City Limits:

A petition was presented to the Council by Mr. Guy Johnson asking that he be allowed to make connection to the City Sewer from his premises which are located on Leon Avenue and South Avenue just outside of the City Limits.. In making this application Mr. Johnson referred to Section 15, Ordinance 276, and enclosed with his application a check for \$25.00 for the fee. After a brief discussion Councilman Prewett introduced a resolution, being.

RESOLUTION NO. 786-N.S.

granting Mr. Guy Johnson the privilege of connecting up with the City Sewer upon the payment of the required fee and making a rental for the privilege of using the City Sewer, of \$6.00 per year payable in advance.

The resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, 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

Council, City of Modesto

Wednesday, May 23rd, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Prewett, Oswald, and Mayor Elias, Absent Councilmen None.

In the Matter of Minutes:

The minutes of the regular meeting of May 9th, and the adjourned meeting of May 16th, were read and ordered approved.

In the Matter of Complaint against use of Tennis Courts:

Complaint was registered with the Council against the noise and disturbance raised in the early morning hours by tennis players in Graceada Park. It appears that players come into the park at 4:30 and 5 o'clock A. M. and make an unnecessary amount of noise thereby disturbing the people in the immediate neighborhood. The Council after considering the complaint authorized Commissioner of Parks, Mr. Morris to have notices painted and conspicuously posted on the tennis courts to the effect that no playing will be permitted before 6 A.M. or later than 10 P.M.

In the Matter of Application for Water by School Board.

Mr. Carl Hansen representing the Modesto Board of Education appeared before the Council and requested that the City furnish the new schools which are now being constructed, with water and that the City make the necessary taps and installations without charge. The City Council did not look favorably upon this request and advised Mr. Hansen that the schools would be furnished water by the City upon the payment of the regular fees for the taps and with the understanding that the schools should furnish meters which would be installed to measure all water used and that the schools should pay for all water used both for the purpose of construction and for future use at regular meter rates.

In order that this matter may be entered upon the minutes of the Council, Councilman Prewett moved that the above action take the form of a motion presented by himself, which motion was duly seconded and carried by the following vote:

Ayes: Councilmen Boundey, Brown Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

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. 111. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 362-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 6th day of May, 1923, 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 "I" Street from 9th Street to 12th Street, in said City, fully described in Resolution of Intention No. 158 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 \$1041.71.

The foregoing resolution was adopted at a regular meeting May 23rd, 1923, by the following votes;

Ayes: Councilmen Boundey, Brown, Gevald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: 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 Resolutions of Intention No.s 143 and 149, Assessment Nos. 112 and 113, and no written objections being presented, the Council thereupon under Resolution Nos. 363-S.P. and 364-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. 363-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 24th day of May, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 149, 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 some 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 May, 1923, 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 the same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$3918.40.

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 \$3918.40.

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 \$3918.40 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 5th day of May, 1923; 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	\$278.40	July 2, 1924
No. 2	260.00	July 2, 1925
No. 3	260.00	July 2, 1926
No. 4	260.00	July 2, 1927
No. 5	260.00	July 2, 1928
No. 6	260.00	July 2, 1929
No. 7	260.00	July 2, 1930
No. 8	260.00	July 2, 1931
No. 9	260.00	July 2, 1932
No. 10	260.00	July 2, 1933
No. 11	260.00	July 2, 1934
No. 12	260.00	July 2, 1935
No. 13	260.00	July 2, 1936
No. 14	260.00	July 2, 1937
No. 15	260.00	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 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 27th day of June, 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 Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Nays: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 364-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 22nd day of March 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 143 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 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 condition as 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 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 some 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 May, 1923, 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 \$4216.14.

NOW THEREFORE, Be It Resolved;

That the 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 \$4216.14

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 \$4216.14 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 May, 1923; 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; and that said bonds shall be for the principal sum or denomination as hereinafter stated and shall be numbered payable as follows;

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$296.14	July 2, 1924
No. 2	280.00	July 2, 1925
No. 3	280.00	July 2, 1926
No. 4	280.00	July 2, 1927
No. 5	280.00	July 2, 1928
No. 6	280.00	July 2, 1929
No. 7	280.00	July 2, 1930
No. 8	280.00	July 2, 1931
No. 9	280.00	July 2, 1932
No. 10	280.00	July 2, 1933
No. 11	280.00	July 2, 1934
No. 12	280.00	July 2, 1935
No. 13	280.00	July 2, 1936
No. 14	280.00	July 2, 1937
No. 15	280.00	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 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 27th day of June, 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 at a regular meeting by Councilman Boundey, on the 23rd day of May, 1923, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 248-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF CERTAIN SUPPLIES FOR THE ELECTRICAL DEPARTMENT", coming up for final adoption as per previous orders of the Council was again laid over until the first meeting in June.

In the Matter Of Ordinance:

ORDINANCE NO. 253-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN APPARATUS FOR THE FIRE DEPARTMENT", which was read, introduced, adopted, and passed to print on the 9th day of May, 1923, and having been published as required by law, Councilman Oswald moved the final adoption of the ordinance, the motion seconded, adopted final by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of 1923 Audit:

A letter was presented to the Council from Brotherton & Thomas Company, certified public accountants, asking that they be given an opportunity to make the 1922-23 audit of the City Books. The matter was laid over until the first meeting in June.

In the Matter of Approval of Assessment Maps:

The assessment maps for the property to be assessed for the Street Improvement work performed under Resolution of Intention No. 162 and Resolution of Intention No. 163 were presented to the Council for approval. Upon a close scrutiny of these assessment maps, resolutions were introduced approving of them, being

RESOLUTION NO. 365-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Poplar Avenue, and

RESOLUTION NO. 366-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of 16th Street. Both of the foregoing resolutions were approved by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Plumbing Licenses:

An application for Plumber's License was applied for by Oscar L. Zeis and accompanied by a bond in the amount of \$2500.00 as required by Ordinance No. 276. After considering the application Councilman Boundey moved that the license be granted, which motion was carried by a vote of all members present.

In the Matter of Street Work:

Engineer's Estimate

In compliance with Resolution No. 360-S.P., the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 367-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, F. W. McCarten, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 165, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 368-S.P.

Resolution of Intention No. 165

RESOLVED, that it is the intention of the City Council of the City of Modesto to order the following work to be done and improvement to be made in said City, to-wit:

That Hackberry 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 Warrenite-Bitolithic 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, connection 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 West curb line of Hackberry Avenue one hundred thirty-six and five tenths (136.5) feet north of the North line of Needham Street; one (1) on the East curb line of Hackberry Avenue two hundred eighty-five (285) feet North of the North line of Needham Street; one (1) on the Southwest curb line of Hackberry Avenue and Alice Street; one (1) on the East curb line one hundred ten (110) feet North from the North line of Alice Street, one (1) on the West curb line two hundred sixty three (263) feet North from the North line of Alice Street; one (1) on the Southeast curb line of Hackberry Avenue and Wright Street; one (1) on the West curb line one hundred twenty-five (125) feet North from the North line of Wright Street one (1) on the Southeast curb line of Hackberry Avenue and Stoddard Avenue.

All as more fully and in detail appears and as shown by and described and specified in plans and specifications for the doing of said work and which have heretofore been adopted by the City Council of the City of Modesto and on file in the office of the City Clerk, which are hereby referred to for greater certainty and a more particular description of said contemplated improvement.

And when said work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on plans, providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers Company of Boston, Mass., of date of May 9th, 1923, and on file in the office of the City Clerk of the City of Modesto.

And whereas said contemplated work and improvement is, in the opinion of said City Council, of more than local or ordinary public benefit, said Council hereby makes the cost and expenses of said work or improvement chargeable upon a district, which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which district is described as follows and consists of the following described lots and blocks.

Lots 1 to 18, both inclusive, Block 527; Lots 1 to 16 both inclusive, Block 526, Lots 1 to 10 both inclusive, Block 525, Lots 11 to 20 both inclusive, Block 518, Lots 17 to 32 both inclusive, Block 517, Lots 19 to 36 both inclusive, Block 516 (as per Map of Record in the County Recorders Office, Volume 10 of Maps, Pages 527, 526, 525, 518, 517, 516, Stanislaus County Records recorded March 18, 1920).

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature fourteen years from the second day of July next succeeding nine months from their date.

Notice is hereby given that on the 27th day of June, 1923, at 8 o'clock P.M. and the Council Chamber of the City Council is hereby fixed as the time and place where any and all persons having any objections to the proposed work and improvement may appear and show cause why said work and improvement should not be carried out in accordance with this Resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Morning Herald, a daily newspaper published and circulated in said city and hereby designated for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said work and improvement, and in front of all the property liable to be assessed, notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act of the Legislature of the State of California designated the "Improvement Act of 1911" approved April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the City Council of the City of Modesto at a regular meeting of said Council held the 23rd day of May, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love
City Clerk

Engineer's Estimate

In compliance with Resolution No. 361-S.P. the City Engineer submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 369-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, Fl W. McCarton, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 166, by the following vote, to-wit:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 370-S.P.

Resolution of Intention No. 166

RESOLVED, that it is the intention of the City Council of the City of Modesto to order the following work to be done and improvement to be made in said city, to-wit:

That Hackberry Avenue, from the center line of Stoddard Avenue, northerly to the center line of Morris 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 (2½) inches in thickness and a Warrentie-Bitulithic wearing surface one and one-half (1½) 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, connection 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 west curb line of Hackberry Avenue one hundred forty-eight (148) feet north of the north line of Stoddard Avenue; one (1) on the East curb line of Hackberry Avenue two hundred ninety-five (295) feet north of the north line of Stoddard Avenue; one (1) on the west curb line of Hackberry Avenue four hundred forty-eight (448) north of the north line of Stoddard Avenue one (1) on the southeast curb line of Hackberry Avenue and Morris Avenue.

All as more fully and in detail appears and as shown by and described and specified in plans and specifications for the doing of said work and which have heretofore been adopted by the City Council of the City of Modesto and on file in the office of the City Clerk, which are hereby referred to for greater certainty and a more particular description of said contemplated improvement.

And when said work proposed to be done on the respective streets, avenues, and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise

shown on plans; providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers Company of Boston, Mass., of date of May 9th, 1923, and on file in the office of the City Clerk of the City of Modesto.

And whereas said contemplated work and improvement is, in the opinion of said City Council of more than local or ordinary public benefit, said Council hereby makes the cost and expenses of said work or improvement chargeable upon a district, which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and expenses thereof; which district is described as follows and consists of the following described lots and blocks;

Lots 25 to 48, both inclusive, Block 519; Lots 1 to 20 both inclusive, Block 523; as per Map of Record in the County Recorders Office, Volume 10 of Maps, Pages 519, 523, Stanislaus County Records recorded March 18th, 1920).

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature fourteen years from the second day of July next succeeding nine months from their date.

Notice is hereby given that on the 27th day of June, 1923, at 8 o'clock P.M. and the Council Chamber of the City Council is hereby fixed as the time and place where any and all persons having any object one to the proposed work and improvement may appear and show cause why said work and improvement should not be carried out in accordance with this Resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Morning Herald, a daily newspaper published and circulated in said city and hereby designated for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said work and improvement, and in front of all the property liable to be assessed, notice of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of the act of the Legislature of the State of California designated the "Improvement Act of 1911", approved April 7th, 1911, and amendments thereto.

I, hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the City Council of the City of Modesto at a regular meeting of said Council held the 23rd day of May, 1923, by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

Engineer's Estimate

In compliance with Resolution No. 359-S.P., the City Engineer, F. W. McCarton, submitted plans and specifications for his estimate of the cost of the work.

RESOLUTION NO. 371-S.P.

Adopting plans and specifications as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call was declared adopted as outlined in Resolution of Intention No. 167, by the following vote; to-wit:

Ayes: Councilmen Bounday, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 372-S.P.

Resolution of Intention No. 167

RESOLVED, that it is the intention of the City Council of the City of Modesto to order the following work to be done and improvement to be made in said city to-wit:

That "F" Street from the Northerly line of Sixteenth Street to the Southerly line of Seventeenth 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; 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.

All as more fully and in detail appears and as shown by and described and specified in plans and specifications for the doing of said work and which have heretofore been adopted by the City Council of the City of Modesto and on file in the office of the City Clerk, which are hereby referred to for greater certainty and a more particular description of said contemplated improvement.

And when said work proposed to be done on the respective streets, avenues, and highways aforementioned is described as being between certain lines, it includes the doing of all work upon the street intersections and terminations between such lines, unless otherwise shown on plans, providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers Company of Boston Mass., of date of May 12th, 1923, and on file in the office of the City Clerk of the City of Modesto.

And whereas said contemplated work and improvement is, in the opinion of said City Council, of more than local or ordinary public benefit, said Council hereby makes the cost and expenses of said work or improvement chargeable upon a district, which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which district is described as follows and consists of the following described lots and blocks.

Lots 9 to 24, both inclusive, Block 128; Lots 1 to 3 and Lots 29 to 32, both inclusive, Block N; (as per Map of Record, in the County Recorders Office, Volume 10 of Maps, Pages 128, N, Stanislaus County, Records recorded March 18, 1920.)

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear

interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature fourteen years from the second day of July next succeeding nine months from their date.

Notice is hereby given that on the 27th day of June, 1923, at 8 o'clock P.M., and the Council Chamber of the City Council is hereby fixed as the time and place where any and all persons having any objections to the proposed work and improvement may appear and show cause why said work and improvement should not be carried out in accordance with this Resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Morning Herald, a daily newspaper published and circulated in said city and hereby designated for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said work and improvement, and in front of all the property liable to be assessed, notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act of the Legislature of the State of California designated the "Improvement Act of 1911", approved, April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the City Council of the City of Modesto at a regular meeting of said Council held the 23rd day of May, 1923, by the following vote:

Ayes: Councilmen Bounday, Brown, Osvald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Recreational Director's Report:

A report was presented to the Council by Mrs. Mable Carr Warren, and ordered placed on file.

In the Matter of Plumbing Ordinance:

ORDINANCE NO. 255-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE REGISTRATION AND LICENSING OF PLUMBERS AND ESTABLISHING RULES AND REGULATIONS FOR THE PLUMBING AND DRAINAGE OF BUILDINGS IN THE CITY OF MODESTO",

was introduced at a regular meeting of the Council of the City of Modesto, held on the 23rd day of May, 1923, by Councilman Osvald who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen Bounday, Brown, Osvald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Dry Grass on Vacant Lots:

The attention of the Council was called to the great number of vacant lots which are over-grown with grass and weeds and which as the summer months approach become a serious fire hazard. After some discussion the Council authorized the Fire Chief Wallace to burn the grass off the vacant lots.

In the Matter of Sale of Electric Motor and Compensator:

It was explained to the Council that the City owned an electric motor and an automatic compensator which are no use to the City and some money could be raised by selling these two items to the highest bidder. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 787-N.S.

authorizing the sale of useless personal property consisting of one Automatic Compensator, and one Induction Motor, and authorizing the City Clerk to advertise these items for sale to the highest bidder.

The resolution was regularly introduced this 23rd day of May, and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

Reports were filed by the Health Department showing the operation of that department for the last two weeks, and they were ordered placed on file.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto

Wednesday, June 13th, 1923.

The Council met in regular session this date and there were present Councilmen Boundey, Brown Prewett, Oswald, and Mayor Elias, Absent: Councilmen None

In the Matter of Minutes:

The minutes of the meeting of May 23rd were read and approved.

In the Matter of Mayor's Report:

A report was filed with the Clerk by the Mayor this day and was read before the Council. The report had to deal with the financial condition of the City Treasury and the establishment of a policy regarding donations for purposes other than strictly municipal work. The report further recommended that the City no longer continue to donate water to the schools within the Modesto School District but should make a nominal charge for all water furnished. The report was ordered placed on file.

After the reading of the report in question Reverend Sylvester made an appeal to the City Council on behalf of the work done by the Salvation Army in the past and the work being done by them at present, and urged that the City Council would not withdraw the support which has been given this organization during the past year.

Mr. Smith protested against the support of the City being withdrawn by abolishing a Recreational Director who was appointed last August.

Considerable discussion was had upon this subject but the Council took no definite action at this time.

In the Matter of Request for Building Permit:

Mr. Wallace Hubbart appeared before the Council and asked for permission to make an addition to a galvanized iron building in the rear of the Grange Company's Office in Block 56. The proposed addition was to be built of galvanized iron on a wood frame, the dimensions of which were 10 feet by 60 feet. Inasmuch as this proposed building was to be built within the fire limits, Councilman Prewett moved that the request be denied upon the ground that it did not comply with the present building Ordinance for buildings within the fire limits. The motion was duly seconded, carried and so-ordered.

In the Matter of Rodeo:

A petition was presented to the Council by a committee consisting of F. E. McCurtain But Gorns, and A. Garrison, asking that they be allowed to hold and conduct a Rodeo entertainment upon the Municipal Ball Park in the City of Modesto on June 24th, 1923. After due consideration Councilman Boundey moved that the request be denied. The motion was seconded, carried and so-ordered.

In the Matter of Request for Sewer and Water:

A petition was presented to the Council by Marshall & Russell asking that the City Council proceed to have the property on both sides of Terminal Avenue as well as on the both sides of North Orange Street piped with water and sewer mains.

A petition was presented by the Ross Lumber Company asking that the Council take

take such steps as are necessary to have water and sewer lines laid to Block 139 on the northerly line of 7th Street between "E" and "F" Streets.

Inasmuch as there are no funds available with which to make this extension Councilman Boundey moved that the matter be laid over until the next regular meeting June 27th, the 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 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 one bid on file the Council proceeded to publicly open and declare the same. The bid was from F. J. Spenker, which opened, read as follows:

"To the City Council, City of Modesto:

Pursuant to, Notice to Bidders advertise certain improvement bonds of the City of Modesto to be sold on June 13th, in the aggregate amount of \$3558.13, I hereby tender a bid for par and accrued interest to this date plus a premium of \$6.71.

I enclose herewith a certified check in the amount of \$500.00 as a guarantee of good faith.

F. J. Spenker"(signed)

After due consideration Councilman Boundey moved that the bonds be delivered to F. J. Spenker upon payment into the City Treasury of the amount stipulated in his bid.

The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 375-S.P.

RESOLUTION AWARDING BONDS TO HIGHEST BIDDER

WHEREAS, the City Council of the City of Modesto, did on the 15th day of May, 1923, 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 portions of 10th, 11th and 12th Streets, as more fully described in Resolution of Intention No. 160, passed on the 23rd day of August, 1922, in pursuance of the "Improvement Bond Act of 1911", and whereas the time of sale having arrived and one bid having been received which opened, read as follows:

"To the City Council, City of Modesto:

Pursuant to Notice to Bidders advertising certain improvement bonds of the City of Modesto to be sold on June 13th, in the aggregate amount of \$3558.13, I hereby tender a bid for par and accrued interest to this date plus a premium of \$6.71.

I enclose herewith a certified check in the amount of \$500.00 as a guarantee of good faith.

F. J. Spenker".

It is hereby ordered determined and declared that the bid is satisfactory and that the City Treasurer be and he is hereby directed to deliver said bonds to F. J. Spenker, upon the payment by said F. J. Spenker into the City Treasury of the amount stipulated in his bid.

