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Council, City of Modesto

Wednesday, January 9th, 1924.

The Council met in special meeting at the City Hall, 717 Tenth Street, at 2:30 o'clock P.M. on Wednesday, January 9th, 1924, pursuant to call therefor made by the Mayor and notice thereof in writing personally served on each member and signed and delivered to each member by the Clerk not less than two hours prior to the time of meeting, in accordance with Ordinance No. 2-N.S. of the City of Modesto, said written notices, with the acknowledgment of service on each member endorsed thereon, being on file in the Clerk's office and hereby referred to for greater certainty.

In the Matter of Minutes:

The minutes of the regular meeting of December 26th, 1923, were read and ordered approved as read.

In the Matter of Claims:

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

General Fund.....	\$13341.82
Water Fund.....	3453.38
Library Fund.....	1387.39
Fire House Bonds.....	28942.74
Bond Redemption and Interest.....	7987.50
Street Bond Funds.....	<u>1516.44</u>
TOTAL.....	\$56629.27

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 Claim of A. E. White:

Mr. A. E. White presented a claim for the amount of \$3.75, the basis of which claim was for the over charge on his water account for a period of fifteen months. The claim as presented by Mr. White was carefully looked into by the water department and found to be as

Mr. White had stated. After due consideration the Council upon motion duly made and seconded allowed the claim, which motion was carried by the affirmative vote of all members of the Council.

In the Matter of Ordinance;

ORDINANCE NO. 264-N.S.

Entitled; "AN ORDINANCE PROVIDING FOR THE PURCHASE BY THE CITY OF AN ASPHALT REHEATING KETTLE" and which was read, introduced, adopted and passed to print on the 26th day of December, 1923, and having been published at least once three days prior to this time in accordance with the Charter, 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 Reports:

Reports were submitted from the Salvation Army, Police Dept., Fire Dept., Health Dept., and Public Works Dept., and were ordered placed on file.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: W. E. Gray
City Clerk

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Wednesday, January 9th, 7:30 o'clock P.M. This being the time fixed by Ordinance No. 2 N.S. of the City of Modesto for a regular meeting of the City Council, and no members of the Council appearing, the undersigned, City Clerk, at 8:00 o'clock P.M. adjourned the meeting to the next regular meeting of the Council.

Dated this 9th day of January, 1924.

W. E. Gray
City Clerk

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Council, City of Modesto

Wednesday, January 23rd, 1924.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the Special meeting of January 9th, 1924, and the regular meeting of January 9th, 1924, were read and ordered approved as read.

In the Matter of Claims:

A claim from Chief of Police, Lee E. Smith was presented in the amount of \$240.00 to the Council, for cash advanced by him for Detective Service, and also Jesse Whitlock presented a claim for labor dismantling aviation field hangar and fence as per agreement with the City Engineer, in the amount of \$175.00.

The matter of Tressa Churchman's claim, which was disallowed on December 12th, 1923, was brought to the Council's attention again and after due consideration of the same a motion was made and duly seconded and carried that the claim be reconsidered and paid as presented in the amount of \$7.00.

A resolution was introduced by Councilman Oswald, being,

RESOLUTION NO. 862-N.E.

allowing the above claims of Lee E. Smith, Jesse Whitlock and Tressa Churchman as presented, and which resolution was upon roll call adopted by the affirmative vote of all members.

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

This being the time fixed pursuant to published notice when interested persons may appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the said list as filed by the Street Superintendent for work done under Resolution of Intention Nos. 165 and 166, Assessment Nos. 120 and 119, and no written objections being presented, the Council thereupon under Resolution No. 401-S.P. and 402-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. 401-S.P.

AN ORDER PROVIDING FOR THE ISSUE 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. 165 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 Streets 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 23rd day of January, 1924, 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 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 \$8169.77.

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 \$8169.77.

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 \$8169.77 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 14th day of January, 1924, (the date of 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 January 14th, 1924, on all sums unpaid until the whole of said principal sum and interest are paid, which said interest shall be payable semiannually 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 (January 14th, 1924) 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	\$539.77	July 2, 1925
No. 2	545.00	July 2, 1926
No. 3	545.00	July 2, 1927
No. 4	545.00	July 2, 1928
No. 5	545.00	July 2, 1929
No. 6	545.00	July 2, 1930
No. 7	545.00	July 2, 1931
No. 8	545.00	July 2, 1932
No. 9	545.60	July 2, 1933
No. 10	545.00	July 2, 1934
No. 11	545.00	July 2, 1935
No. 12	545.00	July 2, 1936
No. 13	545.00	July 2, 1937
No. 14	545.00	July 2, 1938
No. 15	545.00	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 23rd day of January, 1924, 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

Nays: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

RESOLUTION NO. 402-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. 166 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 23rd day of January 1924, 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 and,

WHEREAS, no objections were presented, and

WHEREAS, it appears that the aggregate amount of the assessment unpaid for said improvement, as appears from said list as filed by the Street Superintendent with the City Clerk, is the sum of \$6995.80.

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 improvements 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 \$6995.80.

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 \$6995.80 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 14th day of January, 1924, (the date of the filing with 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 January 14th, 1924, on all sums unpaid until the whole of said principal sum and interest are paid, which said interest shall be payable semiannually 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 (January 14th, 1924) 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	\$457.80	July 2, 1925
No. 2	467.00	July 2, 1926
No. 3	467.00	July 2, 1927
No. 4	467.00	July 2, 1928
No. 5	467.00	July 2, 1929
No. 6	467.00	July 2, 1930
No. 7	467.00	July 2, 1931
No. 8	467.00	July 2, 1932
No. 9	467.00	July 2, 1933
No. 10	467.00	July 2, 1934
No. 11	467.00	July 2, 1935
No. 12	467.00	July 2, 1936
No. 13	467.00	July 2, 1937
No. 14	467.00	July 2, 1938
No. 15	467.00	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 23rd day of January, 1924, 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, Oevald, Prewett, and Mayor Elisa

Noss: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg,
City Clerk

In the Matter of Letter from J. T. Townson;

A letter was read from Mr. J. T. Townson now residing at Redwood City, California, in which he made proposition to the City Council to deed to the City forty-one feet of Davis Street more particularly described as follows: Beginning at the Northwest corner of Block 577, thence North 50 feet to Southwest corner of Block 576, thence East along South line of Block 576 forty-one feet thence south 50 feet to North line of Block 577, thence west forty-one feet to point of beginning. And he asks in consideration that the Council agree to fill the street in front of lots 5, 6, 7, and 8, Block 512, to grade, the material to fill said lots can be taken from a locality where it is most convenient and a reasonable time would be given to fill the lots so described. After due consideration of this matter by the Council, Councilmen Boundey introduced a resolution being,

RESOLUTION NO. 863-N.S.

authorizing the City Council to accept the proposition as outlined by Mr. Townson and to notify him to that effect, which resolution upon roll call was adopted by the affirmative vote of all members.

In the Matter of Ordinance No. 264-N.S.

As this ordinance was finally adopted at a special meeting of the City Council, January 9th, 1924, and as it was found that the final adoption of said ordinance at such a time was irregular, the ordinance was again at this time finally adopted in the usual manner as follows:

ORDINANCE NO. 264-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE PURCHASE BY THE CITY OF AN ASPHALT RE-HEATING KETTLE", and which was read, introduced, adopted and passed to print on the 26th 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 finally by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Storm Sewer Proceedings for Jones Street from Kimble Street, to McHenry Avenue:

City Engineer McCarton at this time presented the proceedings relative to the Jones Street storm sewer pursuant to the order of the Council at a regular meeting of December 26th, 1923, and after due consideration of this matter the City Council upon the resolution introduced by Councilman Brown being,

RESOLUTION NO. 403-S.P.

ordering the plans and specifications placed on file in the City Clerk's Office (General File No. 89) until further consideration.

In the Matter of Salary of Care Taker of City Dumps:

An oral explanation of the conditions existing at the Dumps relative to the Care Taker, Mr. Charles Boyd's salary was given by Councilman Oswald, and he stated that the present salary of \$50.00 per month, is not sufficient compensation for the duties Mr. Boyd is performing and asked that a raise of \$25.00 per month be granted. After some explanation

as to the work at the City Dumps and after due consideration of this phase of the matter Councilman Osvald introduced a resolution being,

RESOLUTION NO. 864-N.S.

raising the salary of Charles Boyd care taker of the City Dumps \$25.00 per month, to become effective January 1st, 1924, which resolution upon roll call was adopted by the affirmative vote of all members present.

In the Matter of Building Ordinance:

The new building ordinance was presented to the Council by Mayor Elias at this time for their consideration and after some discussion regarding the matter it was finally decided that the ordinance should be received for consideration only and would be brought up again at the next regular meeting.

In the Matter of Agreement of M. E. Crear, and W. E. Young:

An agreement and resolution was presented to the Council by D. M. Maclean setting forth certain conditions and methods of rectifying an error in street assessment No. 99, in which the above named parties are interested in and being more particularly set forth in the article of agreement and resolution as presented due to the fact that the City Council had not had time in which to give this matter full consideration, it was laid over until the next regular meeting.

In the Matter of Ordinance:

An ordinance licensing and regulating the manufacture and bottling and sale of soft drinks, was considered by the Council, and was then laid over to be taken up again at the next regular meeting.

In the Matter of Tidewater Crossing at Needham and Ninth Streets:

It was reported by Councilman Boundey that there is quite a great deal of danger existing at the crossing at Needham and Ninth Streets, as far as the public is concerned, and it was discussed by the Council that some form of signal should be installed and for the protection of the public in view of this being the case Councilman Boundey and City Attorney Carlson was instructed to take this matter up with the Tidewater Southern Railway Company and see what arrangements could be made in the way of placing some form of signals at this crossing.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: W. E. Gragg
City Clerk

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Council, City of Modesto

Wednesday, February 13th, 1924

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

In the Matter of Minutes:

The minutes of the regular meeting of January 23rd, 1924, were read and ordered approved as read.

In the Matter of Shenandoah Flag & Decorating Company's request:

Mr. G. C. Cottrill, Sales Manager for the Shenandoah Flag & Decorating Company, appeared before the Council and explained his proposition to the Council which was as follows:

He proposes to sell flags mounted upon a twelve foot staff with an American flag 4'x 6' to the business houses to be placed in front of the business houses on National Holidays and other fitting occasions. He asks the Council's permission to make a small hole in the cement sidewalks in which the flags might be placed. After due consideration of this matter Councilman Osvald introduced a resolution being,

RESOLUTION NO. 865-N.S.

authorizing the said Shenandoah Flag and Decorating Company permission to make holes in the cement sidewalks for the placing of the above mentioned flags, which resolution was regularly adopted by the affirmative vote of all members of the Council.

In the Matter of Building Ordinance:

The building ordinance brought before the Council on January 23rd for its consideration which was laid over to be brought up at this meeting, was again laid over until the next regular meeting.

In the Matter of Soft Drink Ordinance:

The matter of an Ordinance licensing and regulating the manufacture and bottling and sale of soft drinks which was also presented to the Council at the regular meeting of January 23rd, for its consideration was to have been brought up at this meeting, was again laid over to be brought up at the next regular meeting.