The foregoing resolution was regularly introduced at a regular meeting of the City Council, on the 15th day of June, 1923, and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Claims:

The claims for the month of May, 1923, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund	16137.33
Water Fund.....	4655.74
Library Fund.....	663.44
Personal Prop. Tax Trust Fund 1921...	2.70
Personal Prop. Tax Trust Fund 1922...	1.20
Total.....	<u>\$21460.41</u>

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

In the Matter of Plumber's License:

An application for Plumber's License was applied for by the Stockton Plumbing Supply Company accompanied by a bond from the National Surety Company in the amount of \$2500.00. Councilman Boundey moved that the application be passed upon and that the Stockton Plumbing Supply Company be allowed to do business in the City of Modesto. The motion was duly seconded, carried and so-ordered.

In the Matter of Annual Audit:

The matter of making arrangements for having the City's accounts audited at the end of the fiscal year ending June 30th, 1923, was laid over from a previous meeting to be taken up at this time. The auditing firm of Brotherton, Thomas and Company, had previously written the Mayor a letter asking that they be considered when the time arrived for making the arrangements for this year's audit and this application was referred to the Council.

After due consideration by the members of the Council, Councilman Prewett moved that the Mayor be authorized to arrange with the Brotherton, Thomas & Company to audit the City Books at the end of the present fiscal year.

The motion was duly seconded, carried, and so-ordered.

In the Matter of Ordinances

ORDINANCE NO. 252-N/S.

Entitled: "AN ORDINANCE PROVIDING PARKING SPACES FOR LICENSED TAXICABS" and which was read, introduced, adopted and passed to print on the 9th day of May, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 248-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE OF CERTAIN SUPPLIES FOR THE ELECTRICAL DEPARTMENT", was further laid over to be brought up for further discussion at the first meeting in July, 1923,

In the Matter of Ordinance:

ORDINANCE NO. 254-N.S.

Entitled: "AN ORDINANCE CHANGING THE NAME OF A PORTION OF MYRTLE AVENUE TO COLLEGE AVENUE", and which was read, introduced, adopted, and passed to print on the 9th day of May, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted final, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 255-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE REGISTRATION AND LICENSING OF PLUMBERS AND ESTABLISHING RULES AND REGULATIONS FOR THE PLUMBING AND DRAINAGE OF BUILDINGS IN THE CITY OF MODESTO,"

coming up at this time for final adoption was protested by many interest parties and as a result the Council ordered that it be laid over for further consideration and again brought up for discussion or final adoption at the first regular meeting in July.

In the Matter of Closing of 19th Street, "H" to Downey Avenue:

Acting upon a petition presented several weeks ago by F. V. Suggett, and Alma W. Masters, asking that the Council take such action as is necessary to have 19th Street closed between "H" Street and Downey Avenue, a resolution was introduced being,

RESOLUTION NO. 574-S.P.

Resolution of Intention No. 168

A Resolution of Intention to Close Nineteenth Street between "H" Street and Downey Avenue.

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 City Council of the City of Modesto to order the work done and improvement to be made which is described as follows: That Nineteenth Street between the northwesterly line of "H" Street and the southerly line of Downey Avenue 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 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 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 northeasterly corner of Block K in the City of Modesto; thence in a southerly direction along the westerly boundary line

of Kimble Street to its intersection with the northwesterly line of "H" Street, thence southwesterly along the northwesterly line of "H" Street to its intersection with the northeasterly line of the alley running through Block 132 of the City of Modesto; thence northwesterly along the northeasterly line of said alley to its intersection with the line between Lots 8 and 9 in Block 132; thence northeasterly along the line between said Lots 8 and 9 in Block 132 to the intersection of said line with the south line of Downey Avenue; thence easterly along the south line of Downey Avenue to its intersection with Nineteenth Street; thence in a direction described as north of east across Nineteenth Street to the northwesterly corner of Block K; thence easterly along the north line of Block K to its intersection with Kimble Street, the point of commencement; all according to the official map or plat of the City of Modesto filed in the office of the County Recorder of Stanislaus County, California on March 18th, 1920, 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 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 introduced by Councilman Boundey, at a regular meeting of the Council of the City of Modesto held on the 13th day of June, 1923, and the motion to adopt the same being duly seconded, the resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Cavald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Closing Streets and Alleys in Block 603:

A petition was presented some time ago by the Modesto School District asking that the streets and alleys in Block 603 be closed, inasmuch as the School District has purchased the land on both sides of the streets and alleys in this block for school purposes. The Council was not fully informed upon this matter and as a result laid the petition over to be taken up further at the next regular meeting.

In the Matter of Bids:

The City Clerk having previously advertised for bids to the effect that the City would sell to the highest bidder on June 13th, 1923, one Automatic Compensator, and one Induction Motor, and no bids having been received, no further action was taken.

In the Matter of Transferal of Municipal Funds:

The City Auditor at this time called the attention of the Council to the deficiency of the General Fund and the urgent necessity for having available moneys in this fund from which to meet our current obligations. After a brief discussion Councilman Prewett introduced a resolution authorizing the City Auditor to transfer \$29000.00 from the Sewer Septic Fund to the General Fund, being,

RESOLUTION NO. 788-N.S.

A Resolution Authorizing a Loan from the Sewer Septic Fund for the General Fund and to Arrange for the Repayment of the same.

WHEREAS, the moneys in the general fund of the Treasury of the City of Modesto now are, or shortly will be, exhausted, and it is absolutely necessary that such general fund be replenished in order that the government of the City of Modesto may be carried on, and

WHEREAS, there is on hand in the fund designated as the Sewer Septic Bond Fund the sum of Thirty Thousand Dollars (\$30,000.00), which will not be required to be used for a period of at least six months and any withdrawals from said fund can be restored prior to the time that such fund is required to be used.

NOW THEREFORE, Be It Resolved that the City Treasurer be, and he is hereby authorized and directed to borrow from the said Sewer Septic Fund the sum of Twenty-nine Thousand Dollars (\$29000.00) and to place the same to the credit of the General Fund.

Be It Further Resolved, that the amount so borrowed from said Sewer Septic Fund be repaid to said fund out of the General Fund not later than six months from the date hereof, and that to secure the repayment of said loan the taxes to be collected under the levy for general fund purposes for the fiscal year beginning July 1st, 1923, be pledged to said Sewer Septic Fund, and that as rapidly as said taxes shall be collected and received by the treasurer they shall by him be charged against the General Fund and credited to the Sewer Septic Fund until said loan shall have been repaid in full, all without any further order of this Council.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of June, 1923, by Councilman Prewett, who moved its adoption, which motion being duly seconded, it was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Nays: Councilmen None

Absent: Councilmen None.

Attest: L. A. Love,
City Clerk

In the Matter of Advertising bids for the Sale of Municipal Bonds:

Pursuant to the passage of Ordinance No. 249-N.S. authorizing the issuance and sale of \$55,000.00 in municipal bonds Councilman Oswald introduced a Resolution directing the City Clerk to advertise for bids for the sale of municipal bonds being,

RESOLUTION NO. 788 B-N.S.

which resolution was upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Nays: Councilmen None

Absent: Councilmen None

In the Matter of Request for Sewer Service Outside City:

A petition was presented to the Council by Clara Gant asking that she be allowed to connect to the sewer from a point adjoining the City Limits to the City Sewer in side the

City Limits and receive the benefit of our Municipal Sewer System, as is provided in Ordinance No. 276. Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 789-N.S.

WHEREAS, Clara Gant has asked for the privilege of making connection to the City Sewer from a point outside City Limits and adjacent thereto in accordance with Section 15, Ordinance, No. 276.

BE IT RESOLVED, that the Council of the City of Modesto hereby grant permission to Clara Gant to make connection with the City Sewer from a point outside City Limits and adjacent thereto; as aboved described, upon the payment into the City Treasury of \$25.00 for the privilege of making such connection and,

BE IT FURTHER RESOLVED, that Clara Gant shall pay a rental of \$6.00 per year to the City of Modesto for privilege of using such City Sewer and the payment shall be made in advance annually.

The foregoing resolution was introduced this 13th day of June, 1925, by Councilman Boundey and was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Ordinance:

An ordinance providing for the registration and licensing of electricians and establishing rules and regulations for the wiring of buildings in the City of Modesto was presented to the Council for consideration but no action was taken, the ordinance being laid over until the next regular meeting.

In the Matter of Reports:

Reports were filed with the Council by the Engineering Department, Fire Department, Health Department, and Police Department, and after an examination of same, were ordered placed on file, in the office of the City Clerk.

In the Matter of Burning Grass Off of Vacant Lots:

The matter of burning grass off of vacant lots in the City was again called to the attention of the Council who were urged to take some action towards relieving the hazard incidental to the grass remaining on these lots.

Mayor Elias moved that the Fire Chief be authorized to employ such men as were necessary to assist him and proceed to burn off all of the vacant lots in the City that he could possibly take care of and that the Fire Chief keep a record of all lots so burned which shall be turned in to the City Clerk, and that the City Clerk in turn be authorized to render a bill to the owner of all such lots in the amount of the cost of burning the grass off of same. The motion was duly seconded, carried and so-ordered.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto

Wednesday, June 27th, 1925.

The Council met in regular session this date and there were present Councilmen Boundey, Prewett, Oswald, Brown and Mayor Elias. Absent: Councilmen None

In the Matter of Minutes;

The minutes of the regular meeting June 13th, were read and approved.

In the Matter of Request for Permission to Make Alteration In Fire Limits.

Mr. Johnson, owner of a building in Block 56, appealed to the Council for permission to change the slope on a roof of a little galvanized structure on the rear of his main building. It was shown that the fire hazard would in no way be increased by this change and as a result Councilman Boundey offered a resolution being,

RESOLUTION NO. 790-N.S.

granting Mr. Johnson permission to make the alterations as requested. The resolution upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Protest Against Peddling:

Mr. McReynolds verbally protested to the Council that certain parties were making a practice of peddling meat in the City of Modesto without a license. The matter was discussed briefly, but inasmuch as no evidence could be produced no action was taken.

In the Matter of Report by Councilman Oswald, in Regard to appropriations for Salvation Army, Chamber of Commerce, and Recreation Director:

A report was filed with the Council by Councilman Oswald recommending a continuance of the appropriations which the City has been making for the Salvation Army, Chamber of Commerce, and Recreation Director. The report was read and ordered filed.

The matter of making these appropriations became an open topic and a discussion ensued between the Council and several citizens, Councilman Boundey thereupon introduced

ORDINANCE NO. 256-N.S.

Entitled: "AN ORDINANCE REPEALING ORDINANCE NO. 159-N.S. PROVIDING FOR THE PAYMENT TO THE MODESTO CHAMBER OF COMMERCE FOR PROMOTION PURPOSES OF THE SUM OF ONE HUNDRED DOLLARS PER MONTH",

was introduced at a regular meeting of the Council of the City of Modesto, held on the 27th day of June, 1925, by Councilman Boundey, who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published, by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett and Mayor Elias

Noes: Councilman Oswald,

Absent: Councilmen None

A resolution was then introduced by Councilman Boundey, being

RESOLUTION NO. 792-N.S.

rescinding and repealing Resolution No. 736-N.S. and abolishing the office of Recreation.

Director, and which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, and Mayor Elias

Noes: Councilmen Osvald and Prewett

Absent: Councilmen None

In the Matter of Duties of the Various Commissioners:

Some question having arisen as to the duties of the various Commissioners, Councilman Boundey offered a resolution being,

RESOLUTION NO. 791-N.S.

determining and assigning the duties of the several departments of the City of Modesto.

The resolution, upon roll call, was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids for City Printing:

Notices having heretofore been published calling for bids for City Printing for the year beginning July 1st, and this being the time set for the opening of such bids and there being one bid on file the Council now proceeded to publicly open and declare the same. The bid filed was from the Modesto Morning Herald, which opened, read as follows:

"For the first insertion \$1.00 per non-pariel square and 50 cents per square for each subsequent insertion.

For publication delinquent tax lists for the City of Modesto, and delinquent assessment lists for street openings 75¢ per square for first insertion and 50¢ per square for subsequent insertions."

Thereupon Councilman Boundey introduced, a resolution being,

RESOLUTION NO. 793-N.S.

awarding the City Printing to the Modesto Morning Herald, which resolution upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 257-N.S.

Entitled: "AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 155, N.S. WITH REFERENCE TO THE FIRE LIMITS:" was introduced at a regular meeting of the Council of the City of Modesto, held on the 27th day of June, 1923, by Councilman Boundey, who moved its adoption and passage to print, which motion being duly seconded, it was carried and the ordinance ordered printed and published, by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

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 165, 166, and 167, 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 Intention No.'s 165, 166 and 167.

RESOLUTION NO. 375-S.P.

Resolution Ordering the Work No. 165

In accordance with certain plans and specifications heretofore adopted on the 23rd day of May, 1923, and pursuant to Resolution of Intention No. 165, was introduced and upon roll call was declared adopted by the following vote:, to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 376-S.P.

Resolution Ordering the Work No. 166

In accordance with certain plans and specifications heretofore adopted on the 23rd day of May, 1923, and pursuant to Resolution of Intention No. 166, was introduced and upon roll call was declared adopted by the following vote: to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 377-S.P.

Resolution Ordering the Work No. 167

In accordance with certain plans and specifications heretofore adopted on the 23rd day of May, 1923, and pursuant to Resolution of Intention No. 167, was introduced and upon roll call was declared adopted by the following vote; to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

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 112 and 113

RESOLUTION NO. 378-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 1st day of June, 1923, 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 "H" Street, from 15th, Street to High Street from Downey Avenue to "H" Street in said City, fully described in Resolution of Intention No. 143 in pursuance of the "Improvement Bond 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 \$4216.14.

The foregoing resolution was regularly introduced at a regular meeting of the Council, June 27th, 1923, and was adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love, City Clerk

RESOLUTION NO. 379-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 1st day of June, 1923, 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 Jones Street, from Johnson Street to Kimble Street, in said City, fully described in Resolution of Intention No. 149, 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 \$3918.40.

The foregoing resolution was regularly introduced at a regular meeting of the Council, June 27th, 1923, and was adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Closing Streets and Alleys in Block 603:

Inasmuch as the Modesto School District has purchased all of the land in Block 603 for school purposes they have petitioned that the City proceed to have the streets and alleys in that block closed, whereupon a resolution was introduced being,

RESOLUTION NO. 380-S.P.

RESOLUTION OF INTENTION NO. 169

providing for the closing of the Streets and Alleys in the above mentioned block. The resolution was adopted, upon roll call, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Application for Plumber's License:

An application was filed with the Council from Latourrette Pisal Company of Sacramento, California, accompanied by a bond in the amount of \$2500.00 as required by Ordinance. After due consideration Councilman Prewett moved that the license be granted and that the bond be approved which motion was carried by a vote of all members present.

In the Matter of Water and Sewer in Block 139:

Roas Limber Company have heretofore made application for sewer and water lines extended into Block 139. After due investigation Councilman Boundey, introduced a resolution, being

RESOLUTION No. 794-N.S.

authorizing the extensions of water and sewer mains into Block 139, which resolution was adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Application for Water and Sewer Mains:

Application having previously been made by Marshall & Russell for water and sewer lines in Block 468, 455, 469, and 454, and no funds having been available with which to make the extension the matter was laid over, upon motion by Councilman Prewett, until July 11th, and the Clerk was authorized to return the check which accompanied the application by Marshall & Russell to pay for the sewer locations. The motion duly seconded, was carried and so-ordered.

In the Matter of Request to Use Railroad Reservation for Auto Park:

An application was filed with the Council by the Stanislaus County Automobile Trade Association, asking permission to hold an Automobile and Fashion Show on the Railroad Reservation between "I" and "K" Streets, between the period, of September 29th, to October 6th, inclusive.

Councilman Prewett moved that the permit be granted, providing a deposit of \$50.00 be left with the City Clerk to insure that the premises would be left in a clean and orderly manner, The motion was duly seconded, carried and so-ordered.

In the Matter of Electrical Ordinance:

An ordinance pertaining to the rules and regulations to be followed out in all electrical work in the City of Modesto was again brought up at this meeting but was laid over to again be taken up at the first regular meeting in July.

In the Matter of Sewer for Modesto School District, outside of the City Limits:

Application has been made to the Council for permission to connect a Modesto School Building in the Maze Addition outside the City with the City Sewer. After due consideration a resolution was introduced, being,

RESOLUTION No. 795-N.S.

granting permission to the School District to use the City Sewer and make connection thereto providing they comply with all of the requirements as set forth in the Ordinance giving the Council power to grant such permission, except, for the fact, no annual rental be charge. The resolution was introduced by Councilman Prewett, which upon roll call was adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Plumbing Inspection for the Maze School:

Application having been filed by the plumbers who are installing the plumbing in the Maze School outside of the City Limits for Plumbing inspection by the City of Modesto, Councilman Boundey introduced a resolution, being,

RESOLUTION No. 796-N.S.

authorizing the City Plumbing Inspector to make Plumbing Inspection to the Modesto School District in the same manner that he would make other inspections in the City of Modesto and that the regular fees for plumbing inspection be charged. The resolution was regularly introduced by Councilman Prewett, and adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sale of Fair Grounds:

An ordinance has heretofore been finally adopted providing for the sale of a portion of the Municipal Aviation Field and Fair Grounds and now the manner of sale is determined as set forth in

RESOLUTION No. 797-N.S.

Entitled: "A resolution providing for advertising for bids for the sale of portions of the Aviation Field and Fair Grounds" which was introduced this 27th day of June, 1923, by Councilman Oswald, and upon roll call, carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

The resolution is on file in the office of the City Clerk.

In the Matter of Appropriation for Salvation Army, Chamber of Commerce, and Recreational Director:

This subject was again brought up by Councilman Oswald who suggested that the Council arrange for a straw vote of the City to determine what the sentiment was in regard to whether or not the appropriations should be continued, and offered a resolution, being,

RESOLUTION NO. 798-N.S.

to provide for holding such election, which resolution was not adopted by the following vote:

Ayes: Councilmen Osvald,

Nees: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____

Mayor

Attest: _____

City Clerk

.....

Council, City of Modesto
Wednesday, July 11th, 1923.

The Council met in regular session this date and there were present;

Councilmen Boundey, Brown, Prewett, Osvald, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of June 27th, were read and approved.

In the Matter of Sale of Municipal Bonds:

This being the time fixed pursuant to the resolution of the City Council and published "Notice to Bidder of Sale of Municipal Bonds", and there being on file with the City Clerk of this Council six bids for the same, the Council proceeded to open and consider said bids, which bids opened, read as follows:

- THE MODESTO BANK, par and accrued interest to date of delivery plus a premium of \$887.00
- SCHWABACHER & CO., par and accrued interest to date of delivery plus a premium of \$586.25
- WM. Cavalier & Co., Par and accrued interest to date of delivery plus a premium of \$689.00
- BANK OF ITALY, par and accrued interest to date of delivery plus a premium of \$517.00
- E.H. ROLLINS & SONS, par and accrued interest to date of delivery plus a premium of \$648.00
- BLYTH, WITTER & CO., par and accrued interest to date of delivery plus a premium of \$381.00

The bids being duly considered Councilman Boundey introduced the following resolution and moved its adoption. The resolution was adopted by roll call as hereinafter appears:

RESOLUTION NO. 799-N.S.

Resolution of Award of the Sale of Municipal Bonds

WHEREAS, heretofore at a special election held in the City of Modesto on the 10th day of April, 1923, pursuant to the laws of the State of California and in accordance with Ordinance No. 246-N.S. and other Ordinances of the City of Modesto relative to elections there in, the said City of Modesto was authorized to incur an indebtedness in the sum of Fifty-five thousand dollars (\$55000.00) for the purpose of acquisition and construction of Fire apparatus including buildings for municipal purposes as set forth in said Ordinances, and was authorized to issue bonds for the amount of said indebtedness; and

WHEREAS, THEREFORE, an ordinance, to-wit: Ordinance No. 249-N.S. was duly adopted by the City Council of the City of Modesto, providing for the issuance of said bonds; and

WHEREAS, the said City Clerk did so advertise for bids for the sale of said bonds, which

bids were to be opened on this 11th day of July, 1923, at 7:30 o'clock P.M. and

WHEREAS, at this time and place, to-wit: The Council Chambers of the City of Modesto, California, at 7:30 o'clock P.M., July 11th 1923, being the time and place mentioned for receiving and opening said bids, the following bids were received, opened, and considered, to-wit:

The bid of the Modesto Bank, of Modesto, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$887.00

The Bid of the SCHWABACHER & CO., of San Francisco, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$586.25

The bid of the Wm. Cavalier & Company, of San Francisco, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$689.00

The bid of the Bank of Italy, of Modesto, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$517.00

The bid of E. H. Rollins & Sons, of San Francisco, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$648.00

The bid of Blyth, Witter & Company, of San Francisco, California, for Fifty-five thousand dollars (\$55000.00) and accrued interest to date of delivery plus a premium of \$381.00

WHEREAS, after the examination of said bonds it appears to the City Council and the said Council so finds that the bid of the Modesto Bank of Modesto, is the highest and best bid for said bonds.

NOW THEREFORE, Be It Resolved, that the bid of the Modesto Bank of Modesto for said bonds of the City of Modesto, authorized to be issued as hereinbefore decided, be accepted, and said bonds be awarded and sold to the said Modesto Bank for the amount as set forth in their bid.

Reference is hereby made to all ordinances, resolutions, and other proceedings of the Council of the City of Modesto for greater particularity in reference to the character and terms of said bonds.

BE IT FURTHER RESOLVED, that the City Clerk prepare and furnish to the successful bidder, the Modesto Bank, of Modesto an abstract of the proceedings in connection with the issuance and the sale of said bonds.

BE IT FURTHER RESOLVED, that the checks of all bidders accompanying said bids be returned to the bidders except that the check of the Modesto Bank be held by the City Clerk and that the same be applied on account of the payment of the purchase price of said bonds and that in event of the failure of the Modesto Bank to accept and pay for the bonds bid for, and purchased by them, in accordance with their bid, the check or the proceeds thereof be retained by the City of Modesto as liquidated damages for such failure.

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

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Ordinance:

ORDINANCE NO. 256-N.S.

Entitled: "AN ORDINANCE REPEALING ORDINANCE NO. 139-N.S. PROVIDING FOR THE PAYMENT TO THE MODESTO CHAMBER OF COMMERCE FOR PROMOTION PURPOSES OF THE SUM OF ONE HUNDRED DOLLARS PER MONTH",

and which was read, introduced, adopted and passed to print on the 27th day of June, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilman Osvald,

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 257-N.S.

Entitled: "AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 155-N.S. WITH REFERENCE TO THE FIRE LIMITS," and which was read, introduced, adopted and passed to print on the 27th day of June, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted, final, by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance No. 248-N.S.

An Ordinance providing for the purchase of certain supplies for the Electrical Department coming up for final adoption after being laid over from the meeting of June 13th, was again laid over to be taken up at the first meeting in August.

In the Matter of Ordinance:

ORDINANCE NO. 255-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE REGISTRATION AND LICENSING OF PLUMBERS AND ESTABLISHING RULES AND REGULATIONS FOR THE PLUMBING AND DRAINAGE OF BUILDINGS IN THE CITY OF MODESTO,"

coming up for final adoption was protested by Mr. George Perley on the grounds that the license fee was prohibitive and that it would have a tendency to eliminate the smaller man and keep out competitive workmen. He further protested the passage of this ordinance on the grounds that a precedent may be started whereby all other tradesmen will demand that an ordinance be adopted providing for high licenses for the various trades.

After a brief discussion the ordinance was upon motion laid over to be again taken up at the first meeting in August.

In the Matter of Street Crossing:

Mr. L. V. Bowers approached the Council and petitioned that they take steps to have a crossing extended through the railroad property between 7th and 9th Streets on "E" and "F" Streets. The matter was referred to the City Engineer for investigation and report.

In the Matter of Electrical Ordinance:

A proposed electrical ordinance providing for the licensing of electricians and setting forth rules and regulations under which all electrical work shall be done in the City of Modesto, was presented but not introduced, and was laid over until the first meeting in August.

In the Matter of Petition for Sewer and Water in Virginia Tract:

The matter of a petition filed by Marshall and Russell for extension of water and sewer mains in certain properties in the Virginia Tract was again taken up but owing to the lack of finances at the present time was laid over until the last meeting in September. The above action was taken upon motion by Councilman Prewett, which motion was carried by a vote of all members present.

In the Matter of Awarding Contracts for the Improvement of Hackberry Avenue from Needham to Stoddard, Hackberry Avenue from Stoddard to Morris, and "F" Street between Sixteenth and Seventeen Streets.

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. 165, 166, and 167 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 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 COMPANY FOR THE IMPROVEMENT OF HACKBERRY AVENUE FROM NEEDHAM TO STODDARD AVENUE:

Grading	@	\$.05 per sq. ft.
Paving	@	.17 " " "
Gutters	@	1.20 per sq. ft.
Curb	@	1.70 " lin. "
Headers	@	.10 " " "
#700 Marbelite Standards	@	65.00 each
#104 G. E. Globes	@	16.50 "
#1104 " " canopies	@	4.72 "
Bands " "	@	5.11 "
Acorns "	@	3.53 "
Conl Boxes	@	6.50 "
1" Galv. Conduit	@	.25 per lin.ft.
#8 B. & S. Cable	@	.165 " " "

The bids being duly considered, Councilman Boundey moved that the bid of the Standard Paving Company be accepted, and thereupon introduced,

RESOLUTION No. 381-S.P.

Resolution of Award No. 165

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 IMPROVEMENT OF HACKBERRY AVENUE, FROM STODDARD TO MORRIS AVENUE:

Grading	@	\$.05 per sq. ft.
Paving	@	.17 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. "
Headers	@	.10 " " "
#700 Marbelite Standards	@	65.00 each
#104 G. E. Globes	@	16.50 "
#1104 " Canopies	@	4.72 "
Bands "	@	5.11 "
Acorns "	@	3.53 "
Conduit Boxes	@	6.50 "
1" Galv. Conduit	@	.25 per lin. ft.
#8 B. & S. Gable	@	.165 " " "

The bid being duly considered, Councilman Boundey moved that the bid of the Standard Paving Company be accepted, and thereupon introduced

RESOLUTION NO. 382-S.P.

Resolution of Award No.166

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 IMPROVEMENT OF "F" STREET, FROM SIXTEENTH TO SEVENTEENTH STREET:

Grading	@	\$.08 per sq. ft.
Paving	@	.17 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. "
Headers	@	.10 " " "

The bid being duly considered, Councilman Boundey moved that the bid of the Standard Paving Company be accepted, and there upon introduced

RESOLUTION NO. 383-S.P.

Resolution of Award No. 167

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 Complaint Against Sewer Septic Tank:

A letter was addressed to the Council by the State Board of Health, calling attention to necessary repairs and installation of City Septic Tank and was referred to the City Engineer.

In the Matter of Claim for Reimbursement:

A claim was presented to the City Council by Mr. Chaney, 927, 3rd Street, Modesto, for reimbursement, for delinquent taxes which he paid to the City some time ago. He claims to have paid delinquent taxes after he had a deed from the State to the property which he now owns, the delinquency having occurred many years before Chaney became the owner of the property.

The matter was referred to the City Attorney, Mr. Carlson.

In the Matter of Joint Pole Line with Modesto Irrigation District;

A letter was addressed to the Council from the Modesto Irrigation District offering to enter into an arrangement whereby the cost of the pole lines necessary for the distribution of Don Pedro Power throughout the City of Modesto for City purposes be borne jointly by the Modesto Irrigation District and the City of Modesto. The matter was referred to the City Engineer and the City Attorney, together with the letter addressed to the Council.

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.....	\$12071.89
Water Fund.....	4250.73
Library Fund.....	2821.73
Bond Redemption & Int. Fund....	2362.50
Street Bond Red. Fund No. 110	3405.13
Personal Property Tax Trust 1922	5.30
Total.....	\$ 23897.28

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

In the Matter of Ordinance;

ORDINANCE NO. 258-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ERECTION OF BUILDINGS FOR THE FIRE DEPARTMENT", was introduced by Councilman Oswald at a regular meeting of the City Council held on the 11th day of July, 1923, who moved its adoption and passage to print, which upon motion being duly seconded the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Heating Police Building and Engineering Department:

Suggestion was made by one of the members of the Council that investigation be made as to the practicability of heating the building now occupied by the Police Department and Engineering Department with electricity and the matter was referred to the City Engineer for investigation.

In the Matter of City Dumps:

Councilman Oswald, mentioned that complaint was again being made to him with regard to the objectional condition surrounding the City Dumps. The Mayor appointed Councilman Oswald as a committee of one to investigate the condition and make such recommendation as he saw fit.

In the Matter of Reports:

Reports were filed with the Council by the Police Department, Health Department, and the Department of Public Works for the month of June. The Department of Public Work also filed at this time a annual report of the activities in that department.

In the Matter of Maintaining Junk Yard;

Councilman Osvald advised the Council that Mr. S. Rodesko had approached him for permission to maintain a junk yard in connection with his iron foundry at 517--7th Street. After due consideration Councilman Osvald introduced a resolution, being,

RESOLUTION NO. 800-N.S.

granting permission to Mr. Rodesko to maintain such Junk Yard in connection with his business. The resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto
Wednesday, July 18th, 1925.

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 were present: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias. Absent: Councilmen None

The meeting was called for the purpose of passing upon a petition of the Modesto Irrigation District for a permit to construct power lines along certain streets, alleys, and rights of way in the City of Modesto.

A petition of the Irrigation District making this request was read and considered by the Council, after which Councilman Osvald moved that a public hearing be held at the Special Meeting of the Council, Wednesday evening August, 1st, 1925, in the City Hall at 7:30 P.M. at which time any or all interested parties may appear and be heard.

The motion also authorized the Clerk to give notice to the general public of the time set for the hearing of this matter through the columns of the "Modesto Morning Herald." The motion was duly seconded and carried by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto

Wednesday, July 25th, 1923

The Council met in regular session this date with the Vice-President of the Council, Albert Osvald presiding owing to the absence of Mayor Sol Elias. Those present were: Councilman Boundey, Brown, Osvald, and Prewett. Absent: Mayor Elias

In the Matter of Minutes:

The minutes of July 11th, 1923, were read and ordered approved as read.

In the Matter of Claim for personal injury and Property Damage:

Mr. C. E. Line, appeared before the Council and stated that he had a claim against the City of Modesto for personal injury to his wife and property damage to his car by reason of an accident at 12th and "I" Streets, Sunday evening, July 15th. He claims that a rope was stretched across 12th at "I" and by reason of no signal lights or other warning signal on this rope he was unable to see it and drove into it causing personal injury to his wife and damage to his car. The matter was laid over until the next regular meeting during which time the Council were ordered to investigate the merits of Mr. Line's claim.

In the Matter of Bids for Fire Apparatus:

The City having heretofore advertised for bids for fire apparatus and this being the time fixed in accordance with published "Notice for receiving and considering said Bids" and there being four bids on file, Councilman Boundey moved that the same be opened and considered. The bids were opened read as follows:

Moreland Sales Corporation:

The Moreland Sales Corporation submitted a bid for the chassis only for fire equipment but owing to the fact that it was not accompanied by a certified check and did not conform to the specifications for fire equipment, it was not considered.

Stutz

For one (1) machine as per specifications	\$12,750.00
For two (2) machines	25,500.00
less a special discount of 8% making a total net price for two (2) machines	23,460.00
Prices F.O.B. Modesto, California	

Seagrave Company

For one (1) machine as per specifications	12,750.00
For two (2) machines	12495.00
Prices F.O.B. Modesto,	Each

The American LaFrance Fire Engine Co.,

For one (1) machine as per specifications	12,500.00
For two (2) machines as " "	23,725.00
Prices F.O.B. Modesto	

Ahrens-Fox Fire Engine Co.

For one (1) machine as per specifications	12,750.00
For two (2) machines " "	25,250.00
Prices F.O.B. Modesto	

For further particulars and details regarding the above bids reference is hereby made to the proposals of the bidders which are on file in the office of the City Clerk.

After due consideration and owing to the absence of the Mayor, Councilman Boundey offered a resolution being,

Resolution No. 801-N.S.

WHEREAS, the time has arrived for opening of bids for fire apparatus and four bids being received some of which offer alternative propositions which will require further consideration.

BE IT RESOLVED, that the Acting Mayor appoint a committee to further consider the bids in question and that further action be deferred until an adjourned meeting to be held on August 1st, 1923, at the City Hall at 7:30 o'clock P.M.

The foregoing resolution was regularly introduced by Councilman Boundey this 25th day of July 1923, and upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett and Oswald

Noes: Councilmen None

Absent: Mayor Elias

Acting Mayor Oswald thereupon appointed a committee in line with the above resolution consisting of the entire Council, the Fire Chief and City Engineer F. W. McCarton to analyze the bids in question.

In the Matter of Bids for Fire Alarm Equipment:

The City having heretofore advertised for bids for fire alarm equipment and this being the time fixed in accordance with published "Notice for receiving and considering said Bids" and there being one bid on file, Councilman Boundey moved that the same be opened and considered. The bid when opened read as follows:

Gamewell Fire Alarm Telegraph Co.,

Material as per specifications called for in the Notice to Bidders,	\$5090.00
Less credit for old 2 circuit switchboard being taken	<u>250.00</u>
Net amount of bid	\$4840.00

After duly considering the bid a Resolution of Award was offered being,

RESOLUTION NO. 802-N.S.

WHEREAS, this being the time for opening bids for fire alarm equipment heretofore specified for and advertised for and there being one bid on file from the Gamewell Fire Alarm Telegraph Co., which has been duly considered

Now Therefore be it resolved, that the contract for furnishing material specified in the Notice to Bidders be awarded to the Gamewell Fire Alarm Telegraph Company and that the Acting Mayor and City Clerk be and they are hereby authorized to enter into a contract with said Gamewell Fire Alarm Telegraph Company for furnishing the fire alarm equipment specified in the following manner.

Material as per specification referred to in Notice to Bidders	\$5090.00
Credit allowance for turning in of old 2 circuit switchboard now in use in the City of Modesto	<u>250.00</u>
Net amount of bid	\$ 4,840.00

The foregoing Resolution was regularly introduced by Councilman Boundey this 25th day of July, 1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, and Prewett

Noes: Councilmen None

Absent: Mayor Elias.

Attest: L. A. Love,
City Clerk

In the Matter of Bids for Underground Cable;

The city having heretofore advertised for bids for fire alarm equipment and this being the time fixed in accordance with published "Notice for receiving and considering said Bids" and there being one bid on file, Councilman Boundey moved that the same be opened and considered. The bid when opened read as follows:

Bid of Standard Underground Cable Company:

- Item 1: 600 ft. 11 Pair, 10 Pair only guaranteed, #13 AWG Solid, double Manila paper (750 x 5 mil) wrapped, core taped, with two red 4-mil paper tapes, 1/8" lead, 1% antimony, in strict and sole accordance with attached detailed specifications.....@ 39¢ ft.
- Item 2: 150 ft. 25 Pair #13 AWG Solid, wool insulated, 3/32" plain lead.....@ 76¢ "

MODESTO, CAL. Delivery: F.O.B. our Oakland, Cal. Factory INCLUDING FREIGHT ALLOWANCE TO

Reels charged extra subject to credit F.O.B.our Oakland Cal. Factory.

Shipment: Approximately 16 to 19 weeks from Oakland, Cal.

Terms: 1/2 of 1% for cash in 10 days, 30 days net, interest after 30 days.

After duly considering the bid a resolution was introduced being

RESOLUTION NO. 803-N.S.

WHEREAS, this being the time for opening bids for underground fire alarm cable heretofore specified for and advertised for and there being one bid on file from the Standard Underground Cable Co, which has been duly considered,

NOW THEREFORE, Be It Resolved, that the contract be awarded to the Standard Underground Cable Co., for furnishing the material according to specifications adopted at the prices named in their proposal and that the Mayor and City Clerk be and they are hereby instructed to enter into a contract with the Standard Underground Cable Company, and that the said Standard Underground Cable Company be required to furnish a bond in the usual amount to insure faithful performance on their part in making delivery of the material.

The foregoing Resolution was introduced by Councilman Prewett which upon roll call was adopted by the following vote:

Ayes: Councilmen Osvald, Brown, Boundey, and Prewett

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love,
City Clerk

In the Matter of Bids from Pioneer Rubber Mills:

A bid was received from the Pioneer Rubber Mills of San Francisco on fire hose but inasmuch as no bids were called on fire hose, the Council authorized the City Clerk to return to the Pioneer Rubber Mills their bid together with certified check which they enclosed with it.

In the Matter of Ordinance:

ORDINANCE NO. 258-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE ERECTION OF BUILDINGS FOR THE FIRE DEPARTMENT", and which was read, introduced, adopted, and passed to print on the 11th day of July, 1925, and having been published as required by law, Councilman Boundey, moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted final, by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Bids on Fair Grounds:

The City having heretofore advertised for bids for the sale of Fair Grounds and this being the time fixed in accordance with published "Notice for Receiving and considering said Bids" and there being no bids on file, the Council failed to take any action at this time to re-advertise and the matter of this sale is temporarily dropped.

In the Matter of Closing 19th Street from "H" to Downey:

More than 10 days having expired since the last publication of the notice of Public Works, under Resolution of Intention No. 168, which were posted on 19th Street between the northwesterly line of "H" Street and the Southerly line of Downey Avenue a resolution was introduced by Councilman Boundey being

RESOLUTION NO. 384-S.P.

setting a time for hearing protests against the closing of this street, the time being Wednesday evening August 8th, at 8 o'clock P.M. at the City Hall, City of Modesto. The resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Closing Auburn and Castle Street in Block 603:

More than 10 days having expired since the last publication of the notice of Public Works under Resolution of Intention No. 169, which were posted on Auburn and Castle Streets in Block 603, a resolution was introduced by Councilman Boundey, being,

RESOLUTION NO. 385-S.P.

setting a time for hearing protests against the closing of these streets, the time being Wednesday evening August 8th at 8 o'clock P.M. at the City Hall, City of Modesto. The Resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, and Prewett,

Noes: Councilmen None

Absent: Mayor Elias

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 Resolutions of Intention Nos. 148 and 152 assessment Nos. 115 and 114, and no written objections being presented, the Council thereupon under Resolution Nos. 586 and 587-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. 586-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 24th day of May, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 148, 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 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 some 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 July, 1923, 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 the same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$21810.96

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 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 \$21,810.96.