In the Matter of Agreement of M. E. Orear and W. E. Young:

An Agreement between M. E. Orear and W. E. Young which was presented to the Council on January 23rd, 1924, for its consideration, but, owing to the fact that the Council did not have time to look into the matter which was laid over until February 13th, at which time it was again brought up and after due consideration of the matter it was decided that the agreement entered into by M. E. Orear and W. E. Young was satisfactory to the City and in consequence of this agreement the following resolution, being,

RESOLUTION NO. 406-S.P.

was introduced by ~~Councilman~~ by Councilman Boundey, authorizing the City Clerk to make certain changes in his records in accordance with the agreement filed with the City Clerk setting forth irregularities in their street assessment on Magnolia Avenue, which resolution was regularly adopted by the affirmative vote of all members of the City Council.

In the Matter of Deed for School District:

Mr. Hansen of the School Board appeared before the Council and stated to them that the deed tendered to the School board by the City of Modesto for a certain piece of property which had been sold to the School Board by the City of Modesto, was not satisfactory

to the attorney for the School Board and was therefore rejected. Whereupon Mayor Elias informed Mr. Hansen to have his attorney prepare a deed that would be accepted by the School Board and present same to the City Council, which if found satisfactory to the City of Modesto would be accepted by the City of Modesto.

In the Matter of Insurance on Mr. Phillis's Car:

The matter of insurance on Mr. Phillis's Car was referred to Councilman Brown to be taken care of.

In the Matter of Bids on an Asphalt Reheating Kettle:

Bids on an A sphalt Reheating Kettle had been previously advertised for, setting forth this Council meeting February 13th, the time for opening such bids. The following bids were submitted:

(1) A bid from Spears-Wells Machinery Company, Inc.
Oakland, California

- (a) Size No. 1, 200 gallon capacity...\$418.00
- (b) Size No. 2, 300 gallon capacity...500.00
- (c) Size No. 3, 550 gallon capacity...630.00

(2) A bid from A. L. Young Machinery Company,
San Francisco, California.

1 Howard-Cooper 4 wheel Portable Asphalt
Reheating Kettle.....\$390.00

(3) Quotations were submitted from Marron, Richard, & McCone,
San Francisco, California, without a certified check as
follows:

1 Littleford Size 2, 300 gallons,....\$489.00
1 " Size 3, 550 gallons..... 852.00

After due consideration of this matter, City Engineer McCarton, was instructed to go over the bids for various equipment offered and purchase said heater in accordance with the bids submitted.

In the Matter of Bid of F. W. Hoamer on Street Improvement Bonds:

Pursuant to published notice of Sale of Street Improvement Bonds, Mr. F. W. Hoamer submitted a bid for par plus one dollar for \$1000.00 worth of these bonds, and after due consideration it was thought advisable by the City Council not to accept this bid which was the only one submitted, and therefore ordered the bonds for this street improvement turned over to the contractor in the usual way.

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

RESOLUTION NO. 404-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto, did on the 29th day of January 1924, 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 Hackberry Avenue from Needham Street to Stoddard Avenue, in said City, fully described in Resolution of Intention No. 165 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 \$8169.77.

The foregoing resolution was adopted at a regular meeting of the City Council, February 13th, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Council men None

Attest: H. E. Gragg,
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. 119. The following is the Resolution in accordance therewith duly adopted:

RESOLUTION NO. 405-S.P.

RESOLUTION ORDERING BONDS DELIVERED TO CONTRACTOR

WHEREAS, the City Council of the City of Modesto did on the 29th day of January, 1924, advertise the sale of certain improvement bonds issued under the "Improvement Bond Act of 1915" to represent unpaid assessment levied for certain work done and improvement made on Hackberry Avenue from Staddard Avenue to Morris Avenue, in said City, fully described in Resolution of Intention No. 166, 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 \$6995.80.

The foregoing resolution was adopted at a regular meeting of the City Council, February 15th, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Claims:

The claims for the month of January, 1924, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$15185.71
Water Fund.....	4940.54
Library Fund.....	1127.30
Bond Red. & Interest.....	27377.11
Fire Bond Fund.....	10326.21
Street Bond Redemption Fund..	20167.40
Miscellaneous.....	.29
Total.....	\$79124.56

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 Petition for Park at "G" Street & Seventeenth Street;

A petition was presented to the City Council by property owners living near Seventeenth and "G" Streets, asking that the northwest corner of Seventeenth and "G" Street be parkaded as this property was heretofore acquired by the City for parking purposes. After due consideration of this petition it was referred to the City Engineer and requested that he give this matter his attention.

In the Matter of Ordinance:

ORDINANCE NO. 265-N.S.

Entitled: "AN ORDINANCE REQUIRING PERSONS OWNING OR OPERATING VEHICLES HAULING FOR HIRE TO FILE REPORTS WITH THE CHIEF OF POLICE, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREOF,"

which ordinance was introduced by Councilman Prewett at a regular meeting of the City Council held on February 13th, 1924, 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 Mayer Elias

Noes: Councilmen None

Absent: Councilmen None

No further business appearing, the Council upon motion adjourned.

Approved: _____
Mayor

Attest: *W. G. Gagg* _____
City Clerk

Council, City of Modesto

Wednesday, Feb. 27th, 1924.

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

In the Matter of Minutes:

The minutes of the regular meeting of February 13th, 1924, were read and ordered approved as read.

In the Matter of Sale of Property to Mr. Grant:

Mr. Grant appeared before the Council to ascertain what action the City Council had taken in regard to his proposal to buy a small triangular piece of property owned by the City of Modesto, located at the corner of 10th and Needham Streets. As this matter had been duly considered by the Council and a conclusion reached that they did not desire to sell this piece of property, they advised Mr. Grant that they would lease said property to him. This matter was turned over to Councilman Brown and Mr. Grant was advised to take the matter up with him.

In the Matter of Keeping of Cows and Sheep:

Mr. Courtney appeared before the Council protesting against the keeping of cows, goats, sheep, etc., within thirty feet of another building or property, as it appears is now permitted by the City of Modesto's Ordinances. He also protested against the driving of droves of sheep, cows, etc., through the City Streets and to substantiate his protest he filed with the City a petition dwelling upon this matter. After due consideration of this matter the City Council informed Mr. Courtney that this would be taken care of in the due course of time.

In the Matter of Granting a Permit for Popcorn Wagon:

Mr. D. E. Kilroy appeared before the Council relative to granting permission to Mr. C. A. Johnson to operate a popcorn wagon on "H" Street at the Corner of "H" and Tenth Streets, City of Modesto. Mr. Kilroy presented a petition to the Council in due form, and after due consideration of the same Councilman Boundey introduced a resolution being,

RESOLUTION NO. 866-N.S.

granting Mr. Johnson permission to operate his popcorn wagon providing there was no objections presented by the property owners in that immediate vicinity, which resolution 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. 265-N.S.

Entitled: "AN ORDINANCE REQUIRING PERSONS OWNING OR OPERATING VEHICLES HAULING FOR HIRE TO FILE REPORTS WITH THE CHIEF OF POLICE AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREOF," and which was read, introduced, adopted and passed to print on the 13th

day of February, 1924, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance 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 Governing the Sale of Soft Drinks:

This Ordinance being laid over from the last Council meeting, was again taken up at this time and after some discussion regarding the same it was decided to introduce this ordinance, being,

ORDINANCE NO. 266-N.S.

Entitled: " AN ORDINANCE LICENSING AND REGULATING THE MANUFACTURE AND BOTTLING AND SALE OF SOFT DRINKS PROVIDING A PENALTY FOR THE VIOLATION OF SUCH REGULATIONS", which ordinance

was introduced by Councilman Boundey at a regular meeting of the City Council held on February 27th, 1924, 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 Elimination of Diphtheria:

Dr. Morgan, City Health Officer appeared before the Council stating that Diphtheria was quite prevalent in the City and he at this time presented to the City Council a proposition in the nature of an antitoxin treatment which Dr. Morgan said was something new along that line but had been used very successfully in other places and he asked the Council to make an appropriation in the amount of \$160.00 which would procure enough of this antitoxin to treat 1000 children. After due consideration of this matter the Council decided to make this appropriation and Councilman Prewett introduced the following resolution, being,

RESOLUTION NO. 867-N.S.

placing \$160.00 of the Cities funds at the disposal of the Health Officer, Dr. Morgan, which would procure enough antitoxin serum to treat 1000 children. The foregoing resolution was 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 Deed of the City of Modesto and Modesto School Board:

Mr. Hansen of the Modesto School Board presented to the City a deed which he stated would be acceptable and satisfactory to the School Board in lieu of their purchase of a certain piece of property as described in this deed. The opinion of the Council was that this deed be accepted and Councilman Boundey introduced the following resolution, being,

RESOLUTION NO. 868-N.S.

authorizing the Mayor and City Clerk of the City of Modesto to sign the above mentioned deed

and deliver it to the Modesto School Board upon the payment of their purchase price of the property, and 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

In the Matter of Street Work;

Proceedings were presented to the Council by the City Engineer for the improvement of Grant Street, from McHenry Avenue to Johnson Street, and Linden Street from Franklin Street to Washington Street and "M" Street from Washington Street to Seventh Street, as more fully described in the Resolution pertaining to such work which are as follows:

RESOLUTION NO. 407-B.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 Linden Street from the East line of Franklin Street to the Center line of Washington Street and M Street from the Center of Washington Street to the Southerly line of 7th Street, be graded to the official sub-grade; also paved between the gutters and the center park curbs 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-Bitolithic wearing surface; also curbed on both sides to the official grade with cement concrete curbing and to further construct cement concrete gutters. That open drains or gutters of hydraulic cement concrete be constructed across Jefferson street and Madison street along the North and South curb lines. That there shall be installed Metal Electroliers of the kind known as "Union Metal" standard design #874 complete with globes, cables, conduit, connection boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said streets. 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 27th day of February, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg,
City Clerk

Engineer's Estimate

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

RESOLUTION NO. 408-B.P.

Resolution 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 the Resolution of Intention No. 170 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 409-S.P.

Resolution of Intention No. 170

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 Linden Street from the East line of Franklin Street to the Center Line of Washington Street and M Street from the Center of Washington Street to the Southerly line of 7th Street, be graded to the official sub-grade; also paved between the gutters and the center park curbs 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. That open drains or gutters of hydraulic cement concrete be constructed across Jefferson street and Madison street along the North and South curb lines. That there be installed Metal Electroliers of the kind known as "Union Metal" standard design #874 complete with globes, cables, conduit, connection boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said streets. Excepting therefrom any of said work already done to the official line and grade.

That Electroliers be constructed at the following points: One (1) on the Southerly corner of 7th and M Streets; one (1) on the Northwesterly line of M Street one hundred thirty eight (138) feet southwesterly from the Southerly line of 7th Street; one (1) on the Southeast corner of Washington and M Streets; as shown on sheet #3 of plans attached hereto. One (1) on the Center line of Linden Street and five (5) feet west of the west line of Washington Street; one (1) on the Center line of Linden Street one hundred seventy-five (175) feet west from the West line of Washington Street; One (1) on the Center line of Linden Street and five (5) feet East from the East line of Jefferson Street; one (1) on the Center line of Linden Street and five (5) feet West from the West line of Jefferson Street; one (1) on the Center line of Linden street one hundred seventy-five (175) feet West from the West line of Jefferson Street; one (1) on the Center line of Linden and five (5) feet East from the East line of Madison Street; as shown on sheet No. 5 of plans attached hereto. One (1) on the Center line of Linden Street and five (5) feet West from the West line of Madison Street; one (1) on the Center line of Linden Street and one hundred seventy-five (175) feet West from the West line of Madison Street; one (1) on the Center line of Linden Street and five (5) feet East from the East line of Franklin Street;

All as more fully and in detail appears and as shown by and described and specified on sheets 3, 5, and 7, of plans 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 included 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 October 10th, 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 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 1 to 8, and 25 to 32, both inclusive, Block 37; Lots 1 to 14 both inclusive, Block 424; Lots 1 to 14, both inclusive Block 425; Lots 1 to 14, both inclusive, Block 426; Lots 15 to 28, both inclusive, Block 427; The South 140 feet, by 350 feet of Block 428; Lots 15 to 28, both inclusive, Block 429; a parcel of land bounded by the East line of Washington Street the Northerly line of M Street and the Westerly line of Block E; Lots 12 to 16, both inclusive, Block E, as per map of Record in the County Recorder's Office, Volume 10 of maps, pages 37, 424, 425, 426, 427, 428, 429, and E, 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 ten months from their date.