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 \$21,810.96 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 6th day of July, 1923; 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	\$510.96	July 2, 1924
No. 2	1000.00	July 2, 1924
No. 3	450.00	July 2, 1925
No. 4	1000.00	July 2, 1925
No. 5	450.00	July 2, 1926
No. 6	1000.00	July 2, 1926
No. 7	450.00	July 2, 1927
No. 8	1000.00	July 2, 1927
No. 9	450.00	July 2, 1928
No. 10	1000.00	July 2, 1928
No. 11	450.00	July 2, 1929
No. 12	1000.00	July 2, 1929
No. 13	450.00	July 2, 1930
No. 14	1000.00	July 2, 1930
No. 15	450.00	July 2, 1931
No. 16	1000.00	July 2, 1931
No. 17	450.00	July 2, 1932
No. 18	1000.00	July 2, 1932
No. 19	450.00	July 2, 1933
No. 20	1000.00	July 2, 1933
No. 21	450.00	July 2, 1934
No. 22	1000.00	July 2, 1934
No. 23	450.00	July 2, 1935
No. 24	1000.00	July 2, 1935
No. 25	450.00	July 2, 1936
No. 26	1000.00	July 2, 1936
No. 27	450.00	July 2, 1937
No. 28	1000.00	July 2, 1937
No. 29	450.00	July 2, 1938
No. 30	1000.00	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 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 22nd day of August, 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 Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Boundey, Brown, Osvald, Prewett,

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 387-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. 152, 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 some 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 July 1923, 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 the same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$41,885.42.

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 \$41,885.42

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 \$41,885.42 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 6th day of July, 1923; 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	685.42	July 2, 1924
No. 2	2000.00	July 2, 1924
No. 3	1000.00	July 2, 1925
No. 4	2000.00	July 2, 1925
No. 5	1000.00	July 2, 1926

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 6	\$ 2000.00	July 2, 1926
No. 7	1000.00	July 2, 1927
No. 8	2000.00	July 2, 1927
No. 9	1000.00	July 2, 1928
No. 10	2000.00	July 2, 1928
No. 11	1000.00	July 2, 1928
No. 12	2000.00	July 2, 1929
No. 13	1000.00	July 2, 1930
No. 14	2000.00	July 2, 1930
No. 15	1000.00	July 2, 1931
No. 16	2000.00	July 2, 1931
No. 17	1000.00	July 2, 1932
No. 18	2000.00	July 2, 1932
No. 19	1000.00	July 2, 1933
No. 20	2000.00	July 2, 1933
No. 21	1000.00	July 2, 1934
No. 22	2000.00	July 2, 1934
No. 23	1000.00	July 2, 1935
No. 24	2000.00	July 2, 1935
No. 25	1000.00	July 2, 1936
No. 26	2000.00	July 2, 1936
No. 27	1000.00	July 2, 1937
No. 28	2000.00	July 2, 1937
No. 29	1000.00	July 2, 1938
No. 30	2000.00	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 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 22nd day of August, 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 Boundey, who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett

Noes: Councilmen None

Absent: Mayor Elias

Attest: L. A. Love

In the Matter of Petition for Sidewalks:

A petition was presented to the Council requesting that they take some action to have sidewalks laid in front of lots 1 to 5 inclusive in Block 65 on 11th Street. The matter was laid over until August 8th for further consideration.

In the Matter of Report:

A report was filed with the Council by Fire Chief Wallace showing the activities in that department during the month of June, and was ordered placed on file.

No further business appearing the Council on motion adjourned to meet again Wednesday evening August 1st, in the City Hall, at 7:30 O'clock P.M.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto,
August, 1st, 1925 Wednesday.

The Council met pursuant to adjournment July 25th and there were present: Councilmen Boundey, Brown, Brewett, Oswald, and Mayor Elias

Absent: Councilmen None

In the Matter of Awarding of Contract for New Fire Equipment:

Bids having been opened Wednesday evening July 25th, on two pieces of fire equipment and a committee having been appointed at that time consisting of the Council, Fire Chief Wallace and City Engineer, McCarton to further investigate these bids and after due investigation and recommendations having been made Councilman Boundey offered a resolution of Award being

RESOLUTION NO.804-N.S.

Be It Resolved that the City of Modesto purchase two (2) fire engines as described in the specifications on file in the City Clerk's Office from the Seagrave Company. The Mayor and City Clerk are hereby authorized on behalf of the City of Modesto to enter into a contract with the Seagrave Company for the purchase of said fire equipment.

The foregoing resolution was introduced by Councilman Boundey this 1st day of August, 1925 who moved its adoption and upon roll call it was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald and Mayor Elias

Noes: Councilman Brewett

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

On first voting Councilman Oswald, voted No but in order to make the decision more unanimous he was permitted to change his vote to Yes.

In the Matter of Automobile for Park Superintendent:

Mr. McKinley representing the Park Commission called attention of the Council for the need of a car for the Park Superintendent for his work but no action was taken at this meeting.

In the Matter of Petition for Modesto Irrigation District for permission to construct power lines along the Streets and Alleys in the City of Modesto:

A petition having been previously filed by the Modesto Irrigation District asking permission of the City of Modesto to be allowed to construct power lines along certain streets and alleys and rights of ways in the City of Modesto and having been duly considered by this board, Mayor Elias introduced a resolution being,

RESOLUTION NO. 805-N.S.

A Resolution granting to the Modesto Irrigation District a permit to use the streets of the City of Modesto for the construction and operation of light and power lines.

WHEREAS, the Modesto Irrigation District is an irrigation district organized and existing under and by virtue of the laws of the State of California and a quasi-public corporation, and has applied to the City Council of the City of Modesto for a permit to construct over, across, upon and along certain public streets, alleys and public places in the City of Modesto poles and wires for the transmission of electrical energy for supplying heat, light and power to the City of Modesto and its inhabitants, and

WHEREAS, public notice of the filing of said application has been given and this is the time and place fixed for the hearing thereof.

NOW THEREFORE, Be It Resolved that a permit be, and the same is hereby granted by the City of Modesto to the Modesto Irrigation District to construct over, across, upon and along the public streets, alleys and places within the City of Modesto hereinafter specified poles and wires for the transmission of electrical energy for heating, lighting and power purposes. This permit is granted upon the following express conditions, to-wit:

(1) The Streets, alleys and public places, the use of which is authorized by this permit, are described as follows: Beginning at the power sub-station of the Modesto Irrigation District situated in Block 520 of the City of Modesto; thence along Enalen Avenue across Morris Avenue, through the alley in Blocks 523, 525, 526 and 527; through the alley in Blocks 506, 62, 61, 60, 59, and 58; thence along K Street from Twelfth Street to Washington Street, through the alley of Blocks 39 and 40, along Washington Street from First Street to Sixth Street; through the alley in Blocks 424, 425, 426, and 439; along Franklin Street facing Block 439; through the alley of Blocks B-1 and 2, and across G Street to the pumping station of the City of Modesto; along G Street from First Street to Eighth Street; through alley in Block 51 to F Street; along F Street from Sixth Street to the intersection of Seventeenth Street and Burney Street; through the alley in Blocks 71, 127, 126, 129 and M, across H Street between Seventeenth Street and Eighteenth Street to the Grammar School situated in Blocks 132 and 130; along Burney Street from F Street to H Street; across H Street through the alley in Blocks 580, 581, and 582 to Morris Avenue; along Morris Avenue to Blocks 602, and 603, to connect with the new Grammar School; thence along Morris Avenue to Elk Park to complete the circuit at Elk Park near Modesto sub-station; also all necessary feeders from the above trunk-lines to carry not over 11000 volts.

(2) The said line on said location or route shall be constructed of wooden poles at least forty feet in length and at a distance apart so as to average twenty-six poles to the mile. The wires shall be of weather proof, copper wire, supported on pin type insulators attached to wooden cross-arms with a minimum wire clearance and ground clearance allowed by law; the type of construction to be standard throughout, the voltage to be carried on said wires to be 2500/4000, or higher voltage if required, and to be used as a distributing line.

(3) A power line to be built entirely upon the right of way of the Modesto Irrigation District, with a voltage of 66,000, may be constructed to said sub-station.

(4) Necessary service wires over and across all city streets, alleys and public places, to carry not to exceed 440 volts, may also be constructed for the distribution of said electrical energy to the consumers thereof, the wire to be weather proof, copper wire, with standard type of construction, provided, however, that when all other public utilities supplying like commodities in the City of Modesto are required to put their construction underground in any part of the City the same practice shall be followed by the Modesto Irrigation District.

(5) The grantee of this permit shall immediately after construction, and without cost to the City of Modesto, repair and replace any streets, alleys or other public places which may have been cut into for the purpose of constructing said line, so as to leave the same in the same condition as before construction commenced.

(6) Poles and other apparatus and fixtures must be so located as to not interfere with ingress and egress from any street, alley or public place upon which the same may be constructed to private property or buildings adjoining the same.

(7) The said power line shall be so constructed as not to unnecessarily interfere with any trees now growing or which may hereafter be growing upon any of the public streets, alleys or public places in said City of Modesto. Such trimming of trees as may be necessary must be done under the supervision and to the satisfaction of the street superintendent of the City of Modesto.

(8) The City of Modesto shall have the right to use the poles and conduits of the grantee for the purpose of locating, constructing and maintaining such wires for the transmission of electrical energy as may be necessary or convenient for the use of the City in the discharge of any public function, and such use shall be permitted without requiring the City of Modesto to pay any part of the cost of any such poles and conduits used by it, provided that the City of Modesto shall maintain at its own cost and expenses its own cross-arms, insulators, and other fixtures attached thereto, and provided further, that in case of joint use of poles or conduits by said grantee and said City of Modesto under this permit, standard construction shall be followed.

(9) The rights herein granted are subject to the limitations imposed by the Charter of the City of Modesto. The permit herein provided for shall be for a period of twenty-five years unless sooner revoked by the Council of the City of Modesto pursuant to the provisions of the Charter or by reason of a violation by the grantee of any of the terms or conditions herein specified.

(10) Neither this permit nor any of the rights herein granted shall be transferred or assigned to any person, firm or corporation whatever.

The foregoing Resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto, held on the 1st day of August, 1925, by Councilman Mayor Elias who moved its adoption, which motion, being duly seconded, was carried and the Resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved, August 1st, 1925

Attest: L. A. Love,
City Clerk

No further business appearing before the Council, the Council upon motion adjourned

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Board of Equalization, City of Modesto
Monday, August 6th, 1923.

Pursuant to Ordinance No. 13, N.S. and the laws of the State of California, the City Council of the City of Modesto convened in the City Hall at 10 o'clock A.M. this 6th day of August, 1923, to meet as a Board of Equalization to equalize any assessments which may appear erroneous upon the tax roll, and there were present Councilmen Boundey, Oswald, and Mayor Elias
Absent: Councilmen Prewett, and Brown, .

No complaint being filed before the Board at this session the Board adjourned to meet Tuesday morning August 7th, 1923, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Board of Equalization, City of Modesto
Tuesday, August 7th, 1923.

The Council met pursuant to adjournment as a Board of Equalization and there were present, Councilmen Oswald and Boundey, Absent: Councilmen Brown, Prewett, and Mayor Elias.
Owing to the lack of quorum and no business coming before those present the meeting was adjourned until Wednesday morning August, 8th, 1923, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Board of Equalization, City of Modesto
Wednesday, August 8th, 1923.

The Council met pursuant to adjournment as a Board of Equalization and there were present: Councilmen Oswald, and Boundey,
Absent: Councilmen Prewett, Brown, and Mayor Elias

Owing to the lack of quorum and no business coming before those present the meeting was adjourned until Thursday morning August 9th, 1923, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto,

Wednesday, August 8th, 1925,

The Council met in regular session this date and there were present Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the meetings of July 25th, and adjourned meeting of August 1st, were read and ordered approved.

A special meeting was called by the Council for July 18th, and the minutes written, but at the time this meeting was called to order it was discovered that they had been misplaced and not immediately available. Whereupon the Council, ordered that the City Clerk re-write the minutes of the Special Meeting of July 18th, in order that they may be read at the next regular meeting to be held on Wednesday, evening August 22nd, 1925.

In the Matter of Claim of C.E.Line;

Pursuant to previous action of the Council in regard to the claim filed by C. E. Line for damages against the City for personal injury and property damage, a report was made by the commissioner, appointed to look into the matter and it was recommended that Mr. Line be awarded damages to the extent of \$50.00 in accordance with a resolution introduced by Councilman Oswald, being

RESOLUTION NO. 806-N.S.

WHEREAS, on Sunday evening, July 15th, a rope was stretched across 12th Street at "I" Street by the Police Department for the purpose of stopping traffic on 12th Street between "I" and "J" Streets while certain ceremonies were being held in the Courthouse Park, and

WHEREAS, it appears that said rope was not plainly visible under the Street Lights and inasmuch as no signal lights were hung on said rope one Mr. C. E. Line, and his wife driving in an automobile ran into it and before his automobile could be stopped damage was done to the car and personal injury sustained by Mrs. Line.

NOW THEREFORE, Be It Resolved, that Mr. C. E. Line be awarded damage in the amount of \$50.00 and that he in turn give the City a release from all further payment of claims of any nature whatsoever and that the City be held free and harmless of any other claim or damage happening from the above mentioned accident.

The foregoing resolution was introduced by Councilman Oswald this 8th day of August, 1925, and was adopted by the following vote:

Ayes: Councilmen Oswald, Prewett, Brown, Boundey, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest L. A. Love,
City Clerk

In the Matter of Death of Mrs. Wm. Falger:

RESOLUTION NO. 807-N.S.

WHEREAS, the Divine Providence has taken from us, Mrs. William Falger, one of the members of the Park Commission of the City of Modesto, and,

WHEREAS, Mrs. Falger in her life was one of the most active and conscientious members of the municipal family, devoting her time and energy to the care and upbuilding of the Parks of this City, and also one of our most esteemed and progressive citizens of the City,

THEREFORE, Be It Resolved, that the City of Modesto deploras the loss of one of its most devoted servants of the City,

AND BE IT FURTHER RESOLVED, that the sympathy of this Council and the citizens of the City of Modesto, be extended to the surviving relatives.

BE IT FURTHER RESOLVED, that this resolution be spread in full on the minutes of the proceedings of this Council and that a copy thereof be transmitted to the surviving family.

The foregoing resolution was introduced by Mayor Elias, this 8th day of August, 1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love, City Clerk

In the Matter of Appointment of a Member of the Park Commission:

Owing to the death of Mrs. William Falger who was a member of the City Park Commission, the position is now declared vacant and it became necessary to appoint a member to succeed Mrs. Wm. Falger.

Whereupon a resolution was introduced by Councilman Brown,

RESOLUTION NO. 808-N.S.

appointing Mrs. Ora D. Bates, to fill the vacancy caused by the passing of Mrs. Wm. Falger.

The foregoing resolution was regularly introduced and adopted by the unanimous vote of all present.

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 Fund.....	\$11432.22
Water Fund.....	4886.24
Library Fund.....	818.00
Bond Red. & Int. Fund.....	12700.00
St. Bond Fund.....	25264.68
Personal Property Tax Fund, 1922....	4.70
Personal Property Tax Fund 1921.....	.40
Total.....	\$55106.24

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

In the Matter of Closing Nineteenth Street:

This being the time for hearing protests against the proposed closing of Nineteenth Street, from "H" Street to Downey Avenue, and no protests having been filed Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 388-S.P.

A Resolution Closing Nineteenth Street from the Northwesterly line of "H" Street and the Southerly line of Downey 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 Nineteenth Street from the northwesterly line of "H" Street and the Southerly line of Downey Avenue be closed, which resolution was numbered Resolution of Intention No. 168, Resolution No. 374-S.P. and was adopted by the Council of said City on the 13th day of June, 1923, 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 Nineteenth Street, lying between the northwesterly line of "H" Street and the Southerly line of Downey 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 8th day of August, 1923, 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, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Closing Portions of Auburn and Castle Streets:

This being the time for hearing protests against the proposed closing of Castle Street south of the southerly boundary line of Morris Avenue, Auburn Street south of the Southerly boundary line of Morris Avenue and the alley in Block 603 between Auburn Street and Castle Streets, and no protests having been filed, Councilman Boundey, introduced a resolution being,

RESOLUTION NO. 389-S.P.

A Resolution Closing portions of Auburn Street and Castle Streets, and Alley in Block 603, 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 all that portion of Castle Street lying south of the southerly boundary line of Morris Avenue, and all that portion of Auburn Street lying south of the southerly boundary line of Morris Avenue, and all of the alley in Block 603 between Auburn Street and Castle Street be closed which resolution was numbered Resolution of Intention No. 169, Resolution No. 380-S.P. and was adopted by the Council of said City on the 27th day of June, 1923, 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 whosoever 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 all that portion of Castle Street lying south of the southerly boundary line of Morris Avenue, and all that portion of Auburn Street lying south of the southerly boundary line of Morris Avenue, and all of the alley in Block 603 between Auburn Street and Castle Street be closed in whole and the said Council does further determine and order that upon the final adoption of this resolution the said Streets 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 8th day of August, 1925, 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, Brown, Oswald, Prewett, and Mayor Elias

Nees: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Petition for Sidewalks on 11th Street:

The petition which was filed several weeks ago with the Council asking that they take steps to have sidewalks constructed on Eleventh Street in Block 64 was laid over to be taken up at the next regular meeting of the Council.

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 Resolutions of Intention Nos. 163 and 162, assessment Nos. 116 and 117 and no written objections being presented, the Council thereupon under Resolution Nos. 390-S.P. and 391-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. 390-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 4th day of October, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 163, 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 some 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 8th day of August, 1923, 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 the same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$15895.18.

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 \$15895.18.

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 \$15895.18 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 12th day of July, 1923; 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 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	\$ 55.18	July 2, 1924
No. 2	1000.00	July 2, 1924
No. 3	60.00	July 2, 1925
No. 4	1000.00	July 2, 1925
No. 5	60.00	July 2, 1926
No. 6	1000.00	July 2, 1926
No. 7	60.00	July 2, 1927
No. 8	1000.00	July 2, 1927

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 9	\$ 60.00	July 2, 1928
No. 10	1000.00	July 2, 1928
No. 11	60.00	July 2, 1929
No. 12	1000.00	July 2, 1929
No. 13	60.00	July 2, 1930
No. 14	1000.00	July 2, 1930
No. 15	60.00	July 2, 1931
No. 16	1000.00	July 2, 1931
No. 17	60.00	July 2, 1932
No. 18	1000.00	July 2, 1932
No. 19	60.00	July 2, 1933
No. 20	1000.00	July 2, 1933
No. 21	60.00	July 2, 1934
No. 22	1000.00	July 2, 1934
No. 23	60.00	July 2, 1935
No. 24	1000.00	July 2, 1935
No. 25	60.00	July 2, 1936
No. 26	1000.00	July 2, 1936
No. 27	60.00	July 2, 1937
No. 28	1000.00	July 2, 1937
No. 29	60.00	July 2, 1938
No. 30	1000.00	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 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 September, 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 Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 391-S.P.

AN ORDER PROVIDING FOR THE ISSUE OF STREET IMPROVEMENT BONDS

WHEREAS, on the 4th day of October, 1922, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 162, 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 wherefor, 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 some 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 8th day of August, 1923, 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 the same are as appears from said list as filed by the Street Superintendent with the City Clerk, the aggregate being \$7600.97.

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 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 \$7600.97

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 \$7600.97 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 July, 1923, 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	\$502.97	July 2, 1924
No. 2	507.00	July 2, 1925
No. 3	507.00	July 2, 1926
No. 4	507.00	July 2, 1927
No. 5	507.00	July 2, 1928
No. 6	507.00	July 2, 1929
No. 7	507.00	July 2, 1930
No. 8	507.00	July 2, 1931
No. 9	507.00	July 2, 1932
No. 10	507.00	July 2, 1933
No. 11	507.00	July 2, 1934
No. 12	507.00	July 2, 1935
No. 13	507.00	July 2, 1936
No. 14	507.00	July 2, 1937
No. 15	507.00	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 the 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 September, 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 Boundey who moved its adoption, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, Oswald, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Ordinances:

Ordinance No. 248-N.S., and Ordinance No. 255-N.S. together with the new proposed electrical ordinance were ordered laid over to be taken up at the next regular meeting.

In the Matter of Bond of Gamewell Fire Alarm Company:

Pursuant to award of contract to the Gamewell Fire Alarm Company on July 25th; and they being required to furnish a bond for faithful performance of that contract and the bond having arrived, and on being analyzed it is determined that the bond is improperly made out and the Clerk is hereby authorized to return said bond to the Gamewell Fire Alarm Company and ask that it be amended to meet the requirements laid down by the City Attorney.

In the Matter of Sewer Connection for Junior College:

Mr. Faught and Mr. Morris representing the Junior College appeared before the Council to petition that the City make every effort possible to give sewer service to the Junior College within the next sixty days, by reason of the fact that they hoped to have the college in use by that time

After due consideration Councilman Boundey introduced a resolution being,

RESOLUTION NO. 809-N.S.

authorizing the City Engineer to construct the sewer line to the Junior College property and further authorize the Commissioner of Public Supplies to purchase the necessary pipe for laying said sewer line. The resolution was regularly introduced and adopted and upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Placing a License upon Manufacturing and Distributing Agencies of Soda Water, Etc.

Mr. Louis Jacobsen of Modesto Soda Works Factory appeared before the Council to ask that a license be placed upon all parties or corporations who bring soda water and soft drinks in quantities in Modesto and dispose of it to the retailers and also that the same license be applied to all manufacturer of these commodities in the City of Modesto. Whereupon the City Attorney was authorized to draw up an ordinance to submit to the Council in this regard.

In the Matter of Adopting Plans and Specification for Two New Fire Houses:

Plans and Specifications for the construction of two new fire houses to be constructed out of the moneys raised by reason of a bond issue and after duly considering plans and specifications, Councilman Boundey, introduced a resolution being,

RESOLUTION NO. 810-N.S.

adopting plans and specifications as proposed by Wieland & Wieland and filed with the Fire Chief with exception that the Council reserves the right to change the location of the proposed new fire house from the location as described in specifications to any other location they may determine as being desirable. The resolution was regularly adopted upon roll call by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Purchasing of Property for New Fire Houses:

After considering several locations for the proposed new fire houses Commissioner Prewett was authorized to endeavor to make arrangements to procure as a site for the fire houses to be erected in the northeasterly part of the City, three lots situated in Block 200 on Downey Avenue being lots 8, 9, and 10, or three other lots equally as desirable in or near that locality. This action was confirmed by a resolution offered by Councilman Oswald being,

RESOLUTION NO. 811-N.S.

which resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent : Councilmen None

In the Matter of Purchase of Fire Hose:

The matter of purchase of additional fire hose for the City of Modesto Fire Department was explained to the Council by Fire Chief Wallace and after consideration an ordinance was introduced, being,

ORDINANCE NO. 259-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE AND ACQUISITION OF FIRE HOSE", was introduced by Councilman Oswald, at a regular meeting of the City Council held on the 8th day of August, 1923, who moved its adoption and passage to print, which upon motion being duly seconded the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports from Departments:

Reports were filed with the Council by the Engineering Department, Health Department, and Police Department, and after being investigated were ordered placed on file.

In the Matter of New Automobile for Fire Chief:

It has been shown that the Oldsmobile Roadster now used by the Chief of the Modesto Fire Department was partly paid for out of Municipal Funds and out of funds privately contributed by members of the Fire Department and their friends, and the members of the Fire Department have at this time expressed their desire to cooperate with the City Officials and furnish the Fire Chief with a new and more modern car on the same basis the old car was furnished, and to this end C Councilman

Osvald offered a resolution, being,

RESOLUTION NO. 812-N.S.

which resolution was regularly introduced and adopted on the 8th day of August, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Board of Equalization, City of Modesto,
Thursday, August 9th, 1923,

The Council met pursuant to adjournment as a Board of Equalization and there were

present: Councilmen Boundey, Oswald, and Mayor Elias

Absent: Councilmen Brown and Prewett

Owing to the lack of quorum and no business coming before those present the meeting was adjourned until Saturday morning, August 11th, 1923, at 10'clock A.M.; Friday having been declared a National Holiday by the Governor of the State of California by reason of the death of the late President Warren G. Harding.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Board of Equalization, City of Modesto
Saturday, August 11th, 1923.

The Council met pursuant to adjournment as a Board of Equalization and there were

present: Councilmen Oswald, Brown, Boundey and Mayor Elias, Absent: Councilmen Prewett

In the Matter of Assessment Against Property Assessed to W. C. LeHane and T. J. LeHane:

A written protest was filed with the Board of Equalization against the assessment for real estate assessed to W. C. LeHane and T. J. LeHane. After due consideration by the Board of Equalization the City Assessor was authorized to reduce the assessments on the property listed in Mr. LeHane's application to agree with the assessments as made against this property after the Board of Equalization met in 1922.

No further business coming before the Board of Equalization the meetings are hereby declared terminated.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto,
Wednesday, August 22nd, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias, Absent, Councilman None.

In The Matter of Minutes;

The minutes of a special meeting of July 18th 1923, were read and also the minutes of the regular meeting of August 8th, and were ordered approved.

In the Matter of Application for Two Inch Water Tap:

Mr. George F. Covell, presented an application to the Council for a two inch water tap for his new four story building situated on lots 15 and 16 in Block 67. After due consideration by the Council, Councilman Boundey offered a resolution, being,

RESOLUTION NO. 813-N.S.

to the effect that the tap as applied for be granted. The resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of One and One-half Inch Water Tap; for Washington Street School:

Written request having have been made to the Council for a one and one-half inch water tap for the Washington Street School, Councilman Boundey offered a resolution being,

RESOLUTION NO. 814-N.S.

to the effect that the tap be granted upon the payment of necessary fees at the City Clerk's office. The resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids for New Fire Houses:

Pursuant to published Notice to Bidders, and this being the time for opening of said bids, and there being three general bids and two plumbing bids, the Council proceeded to publicly open and declare the same. The amounts of the bids as rendered are as follows:

RANDOLPH & WARD, proposed to erect two fire houses in accordance with plans and specifications for the price of \$16300.00 with an alternate that if cement plaster is used instead of Hoffite they will deduct \$250.00.

H. TENNYSON, proposed to erect two fire houses in accordance with plans and specifications for the price of \$17370.00.

H. W. ATWOOD, proposed to erect the fire houses exclusive of stairways, plumbing and poles at the price of \$8793.00 each.

Bids were also submitted by,

H.A.TRUEBLOOD, and J. F. DICKINSON for plumbing, and considered along with the other bids from the above mentioned parties. Councilman Boundey introduced a resolution; being,

RESOLUTION NO. 815-N .S.

rejecting all bids for the reason that they were in excess of the amount of maney appro-

priated for that purpose, and that the architect revise the plans and specifications so that when new bids are called for the price of the buildings can be within the appropriation. The resolution was regularly introduced and upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

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 assessments and warrant Nos. 115 and 114. The following are the Resolutions in accordance therewith duly adopted.

RESOLUTION NO. 392-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 27th day of July, 1923, 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 "Kimble Street, from Downey Avenue to Lucern Avenue, in said City, fully described in Resolution of Intention No. 148, 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 \$21,810.96.

The foregoing resolution was adopted at a regular meeting August 22nd, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

RESOLUTION NO. 393-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 27th day of July, 1923, 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 Morris Avenue, Auburn and Castle Streets, in said City, fully described in Resolution of Intention No. 152, 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 \$41885.42.

The foregoing resolution was adopted at a regular meeting August 22nd, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Construction of Sidewalks on Eleventh Street:

Pursuant to a petition filed several weeks ago asking that the Council cause sidewalks to be constructed in Block 63 on Eleventh Street in front of lots owned by G. B. McNeil, Councilman Boundey moved that the Clerk be authorized to request G. G. McNeil to construct such sidewalks within the next 90 days. The motion was duly seconded, carried and so-ordered.

In the Matter of Letter from the Modesto Real Estate Board:

A communication from the Modesto Real Estate Board was presented and read before the Council, petitioning that the City Council of the City of Modesto enforce the provisions of the California State Housing Act, and that at the earliest possibility the Council enact for the City of Modesto an adequate building ordinance, and upon its enactment insist upon the full enforcement thereof.

The communication was ordered placed on file.

In the Matter of Bond from the Seagrave Company:

A bond was submitted to the Council from the Seagrave Company being a bond of the American Indemnity Company for the faithful performance of fulfilling a contract entered into by and between the City of Modesto and the Seagrave Company for the purchase of two Seagrave Fire Engines. Upon examining the Bond it appears not to be properly signed and the clerk was instructed to return same to the Seagrave Company with the request that they have the bond properly executed and then return to us.

In the Matter of Bond from the Gamewell Fire Alarm Telegraph Company:

A bond from the Gamewell Fire Alarm Telegraph Company was presented to the Council for the Second time after it was amended. The bond was for the faithful performance of fulfilling a contract with the City of Modesto and is in the amount of \$1500.00 rendered by the American Surety Company. After examining the bond Councilman Prewett offered a resolution being,

RESOLUTION NO. 816-N.S.

approving this bond, which resolution was adopted by the following vote of all members present:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Report from the Salvation Army:

A report was rendered to the City Council by the Salvation Army for the year May 29th, 1922 to May 29th 1923, showing the total number of meals and beds furnished and total number of families administered to in the way of clothing, wood, and other things which were passed out of them, and the report was ordered placed on file.

In the Matter of Ordinance:

ORDINANCE NO. 259-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE AND ACQUISITION OF FIRE HOSE".

and which was read, introduced, adopted and passed to print on the 8th day of August, 1923, and having been published as required by law, Councilmen Oswald moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted final by the following vote:

Ayes: Councilmen Boundy, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

ORDINANCE NO. 248-N.S., and ORDINANCE NO. 245-N.S. together with a proposed electrical ordinance, were laid over to again be taken up at the next regular meeting in September.

In the Matter of Approving of Assessment Maps:

The assessment maps for the property to be assessed for the Street Improvement work performed under Resolution of Intention Nos. 165, 166, and 167, were presented to the Council for approval. Upon a close scrutiny of these assessment maps, resolutions were introduced approving offtham, being,

RESOLUTION NO. 394-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Hackberry Avenue from Needham Street to Stoddard Avenue, Resolution of Intention No. 165.,

RESOLUTION NO. 395-S.P.

approving the assessment district as outlined in the assessment map for the improvement of Hackberry Avenue from Stoddard Avenue to Morris Avenue, Resolution of Intention No. 166., and

RESOLUTION NO. 396-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of "F" Street, from Sixteenth Street to Seventeenth Street, Resolution of Intention No. 167.

The foregoing resolutions were approved by the following vote:

Ayes: Councilmen Boundy, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leasing Automobile for Public Works Department:

RESOLUTION NO. 817-N.S.

a resolution authorizing the Commissioner of Public Supplies to rent a Delivery Car for the Public Works Department and which was regularly introduced by Councilman Boundy on the 22nd day of August, 1923 was upon roll call adopted by the following vote:

Ayes: Councilmen Boundy, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance;

A proposed ordinance relative to soft drinks was presented to the Council and read, but no action taken at this meeting it, being laid over until the first meeting in September.

In the Matter of Junk Yard;

Pursuant to protests which were made to various members of the Council pertaining to the operation of a Junk Yard at 709 "G" Street an investigation was made regarding the manner in which this establishment was maintained and a report was rendered the City Council whereupon Councilman Prewett offered a resolution being,

RESOLUTION NO. 818-N.S.

permitting J. Chermoto to maintain a Junk Yard on the premises under the jurisdiction of the Commissioner of Public Health and Safety.

In the Matter of Maps;

A map was filed with the City Clerk accompanied by a letter from the City Planning Commission recommending that the map of Block 605 as submitted be accepted and approved by the City Council. After carefully examining the map, Mayor Elias introduced a resolution being,

RESOLUTION NO. 819-N.S.

approving the same, which resolution upon roll call, was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

.Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto
Wednesday, September 12th, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Prewett and Mayor Elias. Absent: Councilman Oswald

In the Matter of Minutes:

The minutes of August 22nd were read and ordered approved.

In the Matter of Claims:

The claims for the month of August, 1923, were duly audited and withdrawals were made from the following fund accounts, as follows:

General Fund.....	\$11455.72
Water Fund.....	4886.24
Library Fund.....	815.10
Bond Redemption & Interest..	255.00
St. Bond Funds.....	694.53
Personal Prop. Tax 1921.....	.40
Personal Prop. Tax, 1922.....	4.75
Total.....	\$18061.74

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

In the Matter of Buildings on City Property in Johnson Jones Addition:

Mr. Bates, living in the Johnson Jones Addition appeared before the City Council and again called the attention of that body to the fact that several of the buildings along a certain alley in Johnson Jones Addition are built beyond the property line in the alley and as a result the width of the alley is less than it should be and he experiences difficulty in driving in and out of his own garage which has an entrance on this alley. After briefly considering the case Councilman Brown introduced a resolution being,

RESOLUTION NO. 820-N.S.

authorizing the City Clerk to write and instruct all property owners whose improvements extend into this alley to move and build on their own property within the next thirty days.

The foregoing resolution was regularly introduced and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

Regarding the above action it was understood that the City Engineer was to furnish the City Clerk with a list of the property owners effected by the above resolution.

In the Matter of Protest Against Payment of Delinquent Water Account:

Mr. J. H. Courtaey appeared before the Council and offered protest to determine if he might not be rebated for a fine and penalty which was imposed upon him by reason of nonpayment of water account on his property. The matter was taken under advisement by the Council.

In the Matter of Improvement of Locust Street:

Mr. Fitzpatrick appeared before the Council and petitioned that some action be taken before rainy weather sets in to improve the condition of Locust Street so that it will not be impassable during the winter months the matter was referred to City Engineer McCarton for consideration.

In the Matter of Setting Tax Rate for 1923:

This being the time established by ordinance when the tax rate for the current fiscal year shall be established, Councilman Boundey introduced an ordinance, being,

ORDINANCE NO. 260-N.S.

Entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR, 1923-1924",

and establishing the tax rate for the City of Modesto for the current fiscal year at \$1.60

The Ordinance above referred to was introduced at a regular meeting September 12th, 1923,

and was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

In the Matter of Resignation of A. T. McKinley, Park Commissioner:

A letter was addressed to the Council under date of August 23rd by Mr. A. T. McKinley, tendering his resignation as Park Commissioner, and after due consideration, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 821-N.S.

accepting the resignation of Mr. A. T. McKinley, from the position above mentioned. The resolution was adopted upon roll call by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Ordinances:

Ordinance No. 248-N.S., Ordinance No. 255-N.S., and the proposed new electrical ordinance were again ordered laid over to be taken up at some future meeting.

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 Nos. 117 and 116. The following are the Resolutions in accordance therewith duly adopted:

RESOLUTION NO. 397-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 21st day of August, 1923, 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 "Poplar Avenues from the North line of Needham Street to the Center line of Stoddard Avenue, in said City, fully described in Resolution of Intention No. 162, 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 \$7600.97.

The foregoing resolution was adopted at a regular meeting September 12th, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

Attest: L. A. Love, City Clerk

RESOLUTION NO. 398-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 21st day of August, 1923, 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 Sixteenth Street from Eye Street to Burney Street in said City, fully described in Resolution of Intention No. 163, 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 \$15895.18.

The foregoing resolution was adopted at a regular meeting September 12th, 1923, by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

Attest: L. A. Love, City Clerk

In the Matter of Protest Against Road Signs on North Ninth Street:

A letter dated September 8th, 1923, and addressed to the City of Modesto by the Southern Pacific Company was referred to the Council this date. This letter protested against the existing sign boards which are now on City property on the North end of Ninth Street, opposite the railroad reservation, and inasmuch as no permit has ever been issued or if any permit ever has been issued they are revokable at the pleasure of the Council. Councilman Prewett moved that the City Clerk write to "Foster & Kleiser" the owners of the bill boards and ask that they remove them immediately. His motion further included that the Clerk advise the Southern Pacific Company of the action taken. The motion was regularly introduced, seconded and carried by a vote of all members present.

In the Matter of Street Paving Petition:

A petition was presented to the Council requesting that they start the necessary proceedings for the paving of "M" Street from Seventh to Washington Street and the paving of Linden Street from Washington to Franklin Street, and that electroliers of the standard type to included in with the proceedings as has been done in the recent street work for other streets. The matter was referred to the City Engineer for further report.

In the Matter of Budgets:

No conclusion having been reached by the Council in the matter of certain items of the budget, the matter was laid over till the next meeting, September 26th.

In the Matter of Protest Against Skating Rink:

A protest signed by more than thirty people was presented to the Council protesting against allowing a skating rink to be operated in the Auditorium. Several reasons were advanced which justified the protests. After due consideration City Attorney Carlson was instructed to draw up a new Ordinance to control the operation of skating rinks.

In the Matter of Bond from Seagrave Company:

Pursuant to previous action a bond was again submitted to the City Council from the Seagrave Company properly executed whereupon Councilman Prewett introduced a resolution being,

RESOLUTION NO. 822-N.S.

approving the bond from the Seagrave Company for faithful performance of the delivery of fire equipment, which resolution was upon roll call adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Reports:

Reports were submitted to the Council from the following departments, Police Department,

Health Department, Public Works Department and were ordered placed on file.

In the Matter of Petition Against City Dumps and Buildings on the Aviation Field and Fair Grounds;

A petition was presented to the Council asking for the removal of the City Dumps and also for the removal of the unsightly buildings and fences now in existence on the City Property known as the Aviation Field and Fair Grounds. Several suggestions having been made as to how the present structure on the Fair Grounds might be removed and disposed of and no conclusion arrived at, the matter was laid over until the next regular meeting, September 26th.

In the Matter of Plans and Specifications for New Fire Houses;

By reason of the rejection of bids for fire houses at the last regular meeting it was necessary to amend the plans and specifications which have been presented at this meeting and after a carefull study of said plans and specifications Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 823-N.S.

approving the plans and specifications as amended, which resolution was upon roll call adopted by the following vote:

Ayes: Councilmen Brown, Boundey, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto

Wednesday, September 26th, 1923.

The Council met in regular session this date at the City Hall at 7:30 o'clock P.M. and there were present Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias. Absent: Councilmen None

In the Matter of Clerk Pro Tem:

The City Clerk, L. A. Love, being absent, Councilman Boundey offered the resolution, being,

RESOLUTION NO. 824-N.S.

RESOLVED, that A. J. Carlson, act as City Clerk protem of the Council at this meeting in absence of City Clerk, L. A. Love, The resolution upon roll call was adopted by the affirmative vote of all members.

In the Matter of Minutes:

The minutes of the regular meeting of September 12th, were read and the following correction was made under the item "In The Matter of Street Paving Petition," with reference to the paving of "M" Street from Seventh to Washington Street and Linden Street from Washington to Franklin Street, that the words "of the Standard type" following the word "electroliers" be stricken out inasmuch as the petition made no reference to any type of electroliers and there being no further corrections the minutes of the meeting of September 12th were ordered approved as read.

In the Matter of Petition of Central Pacific Railway Company for Franchise to Cross Arch Street:

Mr. W. Ridsen, Engineer of the Central Pacific Railway Company appeared before the Council and filed a petition for a franchise to cross Arch Street with a railroad track of standard gauge to facilitate traffic in and out of the City of Modesto. In connection with the petition he requested the Council to fix a time and place for hearing the application and to consider why the franchise should not be granted.