Notice is hereby given that on the 20th day of March 1924, 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 27th day of February, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

RESOLUTION NO. 410-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 Grant Street in the said City, from the East line of McHenry Avenue to the West line of Johnson Street, be graded, paved with a two and one-half ($2\frac{1}{2}$ ") inch Asphaltic Concrete base and a one and one-half inch ($1\frac{1}{2}$ ") Warrenite Bitulithic wearing surface and that there be constructed along the same Cement Concrete Curbs and gutters; excepting therefrom any of said work already done to the official line and grade.

That Cement Concrete posts with wire, globes, conduit and necessary appliances for lighting be installed along each side of said street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 27th day of February 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: A. E. Gragg,
City Clerk

Engineer's Estimate

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

RESOLUTION NO. 411-S.P.

Resolution 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 the Resolution of Intention No. 171- by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 412-S.P.

RESOLUTION OF INTENTION NO. 171

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 Grant Street, from the East line of McHenry Avenue, to the West line of Johnson Street, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one ($2\frac{1}{2}$ ") inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half ($1\frac{1}{2}$ ") inches in thickness; 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.

That Concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) with G. E. Novalux Unit Form 12 complete with globe, wires, lamps, 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 East curb line of McHenry Avenue and the South line of Grant Street; one (1) on the North curb line of Grant Street one hundred fifty (150) feet East from Eastline of McHenry Avenue., One (1) on the South curb line of Grant Street three hundred (300) feet East from the East line of McHenry Ave., One (1)

One (1) on the North curb line of Grant Street four hundred fifty (450) feet East from East line of McHenry 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 included 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 Nov. 28th, 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 33 to 40, both inclusive, Block 566; Lots 1 and 2, both inclusive, Block 567; (as per map of Record in the County Recorders Office, Volume 10 of Maps, Pages 566, and 567, 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 ten months from their date.

Notice is hereby given that on the 26th day of March 1924, 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 27th day of February, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Letter from the Postal Employees of the City of Modesto:

Mayor Elias read to the City Council a letter which had been addressed to the Mayor and City Council by the Postal Clerks of this City asking that the City Council pass a resolution endorsing their action in asking the government for a raise in salary. The letter stated that the Modesto Local of the National Federation of Post Office Clerks had enclosed a resolution with their letter but as no such document was enclosed and as no representative of the local Post Office Clerks was present, the matter was laid over.

In the Matter of Reports:

Reports were presented from the following departments:

Health Department
Police "
Fire "
Dept. of Public Works

and were ordered placed on file in the office of the City Clerk.

In the Matter of Hose and Fire Boxes:

Fire Chief Wallace appeared before the Council and stated that there was some \$1200.00 left in the Fire Bond Issue and that as the City was greatly in need of a quantity of 1½" hose and more fire boxes, he recommended that the balance of this money in the Fire Bond Issue be used to purchase the above mentioned hose and fire boxes. Whereupon Fire Chief Wallace was instructed by the Council, to purchase the hose and fire boxes under the supervision of Councilman Brown.

In the Matter of Blasting in the City Limits:

This matter was brought to the attention of the Council due to the fact that certain parties had asked for permits to do blasting within the City Limits and as it appeared that there is no ordinance nor other documents on file in the City Clerk's Office whereby he had any authority to issue permits for blasting, the matter was referred to the City Engineer to use his judgment in granting permission to do blasting within the City limits as it had been done in the past.

In the Matter of Asphalt Reheating Kettle:

Bids were opened by the Council at the meeting of February 13th, 1924, for the purchase of an Asphalt Reheating Kettle and which matter was referred to the City Engineer, and he reported to the Council at this time that it was advisable for the City to purchase an asphalt reheating kettle named in the bid of A. L. Young Machinery Company of San Francisco, at the cost of \$390.00. In reference to the above Councilmen Prewett introduced the following resolution, being,

RESOLUTION NO. 869-N.S.

providing for the purchase of One Howard-Cooper Four-wheel Portable Asphalt Reheating Kettle,

from the A. L. Young Machinery Company at the cost of \$390.00, which resolution was regularly introduced and adopted by the following vote:

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

Noss: Councilmen None

Absent: Councilman None

In the Matter of Irrigation Within the City Limits:

City Engineer McCarton stated to the City Council that due to the extraordinary dry spell, the water level is being lowered greatly in the wells and it was his contention that something should be done in the way of regulating the use of water in the City especially in regard to irrigation. The Council upon discussion of this matter decided to ask the City Engineer to look into this more closely and report at the next meeting of the Council just what steps, in his opinion, should be taken to overcome this situation.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: H. E. Gragg
City Clerk

.....

Council, City of Modesto
Wednesday, March 12th, 1924.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Cavald, Prewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of February 27th, 1924, were read and ordered approved as read.

In the Matter of Subdivision of Lands Outside City Limits:

Mr. A. A. Fields appeared before the Council and presented to the Council maps of subdivisions known as the Wilson School Tract and the Santa Ana Tract. The maps of the above tracts have been presented to the City Council for approval as the land embraced herein is within what is known as the three mile limit of the City of Modesto, and the said maps having been approved by the City Engineer and after some discussion by the City Council in reference to the platting of the same it was decided by the City Council to approve the same, whereupon Councilman Boundey introduced the following resolution being.

RESOLUTION NO. 870-N.S.

WHEREAS, there has been presented to the Council for its approval a certain map, entitled,

WILSON SCHOOL TRACT

Being a subdivision of lands in section 28, township 3 south, range 9 east, Mount Diablo base and meridian, surveyed in March 1924, by J. B. Niven, engineer.

BE IT RESOLVED, that said map be approved by this Council and the City Clerk be and he is hereby 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, March 12th, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

RESOLUTION NO. 874-N.S.

WHEREAS, there has been presented to the Council for its approval a certain map, entitled...

SANTA ANA TRACT

Being a subdivision of lands in section 28, township 3 south, range 9 east, Mount Diablo base and meridian, surveyed in March, 1924, by M.B.Niven, engineer,

BE IT RESOLVED, that said map be approved by this Council and the City Clerk be and he is hereby 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, March 12th, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Claims:

The claims for the month of February, 1924, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$12600.03
Water Fund.....	4014.85
Library Fund.....	1159.92
Bond Red. & Interest.....	7.37
Fire House Bonds.....	448.90
Miscellaneous Fund.....	557.75
TOTAL.....	\$18788.82

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 Light Contract with Turner Hardware & Implement Company:

It appears that the contract for electric light globes which were made by the City Council for the City of Modesto last year, required a specific amount of globes to be purchased during the year in order to obtain certain discounts and as it appears that the amount provided in this contract was not purchased by the City last year and in making a new contract with the Turner Hardware & Implement Co., for this year the contract outlined the same basis as last year.

This contract being presented to the Westinghouse people for their approval, was rejected upon the grounds that the amount purchased by the City last year did not come within the terms of last years contract, whereupon the Turner Hardware & Implement Co., presented a new contract of a lesser amount which provides that the City will obtain the same discounts as they would have obtained last year, should they during the year purchase the required amount of lamps set out in this contract. Appafently the only difference to the City is that in the last contract, commissions will be figured at the closing of the year if they should equal or exceed the amounts specified in the previous contract signed by the Turner Hardware & Implement Company.

The matter was referred to Councilman Boundey to take up with the Turner Hardware and Implement Company and report at the next meeting.

In the Matter of Paving Petition of George R. Atkinson, laid over from December 12th, 1923:

This matter was again taken up by the Council and after discussion of the same the City Clerk was instructed to communicate with Mr. Atkinson and ascertain if he still desires to have the pdition acted upon.

In the Matter of Salary of Charles Boyd, Care Taker of the City Dumps:

There appeared to be smme misunderstanding in regard to the salary Mr. Charles Boyd, Caretaker of the City Dumps, should receive. Councilman Osvald laid the matter before the Council stating that the budget had prepared for a raise in Mr. Boyd's salary at that time, and it appeared later on that that raise was not sufficient compensation for Mr. Boyd in view of the fact that he had to hire a great deal of extra help in order that the City Dumps might be properly taken care of. In order to adjust this matter Councilman Osvald presented a resolution being,

RESOLUTION NO. 871-N.S.

providing that the salary of Mr. Charles Boyd Care Taker of the City Dumps should be \$100.00 per month, dating from the first of February, 1924. The foregoing resolution 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 Salary Raise fro Miss Loving and Mrs. Wallace in the City Clerk's Office:

Upon consent of all of the members of the City Council, City Clerk, H. E. Gragg, January 1st, 1924, raised the salary of Mrs. Wallace from \$120.00 to \$130.00 per month and the salary of Miss Loving from \$130.00 to \$140.00 per month, whereupon this matter required a resolution to make it conform to the usual procedure of the Council in transacting its business, a resolution was introduced by Councilman Boundey, being,

RESOLUTION NO. 872-N.S.

providing that the salary of Mrs. Wallace and Miss Loving be increased \$10.00 per month each, dating from January 1st, 1924. The foregoing 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 Salary Raise for Mr. Marvin Crews:

Mr. McCarton stated that the budget provided for a raise of \$25.00 per month for Mr. Crews to commence January 1st, 1924, whereupon Councilman Boundey, introduced a resolution being,

RESOLUTION NO. 873-N.S.

providing that Mr. Crews' Salary should be raised \$25.00 per month dating from January 1st, 1924. The foregoing resolution was upon roll call 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 submitted from the Police Department, Fire Department, Department of Public Works, and the Health Department, and were ordered placed on file in the City Clerk's Office.

In the Matter of Ordinance;

ORDINANCE NO. 266-N.S.

Entitled: "AN ORDINANCE LICENSING AND REGULATING THE MANUFACTURE AND BOTTLING AND SALE OF SOFT DRINKS PROVIDING A PENALTY FOR THE VIOLATION OF SUCH REGULATIONS." and which was

read, introduced, adopted, and passed to print on the 27th day of February, 1924, and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance.

The motion was seconded, the ordinance adopted finally by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sidewalk Petition Around Block X:

A petition was presented to the Council by Mr. L. V. Bowers asking that sidewalks be constructed around Block X of the City of Modesto, on all sides thereof. This petition was discussed at some length by the Council and was finally referred to Councilman Brown and Prewett to investigate, and report at the next Council meeting.

In the Matter of Deed to City School Board:

Mr. Hansen a member of the Modesto School Board, informed the City Clerk that it would be necessary for the City to furnish the School Board a certificate of title along with the deed for a certain piece of property which they are purchasing from the City. This matter was referred to Councilman Brown for proper adjustment.

In the Matter of Paving "M" Street;

Mr. S. A. Knox appeared before the Council protesting the paving of "M" Street, but as this was not the time for hearing protests upon the paving of "M" Street, Mr. Knox was advised to present his protest to the Council at the meeting of March 26th, 1924, at which time protests will be heard upon the paving of "M" Street.

In the Matter of Building Ordinance:

City Attorney Carlson at this time brought the attention of the Council to the building Ordinance which had been before the Council for some time, he having had the Ordinance rewritten as suggested by the Council at the last meeting, and after some discussion of the matter the Ordinance was again laid over to be taken up at the next regular meeting.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: W. E. Gragg
City Clerk

.....

Council, City of Modesto
Wednesday, March 26th, 1924.

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 March 12th, 1924, were read and ordered approved as read.

In the Matter of Report on Incandescent Lamp Contract:

Councilman Boundey reported that the matter of incandescent lamp contract had been taken up with the Turner Hardware & Implement Company and to adjust the matter so that it would be satisfactory to the City and all parties interested he recommended that the City enter into a new contract with the Turner Hardware & Implement Company for lamps to be consumed by the City for the present year. Whereupon he introduced a resolution, being,

RESOLUTION NO. 875-N.S.

authorizing the Mayor and City Clerk to sign and complete the new contract with the Turner Hardware Company and place on file in the office of the City Clerk. The foregoing resolution was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition for Sidewalks, Presented by L.V.Bowers;

The matter of a petition for sidewalks around Block X, by L.V.Bowers, being laid over at the meeting of March 12th, for investigation by Councilmen Brown and Prewett, was at this time brought before the Council and Councilman Brown and Prewett stated that in their opinion the petition as presented by Mr. Bowers was not justifiable inasmuch as it would work a hardship upon the property owners of Block X, and in their opinion the need was not sufficiently great enough at this time to compel the owners of Block X to install sidewalks around the entire block. It was however suggested by Councilman Prewett that it might be well to install sidewalks along block X facing 5th Street, and in view of this suggestion Councilmen Boundey, and Prewett were instructed to take this matter up with the owners of Block X and see what adjustment of this matter might be made.

In the Matter of Protests Against the Paving of Linden and "M" Streets:

Mr. S. A. Knox presented to the Council a petition signed by some thirteen property owners on Linden Street representing in the neighborhood of 930 feet of frontage, protesting the proceedings which had been instituted relative to the paving of Linden and "M" Streets. After listening and giving due consideration to the arguments presented by Mr. Leslie Floyd, who appeared in behalf of the people protesting the proceedings and also the arguments presented by several of the property owners who appeared before the Council stating that they desired to have the City proceed with the paving as outlined in their Resolution of Intention, the Council decided to over rule the protests whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 415-S.P.

over-ruling the protests which had been presented to the Council for the paving of Linden and "M" Streets, which resolution was regularly seconded, 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 Annuling Proceedings of Paving Linden and "M" Streets:

In view of the fact that certain dissatisfaction seems to have arisen among the property owners on Linden and "M" Streets, and the paving of "M" Street might work a hardship upon the property owners along that street, it was decided by the Council to introduced a resolution, being,

RESOLUTION NO. 414-S.P.

to annul all proceedings relating to Linden and M Streets and contained in Resolution of Intention No. 170-S.P. and other proceedings relative to said Resblution of Intention, and which resolution 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 Improvement of "M" Street:

Inasmuch as "M" Street is not to be included in the paving of Linden and M Street proceedings the Council hereby signifies their willingness to make certain improvements of "M" Street in the way of sidewalks, curbs gutters and graveling of the street. The sidewalks curbs and gutters to be paid for by the property owners and the City to bear the expense of graveling. Instructions were given the City Engineer at this time to prepare plans and specifications for the above procedure as outlined above.

In the Matter of Grant Street Proeedings:

Owing to the fact that the Linden Street proceedings were annulled and that the amount of frontage of Grant Street is so small that they might find some difficulty in having bids submitted on Grant Street at the present time, the Council thought it was advisable to hold the proceedings on Grant Street until such a time as the new proceeding instituted on Linden Street would be brought to the point that bids might be received on both proceedings at the same time.

In the Matter of Building Ordinance:

The new building ordinance which has been before the Council at various occasions, and which in the opinion of the Council it was thought advisable to introduced the new building ordinance at this time, whereupon Councilman Oswald introduced, an ordinance being,

ORDINANCE NO, 267-N.S.

Entitled: "AN ORDINANCE REGULATING THE CONSTRUCTION, ERECTION ENLARGEMENT, RAISING, ALTERATION, REPAIR, REMOVAL, DEMOLITION, MAINTENANCE, USE, OCCUEPANCY AND HEIGHT OF ALL BUILDINGS AND BUILDING CONSTRUCTION IN THE CITY OF MODESTO: REGULATING BILL AND SIGN BOARDS: REGULATING THE STORAGE OF GAS, OILS, AND OTHER INFLAMMABLE MATERIALS, IN AND FOR BUILDINGS AND BUILDING CONSTRUCTION, AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE. " and which ordinance was introduced at a regular meeting of the City Council held on March 26th, 1924, Councilman Boundey 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 Resolution Relative to Postal Clerks:

At this time Mayor Elias introduced a resolution, being,

RESOLUTION NO. 876-N.S.

relative to a bill before Congress effecting the Postal Service and Postal Workers, which resolution was 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 Play Ground Supervisor;

Mr. T. K. Beard, appeared before the Council and informed them of certain conditions and facts that exist in the parks relative to the play grounds in regard to the care and maintaining of the same, and he asked that some assistance be given by the City in the way of paying expenses of the supervisor of the play ground for a limited time; whereupon Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 877-N.S.

providing that a salary of \$100.00 per month be paid to Mrs. Mable Carr Warren as Supervisor of the Play Grounds in the various parks in the City of Modesto, for six months dating from April 1st, 1924. The above mentioned resolution was upon roll call, adopted by the following vote:

Ayes: Councilmen Oswald, Boundey and Prewett,

Noes: Councilman Brown and Mayor Elias

Absent: Councilmen None

In the Matter of Slot Machines for Pool Halls and Cigar Stores;

Mr. A. Rhinehart appeared before the Council regarding Slot Machines in Pool Halls, Billiard Parlors and Cigar Stores, he made the statement to the Council that in his opinion there should be an ordinance passed permitting slot machines to be installed in Pool Halls, Billiard Parlors and Cigar Stores and that a license of \$100.00 per year be levied for the privilege of installing said slot machines. This matter was discussed

at some length by the Council, after which it was laid over to be again taken up at the next regular meeting.

In the Matter of Deed of School Property;

Mr. Carlson, City Attorney, reported to the Council the Abstract Company had reported to him that certain conditions existed which should be cleared up, in regard to the transfer of this property to the City of Modesto School Board. This matter was referred to the City Attorney Carlson, for proper adjustment.

In the Matter of Fire Alarm Supervision;

At this time Councilman Prewett introduced a resolution being,

RESOLUTION NO. 878-N.S.

authorizing that the fire alarm system be placed under the supervision of Fire Chief George Wallace, which resolution was not adopted by the following vote:

Ayes: Councilmen Brown and Prewett

Noes: Councilmen Boundey, Oswald and Mayor Elias

Absent: Councilmen None

In the Matter of Grant Street Proceedings;

Inasmuch as a protest had been sustained in the Linden Street proceedings and the amount of frontage being so small on Grant Street that they might have trouble in getting a contractor to bid upon so small a contract that it was thought advisable to postpone the Grant Street proceedings, whereupon Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 416-S.P.

that further consideration of and action upon Resolution of Intention No. 171 (Grant Street Improvement) be postponed to the regular meeting to be held on Apr. 23rd, 1924. The motion to adopt the resolution was seconded by Councilman Boundey and upon roll call 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: *W. G. Grogan*
City Clerk

.....

Council, City of Modesto,
Wednesday, April, 9th, 1924.

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

In the Matter of Minutes:

The minutes of the regular meeting of March 26th, 1924, were read and ordered approved as read.

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.....	\$12770.89
Water Fund.....	6247.91
Library Fund.....	927.37
Bond Red. & Int.....	412.80
Firehouse Bond Fund.....	91.00
Tree District No. 62 Fund	21.71
St. Bond Funds.....	89.80
TOTAL.....	\$20561.18

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 Deed from Mr. James T. Townson and Mary C. Townson:

Some time ago Mr. James T. Townson made a proposition to the City of Modesto to deed to them a certain strip of land in Block 577, more particularly described in the deed on file in the City Clerk's Office. The terms and conditions upon which this deed is accepted by the City of Modesto is contained in Resolution No. 863-N.S. After due consideration of this matter by the City Council it appeared that the best interest of the City of Modesto would be conserved in the accepting of this deed, whereby Councilman Boundey introduced a resolution being,

RESOLUTION NO. 879-N.S.

accepting said deed from Mr. James T. Townson and Mary C. Townson which resolution was 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 Printing Building Ordinance in Pamphlet Form:

The Modesto Herald submitted a letter quoting prices for the printing of the new building ordinance in the pamphlet form as follows:

500 copies.....	\$30.00
1000 "	52.50

The Council discussed this matter at some length and arrived at the conclusion that inasmuch as there would be quite a call for the copies of this ordinance it would be well to have 1000 copies of this ordinance printed, whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 880-N.S.

providing that 1000 copies of the new building Ordinance at the price of \$52.50, be printed by the Modesto Herald, in pamphlet form 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

In the Matter of Establishing a Rest Room:

Communication was received by the City Council from Mrs. Geo. J. Ulrich, Chairman of Civics Womans Improvement Club, in which she recited the need for the Ladies and Children's Public Waiting Room, and asking that a donation of \$1.00 per month be made for the above cause. The Council after due deliberation decided not to take this matter up officially but leave it to the individual members of the Council to follow their own inclination in the matter.

In the Matter of Letter from Modesto Real Estate Board, A. A. Fields, President:

A letter from Modesto Real Estate Board by A. A. Fields, President, expressing his commendation to the City Council for the effective work in providing Modesto with a substantial building ordinance. They also thanked the City Council and urged that they strictly enforce the building Ordinance and all its provisions.

In the Matter of Street Work:

RESOLUTION NO. 415-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 Linden Street, from the center line of Franklin Street to the Center line of Washington Street, be graded and paved between the gutters and the center park curbs to the official line and 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 line and 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. That open drains or gutters of hydraulic cement concrete be constructed across Jefferson street and Madison Street along the North and South curb lines. That cast iron Electoliers be installed complete with lamps, globes, cables, conduit, connection boxes, concrete foundation, and other necessary appliances for the purpose of lighting said street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto the 9th day of April, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Mrs. Winifred E. McGee, Song Writer;

In the appreciation of the efforts and the works of Mrs. Winifred McGee a resident of this community, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 881-N.S.

WHEREAS, Mrs. Winifred E. McGee, Modesto's distinguished musical composer and song writer, has arranged and published a song, entitled "Modesto, Where Dreams Come True",

AND WHEREAS, This song, both in melody and words, not only reflects the aspirations of our beloved city, but in music and verse, denotes the spirit of its citizen ship,

THEREFORE, Be It Resolved, in appreciation of the efforts and work of Mrs. Winifred E. McGee; that the song, written by her, "Modesto, Where Dreams Come True", be and the same is hereby adopted by the Council of Modesto as the official song of this city, and be it

FURTHER RESOLVED, that it is hereby recommended to the citizenship of Modesto that this song be sung upon all public occasions and celebrations held in this city.