The petition was marked filed by A. J. Carlsen, Clerk pro tem whereupon Councilman Boundey offered a resolution being,

RESOLUTION NO. 825-N.S.

Entitled: "A Resolution Fixing Time and Place for Hearing Application and Directing Publication Thereof."

The resolution is on file in the City Clerk's Office. The 10th day of October 1923, at 7:30 o'clock P.M. at the Council Chamber of the City Council of Modesto, was fixed as the time and place for hearing the application and the Clerk was, by said resolution directed to publish Notice of Application in the Modesto Morning Herald, a newspaper of general circulation printed and published in the City of Modesto, at least once prior to October 10th. The motion to adopt, being duly seconded it was upon roll call carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

It is stated by Mr. Ridsen in connection with the application referred to that his company would pay all costs in connection with this application and proceedings.

In the Matter of Ordinance Fixing Tax Rate:

ORDINANCE NO. 260-N.S.

Entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODEST FOR THE FISCAL YEAR 1923-1924",

and which was read, introduced, adopted and passed to print on the 12th day of September 1923, and having been published as least once three days prior to this time in accordance with the Charter, Councilman Boundey, thereupon moved that the ordinance be finally adopted, which motion being duly seconded the ordinance was upon roll call adopted finally by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance Regulating the Operation of Skating Rink;

City Attorney Carlson laid before the Council for their consideration an ordinance, Entitled, "AN ORDINANCE REGULATING THE OPERATION OF SKATING RINKS AND PROVIDING FOR THE LICENSING THEREOF, " In connection with the discussion of this Ordinance it is suggested that the license fee be fixed at \$25.00 per month and that the Ordinance prior to introduction be rewritten so that the premises be under the supervision of the Police instead of requiring constant attendance of a Police Officer, and that the matter be taken up with Mrs. Jones, the leases of the Auditorium in which it is proposed to establish the skating rink, for her criticism of the license fee and the regulations imposed. No official action was taken.

In the Matter of Bids for Fire Houses;

This being the time and place fixed pursuant to resolution of the Council and published notice to bidders, when bids for the construction of two fire houses of the cottage type would be received and considered, the Mayor proceeded to open the two bids on file which were as follows:

First, the bid of Randolph and Ward accompanied by a certified check of \$1500.00 agreeing to build the fire houses according to plans and specifications prepared by Wieland Brothers for the sum of \$13920.00 with an additional sum of \$200.00 if a Surety Bond be required, and second, the bid of A. C. Jones offering to furnish all labor and material necessary under the general contract and build complete two fire houses as per plans and specifications referred to the sum of \$15390.00. A certified check in the sum of \$1540.00 accompanied this bid.

After considering the bids and upon consulting the Fire Chief and the architect the bid of Randolph and Ward was accepted by the resolution hereinafter referred to.

RESOLUTION NO. 826-N.S.

WHEREAS, in pursuance to a previous resolution of this Council and to "Notice to Bidders" given in accordance therewith the Council has this day received (this being the date set for bids) two bids for the construction of two fire houses of the cottage type for the City of Modesto as follows:

One from Randolph and Ward for the sum of \$13920.00 with an addition of \$200.00 in event a surety bond is required and one from A. C. Jones for the sum of \$15390.00 and

WHEREAS, both of said bids are in regular form,

AND WHEREAS, the bid of Randolph and Ward in the sum of \$14120.00 with surety bond is the lowest and best bid,

NOW THEREFORE, Be It Resolved, that the bid of Randolph and Ward for the construction of said two fire houses be accepted and the Mayor and City Clerk are hereby directed and authorized to enter into a contract with Randolph and Ward for the construction of said fire houses in accordance with the Notice to Bidders and plans and specifications and the bid of said Randolph and Ward, and,

BE IT FURTHER RESOLVED, that the bid of A. C. Jones be rejected and that his certified check in the amount of \$1540.00 be returned to him.

The foregoing resolution was regularly introduced by Councilman Boundey at a regular meeting of the City Council, September 26th, 1923, and was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: A. J. Carlson,
City Clerk pro tem

In the Matter of Fire Hose;

This being the time and place fixed pursuant to previous resolution of the Council and to public notice thereof given for the opening of bids for the purchase of 5000 feet of fire hose, the Council proceeded to open and examine the bids on file. Three bids each accompanied by the proper certified checks were on file, to-wit:

The bid of the American Rubber Manufacturing Company, the bid of the United States Rubber Company and the bid of Turner Hardware Company, Reference is hereby made to the bids on file in the office of the City Clerk for further details of each bid. The Council not being fully advised in the premises Councilman Oswald moved that the further consideration of these bids be continued until Wednesday, October 3rd, 1923, at the City Hall, at 8 o'clock P.M. and that all bids and all certified checks be retained until that time. The motion was carried by the vote of all members present.

In the Matter of Sale of Useless Personal Property:

Councilman Oswald introduced Resolution No. 827-N.S., a resolution authorizing the sale of useless personal property, belonging to the City of Modesto and moved its adoption. The motion to adopt the resolution was properly seconded and upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

The resolution read as follows:

RESOLUTION NO. 827-N.S.

A Resolution authorizing the Sale of Useless Personal Property Belonging to the City of Modesto.

WHEREAS, the City is the owner of the improvements on the so-called Municipal Aviation Field and Fair Ground and Athletic Field consisting of an aeroplane hanger, a grandstand, one set of bleachers and a six foot board fence, and,

WHEREAS, by reason of a decision heretofore reached to sell the athletic field, aviation field and fair grounds said personal property has become unnecessary for the use of the City.

NOW THEREFORE, Be It Resolved, that all of said personal property be sold at public auction upon advertising for five days as specified in the Charter; that said auction shall be held at the office of the City Council in the City Hall on Wednesday, the 3rd day of October, 1923, at the hour of seven-thirty o'clock P.M. that the initial bids shall be sealed and shall be accompanied by a deposit equal to ten per cent of the price bid; that after said sealed bids have been opened the said personal property will be offered for sale to the highest oral bidder, and in event there are no oral bidders then it will be struck off to the highest written or sealed bid. Ten per cent of the amount bid must be deposited upon the acceptance of the bid,

and the balance upon delivery of property. The buyer will be required to take the property as it stands and remove the same from its present location at his own expense. Bids may be either for all of the property hereinabove specified, or for the aviation hanger, grandstand, bleachers or wooden fence separately.

The foregoing Resolution was introduced by Councilman Oswald at a regular meeting of the Council of the City of Modesto held on the 26th day of September, 1923, and its adoption being duly moved and seconded, it was adopted by the following vote: to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: A. J. Carlson,
City Clerk Pro tem

In the Matter of Bid from W. L. Morrill:

A bid was received from W. L. Morrill, of 430 Roselawn Avenue, of Modesto, for taking down the fence around the ball park, removing lumber, etc. The bid was ordered placed on file without action.

In the Matter of Bill Boards on City Property:

A communication was received from Foster & Kleiser and G. E. Gaylord the Superintendent of the Southern Pacific Company, of Stockton, with reference to the bill boards on the City property on the north end of 9th Street. Foster & Kleiser promised to comply with the wishes of the Council immediately. The communications were ordered placed on file.

In the Matter of Communication with J. A. Edwards:

A communication was received from J. A. Edwards suggesting that in event of segregation of Police Judge and Justice of Peace, he would like the appointment of Police Judge. The communication was ordered placed on file.

In the Matter of Sidewalks:

A petition signed by L. V. Bowers and twelve others was received asking that steps be taken to have sidewalks laid in front of property occupied by the Seventh Day Adventist School fronting on 4th, 5th, and "E" Streets, whereupon Councilman Prewett offered a resolution being,

RESOLUTION NO. 828-N.S.

WHEREAS, the petition filed by L. V. Bowers and others has been received setting forth the necessity for sidewalks around a portion of Block X in the City of Modesto and that particular property in Block X fronting on 4th, 5th and "E" Streets.

THEREFORE, Be It Resolved, that the City Clerk notify the owners of property in said Block X to be effected by said proposed sidewalks to install the same within 60 days after such notice or in default of which the Council will start proceedings under the "Improvement Act of 1921" for the construction of such sidewalks at the expense of the property owner.

The motion to adopt the resolution being duly seconded it was upon roll call carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: A. J. Carlson,
City Clerk Pro tem

In the Matter of Petition of Paving Portion of "M" and Linden Streets:

The report of City Engineer McCarton showed that the petition for this improvement was signed by 55.3% of the owners of the frontage effected. A motion was thereupon made by Councilman Prewett instructing the City Engineer to proceed with the plans and specifications. The motion was carried by the vote of all members present.

In the Matter of Petition for Paving of Portion of Ramona Avenue and Morris Avenue:

A petition was received from Geo. R. Atkinson asking that a portion of Morris Avenue between Castle Street and Ramona Avenue, and Ramona Avenue from Morris Avenue to Lucern Avenue be paved including curb and gutter.

Councilman Oswald reported in connection with this application that Mr. Atkinson had asked him that while he was desirous of the improvement he did not wish to have it done before the first of March 1924, whereupon a motion ordering that further consideration be postponed to Wednesday evening October 3rd, was duly made, seconded and carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Purchase of Lots for Fire House:

N. E. DeYoe having presented his deed in proper form, of lots 8, 9, and 10, in Block 200, of the City of Modesto together with a certificate of title thereto, Councilman Boundey introduced resolution No. 829-N.S, which reads as follows:

RESOLUTION NO. 829-N.S.

WHEREAS, N. E. DeYoe has tendered to the City of Modesto a deed of conveyance sufficient in form, together with a certificate of title, showing that he is the owner thereof, conveying to the City of Modesto Lots 8, 9, and 10 in Block 200 of the City of Modesto, according to the map or plat thereof on file in the Recorder's Office of Stanislaus County, California in Vol. 10 of Maps, and

WHEREAS, said property is necessary for the use of the City of Modesto for the construction of a fire house.

NOW THEREFORE, Be It Resolved that said deed be accepted and that a warrant be drawn in favor of said N. E. DeYoe for the sum of \$825.00, the purchase price thereof.

The foregoing resolution was regularly introduced by Councilman Boundey at a regular meeting of the City Council, September 26th, 1923, and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: A. J. Carlson,
City Clerk Pro tem

In the Matter of Bill from Frank T. Ramsey:

A bill was presented to the Council by Frank T. Ramsey for \$60.00, account two months rental of automobile for Building Department for the months of July and August at \$30.00 per month. Upon recommendation of the City Engineer McCarton, the motion was made, seconded and duly carried that the bill be paid.

In the Matter Ordinances and Application of Marshall & Russell Laid Over:

The following matters upon motion duly made seconded, and carried, were ordered laid over until the next regular meeting of the Council. Ordinance No. 248-N.S., Ordinance No. 255-N.S., proposed electrical Ordinance, and Application of Marshall & Russell for sewer and water.

In the Matter of Reports:

City Engineer McCarton made an oral report on the cost of gravel for the improvement of Locust Street, stating that the cost of the gravel would be \$1850.00. No action was taken upon the report.

Fire Chief Wallace reported that he had obtained the estimated cost of construction of several wells in the down town section for fire pressure as follows:

Each well to the depth of 100 feet, 10 inches in diameter at \$175.00 each.

No action was taken.

No further business appearing the Council upon motion duly made seconded and carried adjourned to meet again Wednesday October 3rd, 1923, in the City Hall, City of Modesto at 7:30 P.M.

Approved: _____
Mayor

Attest: _____
City Clerk pro tem

.....

Council, City of Modesto,
Wednesday, October 3rd, 1923

The Council met this date pursuant to adjournment of September 26th, and there were present: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Ellis Absent: Councilmen None

In the Matter of Sidewalks Around School Property in Block X:

Mr. O. O. Osborn and others appeared before the Council and protested against the action taken on the evening of September 26th, at which time they authorized the clerk to write and request that sidewalks be installed around the school property in Block X. Mr. Osborn stated that such action would work extreme hardships upon the school interest and further stated that very little traffic would pass over such sidewalks if they were constructed.

The Council upon motion referred the matter to Councilman Oswald together with the petition which requested this work done and also authorized the Clerk to withhold sending out notices until after further report was made.

In the Matter of Bids on Fire Hose:

Pursuant to the opening of bids for fire hose Wednesday evening, September 26th, at which time the bids were laid over for further consideration, the Council now opened up the matter and the subject was under discussion. After listening to the arguments of the different bidders, Fire Chief Wallace recommended that the Council consider the bid of the American Rubber Company, whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 830-N.S.

authorizing the purchase of 5000 feet "Specification" fire hose from the American Rubber Company at \$.80 per lineal foot, less 2% discount for cash with the understanding that the delivery of the hose shall be at our option within the next four months. The resolution was regularly introduced and upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Noes: Councilman Osvald

Absent: Councilmen None

In the Matter of Bids on Personal Property:

Pursuant to published notices and this being the time and place set for opening bids on certain personal property consisting of lumber and material of the hangar, fence and grandstand on the Aviation Field, and Fair Ground and no bids being received the Council proceeded to call for oral bids, whereupon Mr. W. H. Blizzard bid \$350.00 for all material in the fence and grandstand. Frank T. Ramsey bid \$20.00 for all the plumbing underneath the grandstand. After considering the bids Councilman Prewett introduced a resolution being,

RESOLUTION NO. 831-N.S.

WHEREAS, the oral bids tendered by W. H. Blizzard in the amount of \$350.00 for all the material in the grandstand and fence on the City Aviation Field and the bid of F. T. Ramsey for plumbing are too low,

THEREFORE, Be It Resolved, that all bids for the above mentioned material be and are hereby rejected.

The above resolution was regularly introduced this 3rd day of October, 1923, and upon roll call was adopted by the affirmative vote of all members.

In the Matter of Care of Parks:

Mr. Phillis, Care Taker of the various parks made an oral report on the condition in which the parks are in and made certain recommendation for the purchase of seed and equipment, which matter was referred to Councilman Brown for further attention.

In the Matter of Petition to Pave Orange Avenue:

A petition was presented to the Council asking that steps be taken to pave Orange Avenue from Needham to Stoddard. The petition apparently contained the signatures of more than 50% of the property owners, whereupon it was referred to the City Engineer to prepare necessary proceedings providing it was O.K.

In the Matter of Recommendation of City Engineer:

City Engineer McCarton made certain recommendation in regard to putting fire alarm wire of certain districts underground and in addition thereto made several other recommendations. The Council instructed him to withhold his recommendations until a future meeting.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

Council, City of Modesto

Wednesday, October 10th, 1923.

The Council met in regular session this date and there were present Councilman Boundey, Brown, Oswald, Pfewett and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes;

The minutes of the regular meeting of September 26th, and adjourned meeting of October 3rd, were read and upon motion duly carried were ordered approved as read.

In the Matter of Drainage on L and M Streets, West of Southern Pacific Railroad Tracks;

Mr. Montgomery appeared before the Council and complained about the condition of water standing on "L" and "M" Streets west of the Southern Pacific Railroad Tracks by reason of lack of storm sewers. Mr. Montgomery made an expression to the effect that he believed the people in that vicinity would like to have proceedings started for the construction of storm sewers in that district, whereupon the Council ordered that he endeavor to get such a petition and present it at some future date.

In the Matter of Sale of Material on Fair Ground and Aviation Field.

While the time for receiving bids for the lumber and material and the improvements on the Aviation Field is past, one Charles Hoagland of Ceres appeared before the Council and stated that he would give \$400.00 for all of the material in the existing structure on this property. No action was taken.

In the Matter of Request to Close "M" Street;

Mr. DeWitt and others appeared before the Council and ask that steps be taken to close that portion of "M" Street between Washington and 7th Street. No action was taken, however the Council advised Mr. DeWitt the matter would be taken under consideration.

In the Matter of Petition of Central Pacific Railroad Company for Franchise to Cross Arch Street;

Pursuant to action taken by this Council September 26th, and the matter again coming up for attention at this time Mr. Jones representing the Central Pacific Railroad Company appeared and asked that the original petition as filed, be withdrawn, inasmuch as it did not exactly cover their requirements, whereupon Councilman Oswald introduced a resolution being,

RESOLUTION NO. 832-N.S.

WHEREAS, the Central Pacific Railroad Company filed a petition for a franchise to Cross Arch Street,

AND WHEREAS, the petition as filed is at this time requested to be withdrawn by said Central Pacific Railroad Company by reason that the petition is not sufficient to suit the requirements of said Central Pacific Railroad Company,

THEREFORE, Be it Resolved, that the petition together with all subsequent proceedings be withdrawn and without prejudice.

The foregoing resolution was introduced this 10th day of October, 1923, by Councilman Oswald and was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love, City Clerk

In the Matter of Petition of Central Pacific Railroad Company for Franchise to Cross Arch Street;

Mr. Jones representing the Central Pacific Railroad Company appeared before the Council and filed a petition for a franchise to cross Arch Street with a railroad track of standard gauge to facilitate traffic in and out of the City of Modesto. In connection with the petition he requested the Council to fix a time and place for hearing the application and to consider why the franchise should not be granted. The petition was marked "filed" by L. A. Love, City Clerk, whereupon Councilman Boundey offered a resolution, being,

RESOLUTION No. 833-N.S.

"Entitled, "A Resolution Fixing Time and Place for Hearing Application and Directing Publication thereof," The resolution as passed is on file in the City Clerk's Office and sets the day for hearing for November 14th, 1923, at 7:30 o'clock P.M. at the Council Chamber of the City of Modesto and the Clerk was by said resolution directed to publish Notice of Application in the Modesto Morning Herald a newspaper of general circulation printed and published in the City of Modesto in ten consecutive issues prior to the time set for hearing.

The resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

It is stated by Mr. Jones in connection with the application referred to above that the Central Pacific Railroad Company would pay costs in connection with this application and proceedings.

In the Matter of Proposed Ordinance for Skating Rink;

Pursuant to previous discussion on the topic a protest against the passage of the proposed ordinance changing the regulation and licensing on skating rinks, was presented by Mrs. Jones and after due consideration the Council ordered the proposed ordinance and the petition laid over indefinitely as per resolution No. 834-N.S., introduced by Councilman Boundey which was adopted by the affirmative vote of all members of the Council.

Matters Pending;

Ordinance No. 248-N.S., Ordinance No. 255-N.S., proposed electrical Ordinance and a petition from Marshall and Russell for water and sewer lines, were ordered laid over until the next regular meeting, likewise the matter of ordering sidewalks to be constructed around the school property in Block X, and the petition from Mr. Atkinson for the paving of Morris Avenue and Romona Avenue were laid over until the next regular meeting.

In the Matter of Use of T.K. Beard's property for Storage of Concrete Pipe and Machinery:

Attention of the Council was called to the fact that the City is still paying rental to T. K. Beard for a portion of Block 136 for the purpose of keeping concrete pipe machinery on it in readiness to manufacture additional pipe if necessary, but inasmuch as there are no immediate demands to be made upon this equipment the City Engineer was ordered to move it from the present site and store it on City Property and thus eliminate the monthly charge for the rental.

In the Matter of Paving Linden Street:

The proceedings for the paving of Linden Street and "M" Street from Washington to 7th Street were presented by the City Engineer but owing to the winter season coming on the Council determined that it would not be advisable to proceed with this work until spring. Whereupon no action was taken upon the proceedings presented.