The foregoing resolution was regularly introduced at a regular meeting of the City Council, April 9th, 1924, by Mayor Elias and upon roll call was adopted by the following vote:

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

Noes: Councilmen None,

Absent: Councilmen None

Attest: H. E. Cragg,
City Clerk

In the Matter of Claim of Redwood Realty Company:

Mr. A. A. Fields, in behalf of the Redwood Realty Company appeared before the Council in the matter of a claim. It appeared to be an old claim against the City of Modesto for money the Redwood Realty Company had advanced for constructing a sewer in the Capital Heights Addition some few years ago, and the City was to reimburse the Redwood Realty Company for the amount the had advanced. From time to time payments have been made upon this claim but at the present time there remains still due, according to Mr. A. A. Fields, statement \$1174.34. He asks the City to make provisions for the payment of this claim in their next years budget. After considering this matter it was taken under advisement by the Council.

In the Matter of Donation of Water to Mrs. Jemima Cox:

Councilman Osvald related to the Council the circumstances regarding the condition of Mrs. Cox, at 814 2nd Street, stating that her income was very meager and it is almost impossible for her to continue to pay her water bill to the City and after due consideration of the matter by the Council it was decided, in view of her circumstances to donate water to Mrs. Cox, whereupon Councilman Prewett introduced a resolution being,

RESOLUTION NO. 882-N.S.

providing that the City supply water free to Mrs. Cox at 814 2nd Street from this date

on, 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 Reports:

Reports were rendered from the Department of Public Works, Police Department, Fire Department, and Police Judge W. H. Rice, which were ordered placed on file in the office of the City Clerk.

No further business appearing the Council upon motion adjourned.

Attest: *J. E. Gray*
City Clerk

Approved: _____
Mayor

.....

Council, City of Modesto

Wednesday, April 23rd, 1924.

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 April 9th, 1924 were read and ordered approved as read.

In the Matter of Building Ordinance:

ORDINANCE NO. 267-N.S.

Entitled: "An ORDINANCE REGULATING THE CONSTRUCTION, ERECTION, ENLARGEMENT, RAISING, ALTERATION, REPAIR, REMOVAL, DEMOLITION, MAINTENANCE, USE, OCCUPANCY AND HEIGHT OF ALL BUILDINGS AND BUILDING CONSTRUCTION IN THE CITY OF MODESTO; REGULATING BILL AND SIGN BOARDS REGULATING THE STORAGE OF GAS, OILS, AND OTHER INFLAMMABLE MATERIALS, IN AND FOR BUILDINGS AND BUILDING CONSTRUCTION, AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE".

and which was read, introduced, adopted and passed to print on the 26th day of March, 1924, 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 Junk Yard Permit:

Mr. Harry Silverman presented to the City Council a written request asking that he might have permission to establish and conduct a junk yard at the premises known as 619 Seventh Street, in the City of Modesto, being a lot of the size of 45 x 140 feet. The above request was granted to Mr. Harry Silverman when he shall have complied with all of the regulations set out in Ordinance No. 54-N.S. regulating the operation of a junk yard in the City of Modesto, whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 883-N.S.

authorizing the said Mr. Harry Silverman to open up and operate a junk yard at the premises known as 619 Seventh Street, City of Modesto, being a lot of the size of 45 x 140 feet. A motion to adopt the above resolution was seconded by Councilman Osvald, and 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 Conducting a Soft Drink Stand at Ensen Park:

Mayor Elias informed the Council that Mrs. Jean Ward had made application to him asking that permission be granted her to conduct a soft drink stand at Ensen Park. This matter was duly considered by the Council and upon consent of Mrs. H.A. Bates, Park Commissioner, the Council granted Mrs. Jean Ward permission to establish and operate a soft drink stand in Ensen Parks, being under the control of Alf Davis.

Whereupon Mayor Elias introduced a resolution being,

RESOLUTION NO. 884-N.S.

providing Mrs. Jean Ward be given permission to establish and conduct a soft drink stand within the confines of Ensen Park. The above resolution was seconded by Councilman Boundey and 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 Grant Street Proceedings:

Pursuant to a previous resolution postponing Grant Street proceedings, Councilman Osvald thereupon introduced a resolution being,

RESOLUTION NO. 419-S.P.

that further consideration of and action upon Resolution of Intention No. 171 (Grant Street Improvement) be postponed to the regular meeting to be held on May 14th, 1924,

The motion to adopt the Resolution was seconded by Councilman Boundey, and upon roll call adopted 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:

Proceedings were presented to the Council by the City Engineer for the improvement of Linden Street from Franklin Street to Washington Street, as more fully described in the Resolutions pertaining to such work which are as follows:

Engineer's Estimate

In compliance with the Resolution No. 415-S.P. Resolution Ordering Plans and Specifications, the City Engineer submitted plans and specifications and his estimate of the cost of the work.

RESOLUTION NO. 417-S.P.

Resolution Adopting Plans and Specifications

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

That Linden Street, from the center line of Franklin Street to the center line of Washington Street, be graded and paved between the gutters and the central park curbs to the official line and grade with a pavement consisting of an Asphaltic Concrete base two and one-half ($2\frac{1}{2}$) inches in thickness and a Warrenite-Bithulithic wearing surface one and one-half ($1\frac{1}{2}$) inches in thickness; also curbed on both sides to the official line and grade with cement concrete curbing and to further construct cement concrete gutters; also to construct a cement concrete curb around the ten (10) foot park strip, excepting therefrom any of said work already done to the official line and grade. That open drains or gutters of hydraulic cement concrete be constructed across Jefferson street and Madison Street along the North and South curb lines. That cast iron Electroliers be installed complete with lamps, globes, cables, conduit, connection boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street.

As prepared by the Engineer of said City and submitted this 23rd day of April 1924, be and the same are hereby adopted as and for the plans and specification for doing said work.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 23rd day of April 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gregg,
City Clerk

RESOLUTION NO. 418-S.P.

Resolution of Intention No. 172

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 Linden Street from the Center line of Franklin Street to the Center Line of Washington Street, be graded and paved between the gutters and the center park curbs to the official line and grade with a pavement consisting of an Asphaltic Concrete base two and one-half ($2\frac{1}{2}$) inches in thickness and one and one-half ($1\frac{1}{2}$) inch Warrenite-Bithulithic wearing surface; also curbed on both sides to the official line and grade with cement concrete curbing and to further construct cement concrete gutters; also to construct a cement concrete curb around the ten (10) feet park strip, excepting therefrom any of said work already done to the official line and grade. That open drains or gutters of hydraulic cement concrete be constructed across Jefferson Street and Madison Street along the North and South curb lines. That cast iron Electroliers be installed complete with lamps, globes, wires, conduit, connection boxes, concrete foundations, and other and necessary appliances for the purpose of lighting said street.

That cast iron Electoliers be constructed at the following points: One (1) on the Center line of Linden Street and twelve (12) feet west of the west line of Washington Street; one (1) on the Center line of Linden Street one hundred seventy-five (175) feet west

from the west line of Washington Street; one (1) on the Center line of Linden Street and twelve (12) feet east from the east line of Jefferson Street; one (1) on the Center line of Linden Street and twelve (12) feet west from the west line of Jefferson St., one (1) on the Center line of Linden Street one hundred seventy-five (175) feet west from the west line of Jefferson Street; one (1) on the Center line of Linden and twelve (12) feet east from the east line of Madison Street. One (1) on the Center line of Linden Street and twelve (12) feet west from the west line of Madison Street; one (1) on the Center line of Linden Street and one hundred seventy-five (175) feet west from the west line of Madison Street; one (1) on the Center line of Linden Street and twelve (12) feet east from the east line of Franklin Street.

All as more fully and in detail appears and as shown by and described and specified on sheets number one to ten inclusive of plans 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-Bithulitic License Mixture Agreement of Warren Brothers Company of Boston, Mass., of date of October 10th, 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 1 to 14 both inclusive, Block 424; Lots 1 to 14 both inclusive, Block 425; Lots 1 to 14, both inclusive, Block 426; Lots 15 to 28, both inclusive, Block 427, The South 140 feet, by 350 feet, of Block 428; Lots 15 to 28 both inclusive, Block 429, as per map of Record in the County Recorders Office, Volume 10 of maps, pages 424, 425, 426, 427, 428, and 429, 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 ten months from their date.

Notice is hereby given that on the 14th day of May, 1924, 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 objection 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 held the 23rd day of April, 1924, by the following vote:

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

Noes: Councilman None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Park Commission:

Mrs. H. A. Bates and Mr. E. H. Morris, the present City Park Commissioners appeared before the City Council stating that there was some misunderstanding in regard to the authority and duties of the Park Commissioners. It appeared from the conversation that ensued that Mrs. Bates and Mr. Morris as Park Commissioners took exceptions to the authority of the Council in hiring Mrs. Mable Carr Warren as supervisor of the Play Ground in the various parks. After a considerable discussion regarding this matter the Council conceded the fact that they were somewhat hasty in the action they took without consulting the park commissioners, whereupon Mayor Elias offered an apology to the Park Commissioners for this seemingly uncourteous act of theirs and assured the Park Commissioners that in the future due consideration would be given to them in all matters pertaining to the management of the parks.

Mr. Morris also spoke at some length regarding the duties of the park Commissioner and made several recommendations to the City which in his opinion the Council of the City of Modesto should be taking steps to acquire additional parks in other parts of the City and he suggested that the Council acquire at an early date a parcel of land on the other side of Dry Creek adjoining the Dry Creek Park. Whereupon the Council informed Mr. E. H. Morris that his suggestions were, and had been, given consideration by the City Council and as soon as financial conditions permitted it was the intention of the City Council to act along the lines suggested by him.

Mr. Morris also stated that in view of the fact that there were only two Park Commissioners at the present time, Mr. A. T. McKinley having resigned from the board some time ago, it was his opinion that another park Commissioner should be selected at this time and that it should be a resident of the west side of the City, he thereupon offered the name of E. R. Utter and recommended that he be appointed in the place of Mr. A. T. McKinley, whereupon Mayor Elias introduced a resolution being,

RESOLUTION NO. 885-N.S.

appointing Mr. E. R. Utter as a member of the Park Commission for the City of Modesto, to fill the vacancy caused by the resignation of Mr. A. T. McKinley, which resolution upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Donation to the Womans Improvement Club for Rest Room:

Relative to a donation to the Womans Improvement Club for a Ladies Rest Room Councilman Oswald introduced a resolution being,

RESOLUTION NO. 886-N.S.

providing for the payment of \$165.00 to the Civic Woman's Improvement Club to aid them in the establishing of a Rest Room in the City of Modesto, which resolution was lost upon roll call by the following vote;

Ayes: Councilman Oswald

Noes: Councilmen Boundey, Brown, Brewett, and Mayor Elias

Absent: Councilmen None

In the Matter of City License Tax for Out-Door Advertising;

Mr. Carlson at this time presented to the Council a draft of an ordinance made in view of licensing of all out-door advertising in the City of Modesto. The opinion of the Council was that this matter should not be taken up at this time but should be laid over until the Council had an opportunity to investigate the merits of such an ordinance more thoroughly.

In the Matter of Mr. Crow's and Mr. Covell's Water Bills;

With Mr. Crow there seems to be a difference of opinion upon his part in regard to a bill for water used at the Hotel Modesto which the water department has been unable to adjust satisfactorily with Mr. Crow and there has also been some controversy over the water being used at the new Covell Hotel. Thereupon the Council appointed Mr. Carlson, the City Attorney to take these matters up with Mr. Crow and Mr. Covell and endeavor to get a speedy adjustment of both of these controversies.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: *H. G. Young*
City Clerk

.....

Council, City of Modesto

Wednesday, May 14th, 1924.

The Council met in regular session this date and there were present Councilmen Boundey, Brown, Cavald, Frewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 23rd, 1924 were read and ordered approved as read.

In the Matter of Claims:

The claims for the month of April, 1924, were duly added and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$14765.43
Water Fund.....	4436.24
Library Fund.....	1106.92
Fire House Bonds.....	300.00
Street Bonds Funds.....	109.05
TOTAL.....	\$20717.64

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 Fencing Baseball Grounds in Enslan Park,

Mr. James Corley addressed the Council upon the matter of placing an ornamental fence around the baseball grounds in Enslan Park. Mr. Corley proceeded to outline the reasons why there should be a fence around the baseball ground in Enslan Park, and stated that at the present time there was no enclosed ground in the City whereby baseball games could be held and charge admission to see the games. And as the majority of the people in his estimation in the City were interested in the national game and he did not believe the community would raise any very great objection to the fencing of the park.

Mr. Corley stated that the committee for baseball proposed to erect an ornamental wire fence that would not detract from the beauty of the park. The building of this fence would enable the baseball committee to charge a small admission fee which would help defray the expenses of holding the games in the park.

Mr. J. A. Davis, also spoke on the matter of placing a fence around the baseball field in Enslan Park and stated that if it was necessary he would get a petition signed by several hundred people in favor of fencing the ball park. The City Council was heartily in favor of granting this request to the Baseball Committee but they were of the opinion that there were legal phases of the question which did not permit them to act accordingly and the matter was referred to City Attorney Carlson for a report at the next Council meeting as to the legality of the Council having the authority to authorize a fence to be built around the Baseball field and charging admission into the ball park.

In the Matter of Protest on Linden Street;

A protest having been filed with the City Clerk, protesting against the improvement of Linden Street as provided for in Resolution of Intention No. 172, on the grounds that it would be extremely burdensome upon owners of property bordering on Linden Street, and also on account of the fact that taxes on the said property at the present time were very high and if street assessments were added thereto it would work a very great

hardship upon the property owners fronting on said street. The protest was supported by the signatures of twenty property owners or their agents, comprising a total of over 1200 feet of frontage.

The Council was of the opinion that inasmuch as the protest was supported by 50% of the frontage that the protest should be sustained, whereupon Councilman Oswald introduced a resolution being,

RESOLUTION NO. 420-S.P.

sustaining the protest as presented to the City Council by the property owners bordering on Linden Street, which resolution was duly seconded 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 Grant Street Proceedings:

Inasmuch as a protest had been sustained in the Linden Street proceedings and the amount of frontage being so small on Grant Street that they might have trouble in getting a contractor to bid upon so small a contract that it was thought advisable to postpone the Grant Street proceedings, whereupon Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 421-S.P.

that further consideration of and action upon Resolution of Intention No. 171 (Grant Street Improvement) be postponed to the regular meeting to be held on July 9th, 1924. The motion to adopt the resolution was seconded by Councilman Boundey, 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 Compensation Insurance:

The City is in receipt from the State the final statement of the compensation insurance carried by the City covering a period from January 1923, to January 1924. This statement shows the balance due the state on the above mentioned policy, as \$850.92. Further information regarding this statement is on file in the City Clerk's Office. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 887-N.S.

providing for the payment of \$850.92, the balance due to the State on the compensation insurance policy No. 7323. The foregoing resolution was duly 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

In the Matter of School Deed;

The matter of deed to the Modesto City School Board which has been in controversy for some time and has been laid over from time to time, and upon which Mr. Carlson, City Attorney reports that the School Board was not willing to accept the deed tendered to them, was again laid over until the first meeting in June.

In the Matter of Protest from the Residents of Hackberry Ave., and Surrounding Neighborhood;

It appears that the Modesto Irrigation District proposes to erect a stand-by steam plant across the canal at the north end of Hackberry Ave., which has resulted in a vigorous protest by a petition filed with the City Clerk, signed by some thirty-five residents on Hackberry Avenue and neighboring streets, and also by a letter from the Modesto City Board of Education. The body of said protest from the property owners reads as follows:

"The undersigned, residents and property owners in the City of Modesto, respectfully represent that one of the most attractive streets in the City of Modesto is Hackberry Ave., and that the City of Modesto is developing and growing in a northerly direction from the present terminus of Hackberry Avenue, That the erection of the Junior College with other reasons, makes the territory just west of the present terminus of Hackberry one of the most desirable resident portions of the City of Modesto, and one of the few localities yet left for the erection of homes near the center of the city. That it is reported that the Modesto Irrigation District contemplates the erection of its steam power plant on the property owned by the district at the end of Hackberry Avenue as at present laid out: That the erection of such steam plant is contrary to the policy heretofore adopted by the City of Modesto restricting the area in which industrial plants shall be erected; That the erection of such plant would permanently destroy the value of the adjacent territory for residence purposes, and would prevent the extension of Hackberry Avenue, and greatly depreciate all property in that locality and all property values on Hackberry Avenue.

Your petitioners respectfully request that if the ordinances at present adopted and existing in the City of Modesto do not prevent the erection of industrial plants in such locality, that an ordinance be adopted prohibiting the erection of such plant, and limiting the territory in which industrial plants can be erected and your petitioners especially request that the Council refuse permission to the Modesto Irrigation District to erect such plant in the said locality. Such erection would prevent the extension not only of Hackberry Avenue, but of Esalen St., Sycamore St., and the building up of Virginia Avenue."

Mr. Dennett appeared before the City Council in behalf of the residents of this section of the City and spoke at some length regarding the disadvantage that would accrue to this section of the City if the Modesto Irrigation District were allowed to build their stand-by plant in that section of the City of Modesto. Mr. Dennett asked the City Council to protect the residents of that section by passing an ordinance that would prohibit the building the above mentioned plant by the Modesto Irrigation District and other industrial enterprises of like nature in that particular district. The City Council after due deliberation was of the opinion that this particular portion of the City should be protected from such industrial enterprises as the Modesto Irrigation District proposes to build, and thereupon instructed the City Clerk to write a letter to the Modesto Irrigation District protesting against the contemplated erection of a steam stand-by electric plant in that portion of the City and also instructed City Attorney Carlson to prepare an ordinance prohibiting the construction of

industrial plants in that part of the City, whereupon the following resolution was introduced, by Councilman Boundey, being,

RESOLUTION NO. 888-N. S.

Pursuant to earnest and vigorous protests against the erection of a stand-by plant by the Modesto Irrigation District, at the end of Hackberry Avenue,

THEREFORE, Be It Resolved: that the City Attorney prepare an ordinance prohibiting construction of industrial plants operated by Steam, (such as that proposed by the Modesto Irrigation District for an electrical Stand-by Service at its premises across the canal at the end of Hackberry St.) within the limits bounded by 9th Street north from G St., G Street East from 9th St., and the northerly and easterly boundaries of the City.

And BE IT FURTHER RESOLVED, that the City Clerk be instructed to write the Modesto Irrigation District requesting them in view of earnest and vigorous protests against the putting in a Stand-by Plant at the end of Hackberry, and of obvious damage to property in that neighborhood, and in view of relations between the District and the City that the District make arrangements to locate its Steam plant elsewhere.

The foregoing resolution was regularly introduced by Councilman Boundey, and upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg,
City Clerk

In the Matter of Bill for Plate Glass:

The Modesto Hotel presented a bill for \$28.27 for one plate glass in the Hotel Modesto which was claimed to be broken by workmen drilling holes in the cement sidewalks preparatory to the installing of an electrolier, which after due consideration of this matter it was laid over to be brought up again at the next meeting.

In the Matter of Communication:

A letter was received from the Peppers Fruit Company and the Pioneer Fruit Company protesting against certain conditions existing at the Modesto Gas Company Plant at 9th and "D" Streets in this City. The letter recites that it is almost impossible to maintain an office and conduct their business without positive injury to the people working and also to the fruit and produce handled by them, due to the fact that at frequent intervals through the day the Modesto Gas Plant expells dense clouds of smoke and gas which envelops the adjacent properties. Stating that it is very unpleasant upon the people working in that section of the City and is very injurious to the fruits and vegetables handled by the various concerns operating in that vicinity.

They further wish to request that the Modesto Gas Company be asked to abate the additional nuisance caused by their practice of constantly blowing their siren at frequent intervals for long periods of time, claiming that this has the effect of making it almost impossible to carry on long distance conversation over the telephone.

They respectively petition the City to have these nuisances abated.

After due consideration of this matter by the City Council, Councilman Boundey introduced the following resolution, being,

RESOLUTION NO. 889-N. S.

instructing the City Clerk to write the Modesto Gas Company a letter setting forth the protest which has been filed against them, appraising them of the fact that certain protests had been filed against them and to inform them that it was the desire of the City to have them use their best efforts in seeing that these nuisances are eliminated as soon as possible for them to do so, which resolution was regularly adopted by the affirmative vote of all members present.

In the Matter of Crow & Cavell Water Bills:

At a previous meeting it was advised by the City Council that Mr. Carlson, City Attorney, try and adjust the water bills existing against Mr. Cavell and Mr. Crow, whereupon Mr. Carlson reported that he thought if a bill was mailed to Mr. Cavell that he would see that it was taken care of. And the matter of Mr. Crow's bill which there had been some controversy over as Mr. Crow claimed he was being unjustly charged for water, was brought up at this time, and as Mr. Crow being present, this matter was discussed and was decided by and between the City Council and Mr. Crow that he should pay \$9.80 of a certain bill of \$19.55 which was charged to him in the month of September, 1923. Whereupon Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 890-N.S.

authorizing the City Clerk to accept \$9.80 in full payment of a water bill of \$19.55 charged to Mr. Crow in the month of September, 1923., which resolution was duly 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

In the Matter of Water Used by the Modesto School District:

Mayor Elias stated to the City Council that inasmuch as the City School Boards were making up their budgets for next year, that there should be some arrangements made with them in regard to the water furnished to them by the City of Modesto, whereupon Engineer McCarton was instructed to compute the amount of water used by the schools and the cost to the City for furnishing same and report to the Council at its next meeting.

In the Matter of New Pumping Unit:

Mayor Elias introduced the following resolution, being,

RESOLUTION NO. 891-N.S.

instructing City Engineer McCarton to prepare plans and specifications for the installation of a new pumping unit for the City of Modesto, which resolution being duly seconded, 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 Fire Alarm Apparatus:

Councilman Boundey introduced a resolution being,

RESOLUTION NO. 892-N.S.

which provides for the installation of additional fire alarm boxes and the hiring of same from the Gamewell Fire Alarm Co., which resolution was duly 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 Regarding above mentioned contract is one file in the office of the City Clerk.

In the Matter of Communication from Grat Hogin, Sheriff.