In the Matter of Petition Against Plumbing Inspector:

A petition was filed by the Modesto Plumbing Association stating that the plumbing inspector as now employed by the City is incompetent to do the work of inspecting plumbing and the petition requests that the City employ a man who has the technical knowledge of plumbing. The matter was referred to Councilman Prewett and Boundey and the petition was ordered placed on file.

In the Matter of Delinquent Irrigation Taxes:

A communication from the Modesto Irrigation District advised a tax delinquency against lots 1 to 10 inclusive, Block 323, whereupon the clerk was authorized by motion which was duly seconded and carried to redeem the delinquent taxes with the Modesto Irrigation District,

In the Matter of Rental of Sidewalk Space for Display of Used Cars:

As result of mailing a bill to the Frank Paradis Company a letter was received by the City of Modesto advising that the Frank Paradis Company had discontinued using the sidewalk space for the display of their used cars, effective June 15th, last, and that the City would receive no further revenue for such property unless they should at sometime in the future desire to use it and it be agreeable to all parties concerned.

In the Matter of Reports:

Reports were filed with the Council by the Engineering Department, Fire Department, Police Department, and Health Department and were ordered placed on file. The Salvation Army also rendered a report of their activities during the month of August and September which was also ordered placed on file.

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.....	\$11667.12
Water "	14017.45
Library "	1312.86
Bond Redemption & Interest	3.55
Fire House Bonds.....	893.52
Street Bond Redemption & Int.	.49
Total.....	\$27894.99

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

In the Matter of Budgets:

The matter of budgets was again called to the attention of the Council by the City Clerk, whereupon the matter was laid over until the next regular meeting.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto,
Wednesday, October 24th, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias, Absent: Councilmen None

In the Matter of Minutes:

The minutes of October 10th, were read and upon motion were ordered approved.

In the Matter of Budgets:

The 1923-24 budget was again taken up by the Council at this time and after considerable discussion over several of the items contained in it, Councilman Boundey offered a resolution, being,

RESOLUTION NO. 835-N.S.

adopting the budget. This resolution was met with protests from Councilmen Prewett and Brown on the grounds that the budget contained certain items which in their judgment should not be included. (The item of increase in salary for the head of the Department of Public Works and the item of detective service in the Police Department.) Roll was called upon the resolution which was adopted by the following vote:

- Ayes: Councilmen Boundey, Oswald, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

In the Matter of Increasing the City Engineers Salary:

Immediately upon the adoption of the budget, Councilman Boundey introduced a resolution being,

RESOLUTION NO. 836-N.S.

providing for the increase in the salary of the City Engineer who is also the executive in charge of other departments as outlined in Ordinance No. 237-N.S. This resolution raises the salary from \$200.00 per month to \$300.00 per month and becomes effective from November 1st, 1923. The resolution upon roll call was adopted by the following vote and is on file in the office of the City Clerk.

- Ayes: Councilmen Boundey, Oswald, and Mayor Elias
- Noes: Councilmen Brown and Prewett
- Absent: Councilmen None

In the Matter of Claim of Lambert & Walter:

A letter addressed to the City Clerk of Modesto dated October 17th, and making a claim for \$1174.34 was presented to the Council at this meeting. The claim is for the final payment on a sewer system which was laid in the eastern addition of the City of Modesto several years ago and which was taken over by the City of Modesto. The matter was referred to the City Attorney for advice.

In the Matter of Petition for Street Grade:

A petition was received by the Council from Mr. L. L. Dennett petitioning the City to establish the proper grades on Virginia Avenue and Coldwell Avenue. The matter was referred to the City Engineer together with the petition which was filed by Mr. Dennett.

In the Matter of Petition Against Oil Station:

A petition was presented to the Council by Mr. Felix Anaya asking that the Council take some action to prevent the erection of a galvanized iron building on lots 17, 18, 19, Block 106, City of Modesto, on the grounds that such a building would be "unsightly to the optic" as well as "being the desecration of said street". The Council were not in a position to take any official action, however, the matter was referred to the City Engineer for investigation.

In the Matter of Petition to Pave Grant Street:

A petition was presented to the Council asking that immediate steps be taken for the paving of Grant Street from McHenry Avenue to Johnson Street which after due consideration was referred to the City Engineer.

In the Matter of Protest Against the Paving of Orange Avenue:

A protest was presented to the Council at this meeting against the paving of Orange Avenue signed by many interested property owners along that street. Inasmuch as a previous petition had been filed requesting the paving of Orange Avenue this protest was referred to the City Engineer in order that he might determine whether or not 50% of the property represented, was effected thereby.

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. 167, assessment No. 118 and no written objections being presented the Council thereupon under Resolution No. 399-B.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. 399-S.P.

An Order providing for the issuance of street improvement Bonds.

WHEREAS, on May 23rd, 1923, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 167 ordering the improvement of certain streets and other public ways within the City of Modesto, as in said Resolution specified, which Resolution of Intention so passed and adopted is now on file in the office of the City Clerk of the City of Modesto and is hereby referred to and made a part hereof for all purposes, and

WHEREAS, thereafter and pursuant to other proceedings as required by law a contract for the doing of the work in said Resolution specified was awarded and was entered into by the Superintendent of Streets of the City of Modesto on behalf of said city with the person to whom said contract was awarded, which said work was performed in accordance with the conditions of said contract and said Resolution of Intention, and

WHEREAS, after the contractor had fulfilled his contract to the satisfaction of the Superintendent of Streets an assessment was made and delivered to him therefor, which said assessment was thereupon filed with the City Clerk, and

WHEREAS, no appeal was taken therefrom and said assessment was confirmed by the City Council, and

WHEREAS, thereafter a warrant was attached to said assessment signed by the Superintendent of Streets and countersigned by the Mayor of said City, which were then recorded in the office of the Superintendent of Street and thereafter delivered to the contractor, and

WHEREAS, the contractor thereafter returned said warrant to the Superintendent of Streets with a written statement of all payments received upon the assessment, signed by the contractor or his assigns, which said statement was thereupon filed by the Superintendent of Streets, as required by law and the warrant thereupon redelivered to the contractor, and

WHEREAS, the Street Superintendent thereafter made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment, and 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 the unpaid assessments shown on such list, which notice was posted, published and mailed 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 October, 1923, at the hour of seven-thirty o'clock P.M., at the Council Chambers of the Council of the City of Modesto at the City Hall, 717 Tenth Street in said city, the said Council did meet to hear any objections presented, and

WHEREAS, no objections were presented, and

WHEREAS, it appears that the aggregate amount of the assessments unpaid for said improvement, as appears from said list as filed by the Street Superintendent with the City Clerk, is the sum of \$2,606.98.

NOW THEREFORE, Be It Resolved that the City Council of the City of Modesto does hereby find, determine and declare that all of the acts and conditions precedent to the adoption of this resolution and to the issuance and delivery of bonds to pay for said improvement have been done, performed and occurred; that the assessments which are unpaid are those shown on

the list of unpaid assessments made by the Superintendent of Streets and filed with the City Clerk (which said list so on file as aforesaid is hereby referred to for greater certainty and a more particular description of the unpaid assessments and of all assessments unpaid upon any assessment as if set out at full herein) and that said list is a complete and accurate list of all assessments unpaid and of all assessments unpaid upon any assessment, and that the aggregate amount of the same is the sum of \$2,606.98.

Be It Further Resolved that serial bonds as provided by the act of the legislature of the State of California known and designated to and amendatory thereof, issue in the sum of \$2,606.98 in the aggregate, and that said bonds shall forthwith be delivered to the contractor in satisfaction of the balance due him upon his assessment and warrant; that said bonds shall be issued in fifteen series of one bond in each series; they shall each and all be dated the 1st day of October, 1923, (the date of the filing of the unpaid assessment list) and 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 ten months after their date until the whole is paid, and shall bear interest at the rate of seven per cent per annum from said October 1st, 1923, on all sums unpaid until the whole of said principal sum and interest are paid, which said interest shall be payable semi-annually by coupons on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not become due until six months before the maturity of the first series of bonds, to-wit: 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 (October 1st, 1923) to January 2nd, 1925; that the bonds shall be for the principal sums or denominations as hereinafter stated and shall be numbered and payable as follows:

NO. OF BOND	AMOUNT OF BOND	MATURITY
No. 1	\$170.98	July 2, 1925
No. 2	174.00	July 2, 1926
No. 3	174.00	July 2, 1927
No. 4	174.00	July 2, 1928
No. 5	174.00	July 2, 1929
No. 6	174.00	July 2, 1930
No. 7	174.00	July 2, 1931
No. 8	174.00	July 2, 1932
No. 9	174.00	July 2, 1933
No. 10	174.00	July 2, 1934
No. 11	174.00	July 2, 1935
No. 12	174.00	July 2, 1936
No. 13	174.00	July 2, 1937
No. 14	174.00	July 2, 1938
No. 15	174.00	July 2, 1939

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 of the Treasurer in place of a signature by hand.

The foregoing Resolution was introduced at a regular meeting of the Council of the

City of Modesto held on the 24th day of October, 1923, 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, Brown, Oswald, Prewett, and Mayer Elias.

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,
City Clerk

In the Matter of Claim of A. N. Frost;

A claim was presented against the City by A. N. Frost for a balance of \$50.00 which he claims due him for labor in erecting the fence and grandstand on the Aviation Field and Athletic Field. The matter was referred to the City Attorney.

In the Matter of Armistice Day Celebration;

Mr. Nathan McVay appeared before the Council to ask that the American Legion boys be granted many privileges on that day, to the exclusion of all outside interest and concessions. The matter was referred to City Engineer F. W. McCarten after which Councilman Boundey introduced a resolution being,

RESOLUTION NO. 837-N.S.

expressing the willingness of the Council to act in cooperation with the American Legion in helping to make their celebration a success. The resolution upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayer Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Constructing Sidewalks Around Block X:

In line with a petition presented September 18th, by L. V. Bowers requesting that the City Council have sidewalks constructed around Block X from the alley in that block along the line of "E" street to 5th Street, thence Southeasterly along the line of 5th Street to Sierra Drive, thence westerly along the line of Sierra Drive to the alley.

Mr. Tom Scott appeared before the Council in behalf of the petitioners and urged that the Council take some action in the matter, whereupon at the suggestion of the Mayor, a committee consisting of the whole Council, including the Mayor was appointed to personally go to the property and analyze the conditions and render a report at the next meeting.

In the Matter of Complaint Against Being Quarantined:

Mr. Deaver appeared before the Council and personally complained against having been quarantined some time ago by the City Health Officer, by reason of the fact that a case of small pox existed in his house. Mr. Deaver stated that while he lived in the house he never entered the room in which the patient was confined and that as a result of being quarantined he was obliged to loose considerable time from his work and receive no compensation. He now claims the City should reimburse him for the time he lost while under quarantine. The matter was referred to the City Attorney who immediately replied that the City authorities were justified in their actions and that the City Council should do nothing in regard to the case.

In the Matter of Light and Power from the Modesto Irrigation District:

A letter from the Modesto Irrigation District was presented to the Council offering to furnish light and power to the City on the basis outlined in the resolution referred to below. After much discussion by the Council and the Irrigation District authorities Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 838-N.S.

to the effect that the City of Modesto enter into a contract with the Modesto Irrigation District for electrical energy for a period of one year. The resolution was regularly introduced and upon roll call adopted by the following vote: (The resolution is on file in the City Clerk's Office)

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

(Letter from Modesto Irrigation District to City Attorney Carlson)

In the Matter of Sanitary Sewer in the Virginia Tract:

Pursuant to a petition filed several months ago by the Modesto Realty Company, Councilman Prewett introduced a resolution being,

RESOLUTION NO. 839-N.S.

authorizing the City Engineer to construct Sanitary Sewers in the Virginia Tract as per plans and specifications on file in the City Engineer's Office, and authorizing the Department of Public Supplies to purchase the necessary supplies for carrying out this work. The resolution was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Insurance on Fire Department Equipment and Police Department Equipment:

The matter of insurance was called to the attention of the Council by Fire Chief Wallace, whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 840-N.S.

instructing the Commissioner of Finance to make the necessary arrangements and procure Public Liability and Property Damage Insurance for the City of Modesto on the Fire Department and Police Department equipment. The resolution was regularly introduced and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

City Clerk: _____
City Clerk

.....

Council, City of Modesto

Wednesday, November, 14th, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett, and Mayer Elias, Absent: Councilmen None

In the Matter of Minutes:

The minutes of October 24th, 1923, were read and upon motion were ordered approved.

In the Matter of Petition for Street Lights, Etc.

Mr. J. R. Miller appeared before the Council and asked that steps be taken to have an electric light places at the corner of Fifth and "E" Streets and further asks that the Council make an effort to improve "G" Street between Second and Third Streets. These matters were referred to the City Engineer for attention.

In the Matter of Sidewalks in Block X:

Pursuant to previous action by the Council a report was rendered by the Mayor to the effect that in the judgment of the various members of the Council, who became a self appointed committee to investigate the necessity of constructing sidewalks around a portion of Block X, that the amount of traffic over such sidewalks did not warrant the expense of construction, since the expense was to be borne by school property. Councilman Boundey moved that the matter be laid over indefinitely and the motion was carried by the affirmative vote of all members.

In the Matter of Claim of Lambert and Walter:

At the Council meeting October 24th, a claim from Lambert & Walter against City of Modesto was presented to the Council and referred to the City Attorney for report. The matter coming up for attention at this meeting was upon motion laid over to be again taken up at the next regular meeting.

In the Matter of Grade on Coldwell Avenue and Virginia Avenue:

The matter of establishing street grades on Coldwell Avenue and Virginia Avenue was called to the attention of the Council at the meeting of October 24th, and laid over to be further taken up at this meeting. The matter coming up for attention was again laid over to be taken up at the meeting of November 28th.

In the Matter of Petition to Pave Orange Avenue:

The petitions which had been filed with the City Clerk requested the paving of Orange Avenue and the protests which were presented to the Council at the previous meeting all having been referred to the City Engineer for report were again returned at this meeting with a report from the City Engineer to the effect that the petition was insufficient in that the protest against the paving over ruled the petitioners for it. No action was taken.

In the Matter of Paving Grant Street:

A petition presented at the previous meeting having been referred to the City Engineer for report was returned at this meeting by the City Engineer, with advise that more than 50% of the property had been signed up, whereupon the City Engineer was ordered to prepare plans and specifications for the work.

In the Matter of Claim of A. N. Frost:

A claim which was presented against the City by A. N. Frost in the amount of \$30.00 at a previous meeting, again came up for attention at this meeting whereupon Councilman Boundey

offered a resolution being,

RESOLUTION NO. 841-N.S.

to the effect that the Council disallow the claim. The resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Paving Downey Avenue:

A petition was presented at this meeting asking for the immediate paving of Downey Avenue between James Street and the easterly end of Downey Avenue. The petition was referred to the City Engineer for report at the next meeting.

In the Matter of Electric Light and Power Contract with the Modesto Irrigation District:

Pursuant to action taken by this Council Wednesday evening October 24th, a contract was presented by the Modesto Irrigation District to the City Council of the City of Modesto which provided for the purchase of electrical energy from the Modesto Irrigation District at certain specific prices. The contract as presented at this meeting was ordered placed on file.

In the Matter of Closing Carlson Street:

A petition was presented at this meeting by several property owners in Block 218 and 219 asking that Carlson Street be closed, whereupon the Mayor appointed a committee consisting of each Councilman and himself to make a personal survey of the premises and be prepared to report at the next meeting with recommendations.

Matters Pending:

The petition of George R. Atkinson for the paving of Morris Avenue and an Ordinance being, Ordinance No. 248-N.S. providing for the purchase of certain supplies for the electrical Department were laid over to again be taken up at the next regular meeting.

In the Matter of Granting Franchise to Central Pacific Railway Co.,

Pursuant to previous action by the Council and this being the time fixed for hearing of protests against the application of the Central Pacific Railway Company for a franchise, and no protests being presented a resolution was introduced by Councilman Oswald, being,

RESOLUTION NO. 842-N.S.

a resolution finding due publication of Notice of time and place fixed for hearing.

Ayes: Councilmen Oswald, Prewett, Boundey, Brown, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 843-N.S.

a resolution passing Ordinance No. 261-N.S. to print, was introduced by Councilman Oswald and was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

ORDINANCE NO. 261-N.S.

an ordinance granting to Central Pacific Railway Company a corporation, its successors in interest and assigns, in so far as it lies in the power of the City of Modesto, State of California, to grant the same, the right, privilege, permission, right of way and franchise to construct, lay down, maintain and operate for the term of twenty-five years, a railroad track of standard gauge, for the transportation of freight and passengers for hire, together with the right, privilege and permission, pass with, and operate locomotives propelled by steam, or any other lawful notice power, and to run cars thereon and thereover, together with all the necessary mechanical appliances, turnouts, switches and wyes, side tracks, spur tracks and equipments for the cars over along upon and across the roads, streets portions of streets, and other places in the City of Modesto, County of Stanislaus, State of California, was introduced at a regular meeting of the Council of the City of Modesto, held on the 14th day of November, 1923, by Councilman Oswald, who moved its adoption and passage to print, as outlined in Resolution No. 843-N.S. preceeding this Ordinance, The vote on the initial adoption of this ordinance was as follows:

Ayes: Councilmen Boundey, Brown, Oswald, Frewett, and Mayer Elias

Noes: Councilmen None

Absent: Councilmen None

X
In the Matter of Tidewater Southern Railway Company Franchise:

Attention of the Council was called to the fact that the Tidewater Southern Railway Company are violating some of the terms of their franchise by running steam locomotives through the City of Modesto over their tracks, and the City Attorney was requested to write and demand that the Tidewater Southern Railway Company comply with the terms of their franchise.

In the Matter of Petition to Raise Fire Chief's Salary:

A petition was presented to the City Council by Reverend Sylvester urging that the City Council recognize the responsibility resting upon the present Fire Chief and also calling their attention to the fact that he is at the present time underpaid. The petition urges that the Council increase the Fire Chief's salary to \$275.00 per month, being an increase of \$100.00 over the present salary. The petition was ordered placed on file.

X
In the Matter of Delinquent Tax Redemption:

Mr. B. Schulman appeared before the Council in regard to an old tax sale which stands unpaid against property known as Block D. The tax sale in question specifies the property to be lots 17 to 21, Block 137, in the Tax Sales records at page 87, the tax sale having been made in 1893. Investigation reveals that lots 17 to 21 in Block 137 does not apply to Block D and therefore the record in the tax sale book is determined to be erroneous whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 844-N.S.

authorizing the City Clerk to cancel the matter and clear the records. The resolution was adopted by the affirmative vote of all members.

In the Matter of Boy's Band;

Mr. Walters appeared before the Council in behalf of the Boy's Band and explained that the boys had no place to carry on their practice work throughout the winter and asked if they might be permitted to use the City Council Chambers twice a week for the purpose of rehearsals. The Council considered the question and gave permission to the boys to use the hall for that purpose which at all times will be under the jurisdiction of Fire Chief Wallace.

In the Matter of Resignation of City Clerk, Auditor, Treasurer, Assessor & Tax Collector:

A letter of resignation was tendered to the Council by L. A. Love who at the present time is in charge of the offices enumerated above, such resignation to become effective, December 1st, 1923. The resignation cites the prospects of broader and better opportunities in the commercial world. After considering the resignation Councilman Boundey introduced a resolution being,

RESOLUTION NO. 845-N.S.

accepting the same which resolution was adopted by the affirmative vote of all members.

In the Matter of Reports;

Reports were filed by the Fire, Police, Engineering, and Health departments which were ordered placed on file.