A communication was received in which Mr. Hogin asks the City Council to extend a sewer line to accomodate his property as follows, Lots 5 and 6, Block 7 of the Sunset Boulevard Addition of the City of Modesto. ^{3rd}

After due consideration of this matter it was laid over until the next regular meeting of the City Council.

In the Matter of Reports:

Reports were filed from the following departments and were ordered placed on file in the office of the City Clerk: Health Dept, Police Court, Police Dept., & Fire Dept.

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

Approved: _____
Mayor

Attest: W E Gray
City Clerk

Wednesday, May 28th, 1924.

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 May 14th, 1924, were read and ordered approved as read.

In the Matter of Fencing a ball field in Enslon Park:

At the Council meeting of May 14th, the question of fencing the ball field in Enslon Park was presented to the Council at which time certain legal phases of the question was submitted to the City Attorney Carlson for his opinion upon the same, asking that Mr. Carlson report to the City Council at their meeting of May 28th.

The City Attorney reports as follows: That Enslon Park was deeded outright to the City, apparently without any restriction being incorporated in the deed, also that the City Council accepted Enslon Park from the Woman's Improvement Club for park purposes under Ordinance No. 55. Mr. Carlson also reported to the Council that in his opinion the Council had the authority to allow a fence placed around the baseball field and but that there was a question as to whether an admission fee could be charged for entrance into any public park which was not an important matter in any event, inasmuch as such a practice could be immediately discontinued if hereafter required.

At this time the City Council went on record as favoring the fencing of the ball park in Enslon Park which had been asked for by the Citizens Committee at the previous meeting of the Council, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 893-N.S.

authorizing Mr. James Corley and Mr. J. A. Davis, who were the committee sponsoring the building of this fence, to construct an ornamental wire fence around the ball field in Enslon Park, the cost of which is to be paid by them, and that they be allowed the privilege of charging admission into the ball games. The aforesaid resolution was duly 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

In the Matter of Mr. Davis's authority in Enslon Park:

The question having been asked several times by citizens of the community as to Mr. J. A. Davis's authority in over seeing the baseball diamond in Enslon Park. After due deliberation of this matter by the City Council it was thought best to create a position of Athletic Director in Enslon Park, whereupon Councilman Boundey, introduced a resolution, being,

RESOLUTION NO. 894-N.S.

creating the position of Athletic Director at Enslon Park, which resolution being duly seconded was upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Pursuant to the above resolution, providing for the position of Athletic

Director of Enslin Park, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 897-N.S.

appointing Mr. J. A. Davis to the position of Athletic Commissioner for Enslin Park in accordance with Resolution No. 894-N.S. to serve during the pleasure of the Council without compensation, which resolution being duly seconded 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 Bonfire Ordinance:

Firechief George E. Wallace called the Council's attention to the fact that there should be an ordinance regulating the lighting of bonfires within the City, as it appeared the City had no Ordinance whereby the lighting of bonfires could be better regulated the City Council was of the opinion that this was a matter that should be taken care of, therefore instructed Fire Chief George Wallace to get in communication with the Board of Fire Underwriters and ascertain from them the character and nature of an ordinance which would satisfy the Board of Underwriters and at the same time meet the needs of the City.

In the Matter of Fire Works Ordinance

This matter was also brought to the attention of the Council by the Fire Chief and it was found that the present ordinance No. 10-N.S. failed to regulate the sale of fireworks within the City of Modesto, and it was thought advisable that there should be an ordinance passed by the City Council prohibiting the sale of fireworks by the merchants of Modesto, whereupon Councilman Boundey introduced an ordinance, being,

ORDINANCE NO. 268-N.S.

Entitled: "AN ORDINANCE PROHIBITING THE STORAGE, MANUFACTURE, SALE OR DISCHARGE OF FIRE WORKS OR FIRE CRACKERS IN THE CITY OF MODESTO." which ordinance was introduced by Councilman Boundey at a regular meeting of the City Council held on May 28th, 1924, 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 Parking Automobiles in the Front of Post Office:

It appeared from Commissioner Oswalds explanation of this matter that the privilege of parking automobiles in the parking spaces in front of Post Office was being greatly abused, thereby causing a very great inconvenience to the public desiring to reach the post office, whereupon Councilman Oswald introduced an ordinance, being,

ORDINANCE NO. 269-N.S.

Entitled: "AN ORDINANCE RELATING TO PARKING ON A PORTION OF "I" STREET IN THE CITY OF MODESTO," which ordinance was introduced by Councilman Oswald at a regular meeting of the City Council held on May 28th, 1924, 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 Replacing Fire Hose Destroyed by the Southern Pacific:

Due to the fact that a short time ago while the Fire Dept. had its hose stretched across the tracks of the Southern Pacific Railroad Company, fighting a fire, a Southern Pacific train disregarded the orders of the Fire Chief to stop, thereupon ruining two lengths of firehose by cutting it into, therefore Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 895-N.S.

instructing the City Clerk to write a letter to Mr. Gaylord's, official of the Southern Pacific Railroad Company, asking that the hose destroyed by their employees be replaced at their expense, 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

In the Matter of Cleanup Week:

Following the usual custom of the City's inauguration of clean up week in the City of Modesto, Mayor Elias introduced the following resolution, being,

RESOLUTION NO. 896-N.S.

delegating to the Fire Chief and his department the responsibility of seeing that the City is properly cleaned up during the week which is known as cleanup week in the City of Modesto., which resolution was duly 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

In the Matter of Correspondence: In response to a letter written to the Modesto Gas Company as directed by the City Council at their meeting of May 14th, protesting against certain conditions which exist at their plant, Mr. Frank Cressey, Jr., President of the Modesto Gas Company wrote a very courteous letter to the City Council stating that the conditions referred to at their plant had been in a very great measure eliminated and properly taken care of. In this letter they thanked the City Council for calling their attention to the above, and assured them that at all times they were ready and willing to cooperate in every way with the City Council for the betterment of the City of Modesto.

In the Matter of Bill from Modesto Hotel for Broken Plate Glass:

This matter was laid over from the meeting of May 14th, and again brought up at this time and discussed at some length by the City Council but after which, the bill was laid over indefinitely.

In the Matter of Water for the City Schools:

City Engineer McCarton Submitted a written report relative to the cost and amount of water used by the City Schools. This report set out the fact that it cost the City some where in the neighborhood of seven cents per thousand gallons for pumping and distributing the water which should serve to form a basis for the cost of water furnished to the school. No definite action was taken upon this matter but it was suggested that the City Engineer should continue his investigation along this line and report any further findings at the next Council Meeting.

In the Matter of Sewer Extension to Mr. Hogin's Property:

At the Council meeting of May 14th, Mr. Grattan M. Hogin presented a written request to the City Council for the extension of the sewer to his property. This matter was laid over until the meeting of May 28th, at which time it was further discussed, and the conclusion of the discussion was to the effect that the approximate cost of this extension of sewer which was reported by the Engineer to be in the neighborhood of \$500.00, and that this matter should be placed upon the budget memorandum and if conditions warrant, that it shall be placed in next years budget.

In the Matter of Traffic Officer:

Commissioner Oswald recited to the Council that in his opinion the City was in need of more traffic officers due to the fact that it was almost impossible for one traffic officer to patrol all parts of the City and give adequate service to the community at all times of the day and night with only one traffic officer on duty. His view of the matter was that another traffic officer should be hired with the view of placing a man on duty not only as a traffic officer but in any place in the City where it required the services of an officer, whereupon he introduced a resolution, being,

RESOLUTION NO. 898-N.S.

authorizing the Commissioner of Public Health and Safety to Employ an additional traffic officer for the City of Modesto, which resolution was upon roll call not adopted by the following vote:

Ayes: Councilmen Oswald, and Mayor Elias

Noes: Councilmen Boundey, Brown, and Prewett

Absent: Councilmen None

In the Matter of Invoice of Material Salvaged from the Ball Park Fence, Grand Stand and Hangar:

The material salvaged from the Ball Park Fence, Grand Stand, and Hangar, as provided in resolution passed by the City Council some time ago stating that an itemized statement of the material salvaged should be filed with the City Clerk which at this time was done and is on file in the City Clerk's Office.

No further business appearing the meeting upon motion adjourned.

Approved: _____
Mayor

Attest: W. G. Gray
City Clerk

Wednesday June 11th, 1924.

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 May 28th, 1924., were read and ordered approved as read.

In the Matter of Claims:

The claims for the month of May, 1924 were duly audited and withdrawals were made from the following fund accounts as follows.

General Fund.....	\$13180.17
Water Fund.....	4000.64
Library Fund.....	1227.48
Street Bond Fund.....	32.88
TOTAL.....	\$18441.17

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 Fencing Ball Field in Enslin Park:

Mrs. H. A. Bates and Mr. E. R. Utter, park Commissioners, appeared before the Council with the view of getting a better understanding of their duties relative to park commissioners. There seemed to be some misunderstanding relative to the duties and authority of the Park Commissioners. After Mr. Utter had addressed the Council on this subject, Mayor Elias assured him that it was the desire and intention of the City Council to at all times work in harmony with the Park Commissioners and at no time to undertake to usurp their authority as Park Commissioners.

The subject of fencing the ball park in Enslin Park was also brought up at this time and discussed at some length by the Park Commissioners and the City Council and the result of said discussion being that Mr. Utter and Mrs. Bates as Park Commissioners protested against the building of the fence around the Ball Field in Enslin Park. Mrs. Bates, in her conversation, stated that she represented a goodly number of citizens who were opposed to the building of the fence. She also stated that Mr. J. A. Davis who is athletic director of Enslin Park and also on the committee sponsoring the fence, informed her that if she, as a Park Commissioner, was not desirous of having the fence built that they would go no further with it.

The Council, after considering this matter, decided to take no further action other than what they had already taken.

In the Matter of Fire Works Ordinance:

This being the time for the final adoption of Ordinance No. 268-N.S., Entitled: "AN ORDINANCE PROHIBITING THE STORAGE, MANUFACTURE, SALE OR DISCHARGE OF FIRE WORKS OR FIRE CRACKERS IN THE CITY OF MODESTO", no action was taken but the ordinance was laid over until the next regular meeting June 25th, 1924.

In the Matter of Ordinance No. 269-N.S.

ORDINANCE NO. 269-N.S.

Entitled: "AN ORDINANCE RELATING TO PARKING ON A PORTION OF I STREET IN THE CITY OF MODESTO". and which was read, introduced, adopted and passed to print on the 28th day of May, 1924, and having been published as required by law, Councilman Boundey, moved the final adoption of the ordinance. The motion was seconded, the ordinance 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 Water for Mr. A. B. De Hart:

Mr. A. B. DeHart, residing on South Avenue, appeared before the Council and asked that he be allowed to connect up with the City Water mains. The decision of the Council was that he be allowed to connect up with the City Water mains when he had complied with the City regulations imposed upon the city water users living outside the City limits, whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 899-N.S.

providing that Mr. A. B. DeHart living on South Avenue, between Rosedale and Colorado Streets, which is outside of the City limits be supplied with water from the City water mains, when he has complied with all of the regulations governing same, which resolution was duly seconded 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 Correspondence:

A letter was read from the Exchange Club of Modesto in which they were urging the City Council to provide electric lights for the tennis courts and horse-shoe pitching grounds in order that the public may be able to make use of them at night. After due consideration of this matter it was laid over by the City Council to take up at some future meeting.