In the Matter of Claims;

The claims for the month of October, 1923, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$19075.26
Water Fund.....	7134.84
Library Fund.....	1607.94
Fire house Bond.....	5080.12
St. Bond Funds.....	907.73
Miscellaneous Funds.....	1.10
TOTAL.....	\$33866.99

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

In the Matter of Complaint Against Pentecostal Mission Worshipers:

Mr. Charles Jesseman appeared before the Council and asked that some relief be provided the residents of the community in the neighborhood of Fourth and "F" Streets by reason of the disturbance raised by the worshipers at the Pentecostal Mission. Mr. Jesseman claims that the worshipers who congregate at this place become very noisy and disorderly during the late hours and that he as well as a great many other people living in the community are disturbed very frequently. The matter was referred to Councilman Oswald with instructions to do whatever he could to relieve the situation.

In the Matter of Request for Increase in Salary:

Mr. George Potts, City Electrician in the Department of Public Works demanded that his salary be increased \$50.00 per month, effective November 1st, on the grounds that the nature of his work and the time in the service warranted such increase. In his request he called attention to the fact that the salary of the head of the department of public works had just been increased \$100.00 per month and he endeavored to show that it would be no more than fair to increase his salary \$50.00 per month, whereupon Councilman Prewett introduced

a resolution to increase Mr. Potts salary \$50.00 per month being,

RESOLUTION NO. 846-N.S.

which upon roll call was not adopted by the following vote:

Ayes: Councilmen Brown and Prewett

Noes: Councilmen Oswald, Boundey and Mayor Elias

Absent: Councilmen None

The introduction of the above resolution created considerable controveray in which Councilman Oswald stated that if they were to raise Mr. Potts Salary that the salary for all department heads as well as some of the subordinate employees should be raised and he introduced a resolution to this effect, being,

RESOLUTION NO. 847-N.S.

in which it was proposed to increase salaries as follows:

Fire Chief's	salary from	\$175.00	to	\$200.00	per month
Chief of Polices	" "	175.00	"	200.00	" "
City Clerk's	" "	300.00	"	325.00	" "
Asst. Engineer's	" "	175.00	"	200.00	" "
Asst. Electrician's	" "	200.00	"	225.00	" "
Captain of Police's	" "	150.00	"	175.00	" "
Asst. Street Supt.'s	" "	175.00	"	200.00	" "
Asst. Treasurer & Tax Collector	" "	120.00	"	130.00	" "
Asst. City Clerk's	" "	130.00	"	140.00	" "

All Police employees and Fire Department employees to be increased to \$130.00 per month plus \$10.00 per year providing the employee remain in the service until a maximum of \$150.00 is reached.

The resolution was put to a vote and upon roll call was lost as indicated below:

Ayes: Councilman Oswald

Noes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Absent: Councilmen None

Considerable discussion was had by the Council upon the subject of salary increases during which George Potts tendered his resignation to the Council effective December 1st, 1923, Councilman Boundey thereupon introduced a resolution being,

RESOLUTION NO. 848-N.S.

to accept Mr. George Potts resignation which resolution was not carried when put to a vote as follows:

Ayes: Councilmen Boundey and Mayor Elias

Noes: Councilmen Brown, Prewett, and Oswald

Absent: Councilmen None

This action provoked the introduction of another resolution by Councilman Oswald with the further idea of being able to raise the salary of the head of all the departments and several of the subordinate employees, being,

RESOLUTION NO. 849-N.S.

in which it was proposed to make increases as follows:

	salary from	\$175	to	\$225	per month
Fire Chief's	"	"	"	"	"
Chief of Police's	"	175	"	225	" "
City Clerk's	"	300	"	350	" "
Asst. City Engineer's	"	175	"	225	" "
Asst. City Electrician's	"	200	"	250	" "
Captain of Police's	"	150	"	175	" "
Asst. Street Supt.'s	"	175	"	200	" "
Asst. City Clerk's	"	120	"	140	" "
Asst. Treasurer & Tax Collectors	"	120	"	130	" "

All employees of the Fire Department and Police Department to be increased to \$130.00 per month.

The Resolution was put to a vote and lost as indicated below:

Ayes: Councilman Oswald

Noes: Councilmen Boundey, Brown, Prewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Sale of City Property:

Mr. Grant appeared before the Council and asked if it would be possible for him to purchase from the City a small, triangular, piece of ground owned by the City of Modesto and located at the corner of 10th Street and Needham Avenue. The matter was duly considered by the Council and laid over to be taken up at the next regular meeting.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

Council, City of Modesto
Friday, November 23rd, 1923.

The Council met in special meeting at the call of the Mayor, written notices having been delivered or mailed to each of the Councilmen as required by Ordinance No. 2-N.S. of the City of Modesto, and there were present: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias. Absent: Councilmen None.

The meeting was called for the purpose of appointing a City Clerk, Auditor, Assessor, Treasurer and Tax Collector, and for taking up any other business that may come before the Council.

In the Matter of Appointment of City Clerk, Auditor, Assessor, Treasurer, and Tax Collector:
Pursuant to the resignation of the present employee in charge of the above mentioned offices, applications for the positions have been filed by the following parties:

G. A. Warfield
J. F. Wilson
F. J. Rossi
H. E. Gragg
H. H. Wight
Leo J. Ring

After a brief discussion by the Council of the qualifications of the various applicants, Mayor Elias introduced a resolution to appoint F. J. Rossi now employed in the City Engineer's Office to succeed L. A. Love in the positions which he now holds, being,

RESOLUTION NO. 850-N.S.

which resolution was put to a vote and was not adopted by the following vote:

Ayes: Councilmen Brown and Mayor Elias

Noes: Councilmen Prewett, Boundey and Osvald

Absent: Councilmen None

Immediately following this, Councilman Osvald introduced a resolution being,

RESOLUTION NO. 851-N.S.

for appointment of H. E. Gragg to succeed L. A. Love, in the positions of City Clerk, Auditor, Assessor, Treasurer and Tax Collector, effective December 1st, 1923, which resolution upon roll call was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Installing Electroliers:

By reason of certain improvements being made by the Electrical Department in the vicinity of Twelfth and "G" Streets where underground wires are being laid for the purpose of fire alarm and water control equipment, it appears an advantageous time for certain property owners to have electroliers installed, whereupon Councilman Boundey introduced a resolution authorizing the City Engineer to proceed to have electroliers installed as specified, providing the cost thereof should be paid in advance by the property owners, which resolution, being,

RESOLUTION NO. 852-N.S.

was upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

City Council, City of Modesto,
Wednesday, November, 28th, 1923.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Frewett, and Mayor Elias,

Absent; Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 14th, and the Special Meeting of November 23rd, were read and ordered approved as read.

In the Matter of Inquiry for Paving Linden Street:

Mr. Wilson a property owner on Linden Street appeared before the Council in behalf of several of the property owners to inquire why some action had not been taken on the petition which had been presented some time ago for the paving of Linden Street. The Council informed Mr. Wilson that the petition had been considered but owing to the advancing rainy season and the nature of the soil on that street it was deemed advisable not to commence work on this street until in the early spring.

In the Matter of Office Hours for Library:

Mr. Hill appeared before the Council to ask if some action could not be taken to keep the McHenry Public Library open between the hours of 6 P.M. and 7 P.M., Mr. Hill was advised that the matter would be taken up with the library trustees by the Council.

In the Matter of Petition to Save the Aviation Field:

A communication was addressed to the City Council by Lieutenant William Sweeley of the United States Army Air Service, asking that the Council preserve the Municipal Aviation Field as it now is and that they shall not dispose of it. The letter was ordered placed on file.

In the Matter of Paving Petition:

A petition filed with the Council by George R. Atkinson, September 21st, 1923, asking that Morris Avenue be paved from the east line of Castle Street to the easterly City Limits was again laid over to be taken up at the next regular meeting.

In the Matter of Ordinance:

ORDINANCE NO. 248-N.S.

having been previously laid over to this meeting and coming up at this time for final adoption was ordered dropped and no further action will likely be taken by the Council in regard to it. The ordinance is therefore marked "incomplete" and on the file in the office of the City Clerk.

In the Matter of Ordinance:

ORDINANCE NO. 262-N.S.

Entitled: "An Ordinance fixing and establishing the official curb grades on certain streets and avenues within the corporate limits of the City of Modesto", was introduced by Councilman Boundey at a regular meeting of the City Council held on the 28th day of November, 1923, who moved its adoption and passage to print, which upon motion being duly seconded, the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Frewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sale of Property to Mr. Grant;

At a previous meeting of the City Council Mr. Grant made inquiry regarding a small triangular piece of property at the corner of 10th and Needham Streets with the intention of purchasing such property if the Council would dispose of it at a reasonable figure. The matter coming up for attention at this meeting was again laid over indefinitely.

In the Matter of Closing Carlson Street:

Pursuant to previous action by the Council in this matter, a report was made by the various members of the Council to the effect that they saw no objection to the closing of Carlson Street. The matter was however, referred to the City Engineer for his report and recommendation.

In the matter of Paving Downey Avenue;

Pursuant to petition filed at the previous meeting asking for the paving of Downey Avenue from the easterly line of James Street to the easterly end of Downey Avenue, the City Engineer rendered a report to the Council to the effect that the petition as presented did not contain the signatures of the majority of the property owners fronting on this street.

In the Matter of Paving Grant Street:

Pursuant to previous action of the Council, proceedings were submitted for the paving of Grant Street from McHenry Avenue to Johnson Street but owing to the advancing rainy season the Council laid the matter over until the next meeting.

In the Matter of Claim against City for Damage to Ford Car:

A claim was presented to the Council by Tressa Churchman of 137 Sunset Blvd., in the amount of \$7.00, for damage done to her Ford Coupe by colliding with a low hanging wire which she claims was being strung by the City Electrician. The Council considered the matter but owing to lack of information laid the matter over till the next regular meeting.

In the Matter of Ordinance:

ORDINANCE NO. 261-N.S.

Entitled: "AN ORDINANCE GRANTING TO CENTRAL PACIFIC RAILWAY COMPANY, A CORPORATION, ITS SUCCESSORS IN INTEREST AND ASSIGNS, IN SO FAR AS IT LIES IN THE POWER OF THE CITY OF MODESTO, STATE OF CALIFORNIA, TO GRANT THE SAME, THE RIGHT, PRIVILEGE, PERMISSION, RIGHT OF WAY AND FRANCHISE TO CONSTRUCT, LAY DOWN, MAINTAIN AND OPERATE FOR THE TERM OF TWENTY-FIVE YEARS, A RAILROAD TRACK OF STANDARD GAUGE, FOR THE TRANSPORTATION OF FREIGHT AND PASSENGERS FOR HIRE, TOGETHER WITH THE RIGHT, PRIVILEGE AND PERMISSION, PASS WITH, AND OPERATE LOCOMOTIVES PROPELLED BY STEAM, OR ANY OTHER LAWFUL MOTIVE POWER, AND TO RUN CARS THEREON AND THEREOVER, TOGETHER WITH ALL THE NECESSARY MECHANICAL APPLIANCES, TURNOUTS, SWITCHES AND WYES, SIDE TRACKS, SPUR TRACKS, AND EQUIPMENTS FOR THE CARS OVER ALONG, UPON AND ACROSS THE ROADS, STREETS, PORTIONS OF STREETS, AND OTHER PLACES IN THE CITY OF MODESTO, COUNTY OF STANISLAUS, STATE OF CALIFORNIA."

and which was read, introduced, adopted and passed to print on the 14th day of November, 1925, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted final by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Building Ordinance:

The proposed building Ordinance was brought before the Council Meeting and after some discussion in regard to it, it was referred to the City Attorney to be read over by him, after which it is to be again brought before the Council.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: _____
City Clerk

.....

*Proof read -
here - no -*

Council, City of Modesto
Wednesday, December 12th, 1923,

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 28th, were read and ordered approved as read.

In the Matter of Two Inch Water Tap for Richfield Oil Company:

City Engineer McCarton reported the granting of a two inch water tap to the Richfield Oil Company, After due consideration of this matter a resolution was introduced by Councilman Boundey, being,

RESOLUTION NO. 853-N/S.

confirming the action of the City Engineer in granting and installing a two inch water tap. The resolution upon roll call was adopted by the affirmative vote of all members present.

In the Matter of New Incandescent Lamp Contract:

A contract from Turner Hardware & Implement Company covering the supply of lamps for the ensuing year was presented to the Council and after due consideration of the matter Councilman Boundey introduced a resolution being,

RESOLUTION NO. 854-N.S.

adopting the new contract with the Turner Hardware & Implement Co., as presented by them and on file in the office of the City Clerk and was adopted by the affirmative vote of all members of the Council.

In the Matter of Paving Morris Avenue:

A petition that was previously filed with the Council by George R. Atkinson September 21st, 1923, asking that Morris Avenue from a point on the easterly line of Castle Street, east to the easterly line of Ramona Avenue, and Ramona Avenue from the northerly line of Morris Avenue, north to the southerly line of Lucern Avenue, be paved, was again laid over by the Council until the first meeting in March, 1924.

In the Matter of Claim by Tressa Churchman:

After some discussion in regard to this claim as presented by Tressa Churchman for the

CENTRAL PACIFIC RAILWAY COMPANY, a Corporation, having heretofore filed with this, the City Council of the City of Modesto, County of Stanislaus, State of California, its written Acceptance of Ordinance No. 261-N.S.

NOW THEREFORE, BE IT RESOLVED: That this, the City Council of the City of Modesto, County of Stanislaus, State of California, does hereby find as a fact, that the Acceptance of the aforesaid Ordinance by said Central Pacific Railway Company, a Corporation, has been filed herein and within due and proper time.

Dated: This 12th day of December, 1923.

Attest: H. E. Gragg,
City Clerk

In the Matter of Ordinance;

ORDINANCE NO. 262-N.S.

Entitled " AN ORDINANCE FIXING AND ESTABLISHING THE OFFICIAL CURB GRADES ON CERTAIN STREETS AND AVENUES WITHIN THE CORPORATE LIMITS OF THE CITY OF MODESTO" and which was read, introduced, adopted and passed to print on the 28th day of November, 1923, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance adopted final by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claims:

The claims for the month of November, 1923, were duly audited and withdrawals were made from the following fund accounts, as follows:

General Fund	\$15147.14
Water Fund.....	8804.71
Library Fund.....	1394.54
Fire Bonds.....	10195.13
Misc. Acct.....	<u>64.87</u>
TOTAL.....	\$30606.39

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

In the Matter of Insuring the Chief of Police's Personal Car:

Councilman Oswald brought up the matter of insuring the Chief of Police's Car, owing to the fact that it is used by him in the official capacity on numerous occasions and the question of liability to the City entered into this matter to such an extent that Mayor Elias introduced a resolution being,

RESOLUTION NO. 856-N.S.

instructing Councilman Oswald to take the proper steps in having Chief of Police's Car insured:

In the Matter of Aviation Buildings and Fences;

The Matter of tearing down the buldings and fences on the Aviation Field and Fair Grounds was brought up and discussed at some length, which resulted in a resolution being,

RESOLUTION NO. 857-N.S.

that the City Engineer be given authority to dismantle the hangar grandstand and fences in a good workman like manner and use the material for the construction of warehouses and fences for other City property in so far as it is required and to store the balance, filing with the City Clerk an inventory of all of the material contained in the above named buildings, which resolution was put to a vote and was adopted by the affirmative vote of all the Council.

In the Matter of Purchasing Road Drag;

City Engineer McCarton brought up the matter of purchasing a road drag from the Edward R. Bacon Company at a cost of \$440.00. After some discussion by the Council in regard to this matter it was finally decided by passing a resolution being,

RESOLUTION NO. 858-N.S.

to rent this road harrow as per contract on file in the office of the City Clerk. The foregoing resolution was adopted by the affirmative vote of all the Council.

In the Matter of Adjusting the Ordinance relative to Water Taps;

The City Clerk brought up the matter regarding the granting of water taps as it now exists in the Resolution No. 524-N.S. with the result that the Council stated that this matter would be taken up at the next Council meeting and adjusted.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: H. E. Gray
City Clerk

.....

COUNCIL, City of Modesto
Wednesday, December 26th, 1923,

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of December 12th were read and ordered approved as read.

In the Matter of State Compensation Insurance for City Employees:

A communication from the State Compensation Insurance Fund, was received and read, calling the City's Attention to the renewal of its compensation policy now carried by the above mentioned company also a bill in the amount of \$1585.38 to cover premium on the above policy for the year ending January 13th, 1925. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 859-N.S.

providing for renewing of this policy for the ensuing year and the payment thereof, which resolution was upon roll call adopted by the affirmative vote of all members present.

In the Matter of Ordinance:

ORDINANCE NO. 263-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE MILK INSPECTION DEPARTMENT",
and which was read, introduced, adopted, and passed to print on the 12th day of December, 1923,
and having been published as required by law, Councilman Boundey moved the final adoption of
the ordinance. The motion was seconded, the ordinance adopted final by the following vote:
Ayes; Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes; Councilmen None
Absent; Councilmen None

In the Matter of Closing of Carlson Street:

This matter being continued from the meeting of December 12th, at which time the City Engineer was asked to provide a map of the estimate cost of closing Carlson Street, it was discovered that by the closing of Carlson Street and the opening of another Street as proposed it seemed that the City might have some difficulty in procuring right of way for the new proposed street. Therefore, the City Engineer was instructed to see what could be done in the matter of procuring a right of way for the proposed street to be opened and report the same to the next Council meeting.

In the Matter of Report of the Board of Fire Underwriters of the Pacific:

A communication was received from the Board of Fire Underwriters of the Pacific enclosing engineer's log of tests, showing the satisfactory performances of Seagrave Pumping Engines Nos. 5368 and 5375. The report was accepted by the Council and ordered placed on file in the City Clerk's Office.

In the Matter of Bills from the Seagrave Company:

Fire Chief Wallace presented two bills from the Seagrave Company in the amount of \$23725.00, in payment of the two Seagrave Pumping Engines purchased from the above named company. A resolution was introduced, being,

RESOLUTION NO. 860-N.S.

ordering the City Clerk to draw a warrant as per bills presented in payment of the two Seagrave Pumping Engines purchased by the City as per contract. Which resolution was adopted by the affirmative vote of all members present.

In the Matter of Water Taps:

A resolution was introduced by Councilman Prewett, being,

RESOLUTION NO. 861-N.S.

which regulates the different sizes of water connections and fixes charge for same in the City of Modesto, which resolution was upon roll call adopted by the affirmative vote of all members present.

In the Matter of Storm Sewer on Kimble and Jones Streets:

Mr. Bordner appeared before the Council for the property owners in the district of Kimble and Jones Streets bordering on "X" and "J" Streets, relative to the flood conditions existing in their immediate vicinity, and asked that some relief or that some means might be provided in the way of storm sewers to relieve the above mentioned conditions. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 400-S.P.

ordering plans and specifications, which resolution was regularly adopted by the affirmative vote of all members. (General File No. 89)

In the Matter of Purchasing Asphalt Heater;

City Engineer McCarton brought up the matter of purchasing an asphalt heater to be used on the streets in the City, and after some discussion in regard to this matter Councilman Prewett introduced an Ordinance being,

ORDINANCE NO. 264-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE BY THE CITY OF AN ASPHALT RE-HEATING KETTLE", which was introduced by Councilman Prewett at a regular meeting of the City Council held on December 26th, 1923, who moved its adoption and passage to print which upon motion being duly seconded, the ordinance was adopted and passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: H. E. Gagg
City Clerk