A communication was received from the Southern Pacific Company stating that they had instructed their Store Department to replace the fire hose destroyed by their train on their track some few weeks ago during the course of a fire on 8th Street.

A letter was received from Brotherton & Thomas Company certified accountants soliciting the business of the annual audit of the City of Modesto for the fiscal year ending June 30th, 1924. and inasmuch as Brotherton & Thomas Company have audited the accounts of the City for some years past, the City Council thought best to re-engage them for the audit this year, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 900-N.S.

authorizing the City Clerk to inform Brotherton & Thomas & Co., that they would employ their service to conduct the annual audit for the fiscal year ending June 30th, 1924, which resolution being duly seconded was 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 Water for the City Schools:

City Engineer McCarton reported that he had met with the Modesto City School Board and had taken up the matter of furnishing them with water for the coming fiscal year, and he reported to the City Council that the Modesto School Board was willing to pay a flat rate of \$1000.00 per year, payable quarterly for water to be supplied to the Modesto City schools for the fiscal year 1924-25. Whereupon Councilman Prewett introduced a resolution

being,

RESOLUTION NO. 901-N.S.

accepting the proposition that the Modesto School Board pay \$1000.00 per year for the water used by the City Schools, said payment to be paid quarterly, which resolution being duly seconded was regularly adopted upon roll call by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance:

The need of a new well for the Modesto Municipal Water Works was brought to the attention of the Council, whereupon Councilman Boundey introduced an Ordinance, being,

ORDINANCE NO. 276-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF AN ADDITIONAL WELL FOR THE MODESTO Municipal WATER WORKS AND FOR THE INSTALLATION OF PUMPING MACHINERY THEREON". which ordinance being regularly introduced by Councilman Boundey at a regular meeting of the City Council held on June 11th, 1924, 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 Traffic Officer:

Councilman Oswald at this time brought to the attention of the Council again the very great need of the employment of an additional traffic officer for the City of Modesto. Mr. Oswald stated that this was a matter that should be supported by the City Council whereupon he introduced a resolution being,

RESOLUTION NO. 902-N.S.

giving the Commissioner of Public Health and Safety the authority to employ an additional traffic officer for the City of Modesto, which resolution was not adopted by the following vote:

Ayes: Councilman Oswald, Mayor Elias

Noes: Councilmen Boundey, Prewett, and Brown

Absent: Councilmen None

In the Matter of Reports:

Reports from the Police Dept., Fire Dept., City Treasurer Dept. of Public Works, and Police Court were presented and ordered filed with the City Clerk.

No further business appearing the meeting upon motion adjourned.

Approved: _____
Mayor

Attest: *H. C. Gray*
City Clerk

Wednesday, June 25, 1924.

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 June 11th, were read and ordered approved as read.

In the Matter of Granting Permission to Sell Pop-Cycles:

Mr. E. M. Barr appeared before the City Council asking that permission be granted him to sell pop-cycles on the sidewalk corner of 10th and "I" Streets, adjacent to the United Bank and Trust Company. The Council informed Mr. Barr that they could not grant his request in this matter but informed him that if he would take the ordinary procedure of obtaining a concession upon the street by securing the permission from the property owner adjacent to the location on which he shall hold his concession, and file the same with the City Clerk; that the City Council would grant his request and hereby authorize the City Clerk to issue him a license when the above requirements have been made.

In the Matter of Using Water from Neighbor:

Mrs. Gertrude Robbins, widow lady living at 310 Pine Street, Modesto, not having pressure enough in her sprinkling system to keep her lawn alive by watering on the days provided for her by the watering regulations enforced in the City, asked the City Council to give her permission to use water from her neighbor's hydrant as it was satisfactory with the neighbor.

The Council, after due consideration of this matter, introduced a resolution being:

RESOLUTION NO. 903-N.S.

granting the request asked for by Mrs. Gertrude Robbins to use water from her neighbor's hydrant on the odd number watering days which resolution was regularly introduced by Councilman Boundey and duly seconded and upon roll call was adopted by the following vote:

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

Nees: Councilmen None

Absent: Councilmen None

In the Matter of Correspondence from City of Tulare:

The City Council received a letter from Mr. W. L. Andrews, City Manager of Tulare, Calif, informing them of the construction of a sewage treatment plant for demonstration purposes, in that City and inviting them to call and inspect the same at their convenience. Mayor Elias was of the opinion that the City Council should take advantage of this sewage plant demonstration in the City of Tulare at some future date.

In the Matter of Final Adoption of Fire Works Ordinance:

ORDINANCE NO. 268-N.S.

Entitled "AN ORDINANCE PROHIBITING THE STORAGE, MANUFACTURE, SALE OR DISCHARGE OF FIRE WORKS OR FIRE CRACKERS IN THE CITY OF MODESTO", and which was read, introduced, adopted and passed to print on the 28th day of May, 1924., and having been published as required by law, Councilman Boundey moved the final adoption of the ordinance. The motion was seconded, the ordinance 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 Final Adoption of New Water Well Ordinance:

ORDINANCE NO. 270-N.S.

Entitled: "AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF AN ADDITIONAL WELL FOR THE MODESTO MUNICIPAL WATER WORKS AND FOR THE INSTALLATION OF PUMPING MACHINERY THEREON," and which was read, introduced, adopted and passed to print on the 11th day of June, 1924, 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 License for Theatres:

Mr. Parker, manager of the Lyric Theatre, appeared before the Council asking that the license fees charged the theatres in this City be discontinued, believing the license an unjust one. The City Council informed Mr. Parker that this matter would be taken under advisement.

In the Matter of Granting Permission to Ku Klux Klan to Hold Ceremonies on the Aviation Field and Fair Grounds:

Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 904-N.S.

granting permission to C. F. Salber and Bert Courts to use the Aviation Field and Fair Ground until midnight Saturday, June 28th, for the purpose of holding ceremonies of the Ku Klux Klan, which resolution was duly seconded and upon roll call adopted by the following vote:

Ayes: Councilmen Oswald, Boundey, and Prewett

Noes: Councilmen Brown and Mayor Elias

Absent: Councilmen None

In the Matter of Search for the Title for a Portion of Ninth Street:

City Engineer McCarton brought to the attention of the Council a certain piece of property known as a portion of Ninth Street, lying along the lateral no. 4 of which there is a question of the rightful owner of the same. After some discussion of this matter Councilman Boundey introduced a resolution being,

RESOLUTION NO. 905-N.S.

authorizing City Attorney Carlson to have a search of the records made and establish the ownership of a certain portion of Ninth Street lying along lateral no. 4 to the westerly boundary of the City, which resolution was duly 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

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: W. E. Quinn
City Clerk

Council, City of Modesto
Wednesday, July 9th, 1924.

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 June 25th were read and ordered approved as read.

In the Matter of M. D. Bacciarini's Petition for Sewer Connection and City Water Connections:

Mr. M. D. Bacciarini, living outside of the City limits on South Avenue between Colorado and Rosedale Avenues, petitioned the City Council to have his property connected up with the City Water Mains and also the City Sewer. Upon the recommendation of the City Engineer McCarton, Councilman Boundey, introduced a resolution being,

RESOLUTION NO. 906-N.S.

granting the privilege of connecting with the City Sewer and Water Mains, to Mr. M. D. Bacciarini in accordance with his petition, when he has complied with all the rules and regulations concerning the same, which resolution was duly 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

In the Matter of Communication from the Gamewell Fire Alarm Telegraph Company:

A letter was read at this time from the Gamewell Fire Alarm Telegraph Company, stating that it was their intention to change their name from the "Gamewell Fire Alarm Telegraph Company" to the "Gamewell Company", which in so doing would cause some change to be made in the contract existing between the City of Modesto and the Gamewell Fire Alarm Telegraph Company, and in view of this fact the City Council was of the opinion that this matter should be referred to the City Attorney Carlson for advise, whereupon this letter and assignment of contract between the City of Modesto and the Gamewell Fire Alarm Telegraph Company was turned over to the City Attorney for his opinion and recommendation.

In the Matter of Grant Street Proceedings:

The Grant Street proceedings which have been pending for some time and which have been laid over from time to time was, in accordance with Resolution No. 421-S.P., again brought up at this meeting, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 422-S.P.

Postponing action of the Grant Street Proceedings as set forth in Resolution of Intention No. 171, until the first meeting in August, of the City Council, which resolution was duly 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

In the Matter of Mayor's Report:

In accordance with the provisions of the Charter of the City of Modesto, which provides in Section 20 thereof that the Mayor shall annually and from time to time commit to the Council the information relative to the affairs of the City, therefore Mayor Elias presented to the Council a partial annual report of the affairs of the City, touching the Health Department, Police Department and Police Court. Said report being on file in the City Clerk's Office.

In the Matter of Burning Grass on Vacant Lots:

In accordance with instructions given to the Fire Chief from the City Council on May 28th, 1924, for his department to take charge of the burning off the grass from the vacant lots of the City in compliance with those instructions the fire chief submitted the following report, the number of lots burned, being 370, the total expense involved in the work of burning these lots \$72.80. He also reported that the two lengths of fire hose which the Southern Pacific train ran over and cut in two, some few weeks ago, have been replaced.

In the Matter of Claims:

The claims for the month of June, 1924, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$12094.71
Water Fund.....	3994.18
Library Fund.....	1191.60
Fire House Bonds.....	31.50
Street Bond Funds.....	16.80
Bond Red. & Interest.....	4225.00

TOTAL.....\$21553.79

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 Contract for Hay and Coal for City of Modesto:

Commissioner Brown reported to the Council that he had established a contract for approximately seventy-five tons of red oat hay from the Grange Company at a price of \$23.50 per ton and that the cost of insurance and storage in the warehouse shall be paid by the City. The City is to pay for this hay as withdrawals are made of this hay from the warehouse by the City.

Commissioner Brown also reported that he had contracted for a total of seven tons of coal at a price of \$11.90 per ton to be delivered as the City needed it.

In the Matter of Fire Chiefs' Leave of Absence:

Fire Chief Wallace asked the City Council for a leave of absence for two weeks during the month of August which was granted by the City Council.

In the Matter of Reports:

Reports were presented from the various departments and ordered placed on file in the City Clerk's Office.

No further business appearing the Council upon motion adjourned.

Approved: _____
Mayor

Attest: He Griggs
City Clerk

Council, City of Modesto
Wednesday, July 23rd, 1924.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the previous meeting of July 9th, 1924, were read and ordered approved as read.

In the Matter of Water Mains:

Mr. Fred Zeilinga appeared before the Council asking that the City lay water mains to his property as follows: Lots 11 and 12, Block 451 in the Virginia Tract. It appeared from a discussion of this subject that the expense involved in laying new mains to this property would be quite heavy. City Engineer McCarton reported that it would cost in the neighborhood of \$1500.00 to lay permanent mains to this property.

After due consideration of this matter by the Council it was decided that in view of the heavy costs in laying permanent water mains to this property as it appeared from the discussion of this subject, for only one water user would be served, all action was postponed for the time being.

In the Matter of a Letter from the State Board of Health:

A letter was read at this time from the State Board of Health Department of Sacramento, in which they enclosed their Special Bulletin No. 45, presenting the Board's rules and regulations governing the protection of domestic water supplies. The Council thereupon presented the Bulletin to City Engineer McCarton.

In the Matter of Petition for Sign Over Sidewalk by Economy Hardware Store:

The Council read at this time a communication from the Economy Hardware Store of the City of Modesto, asking permission to erect a sign under the canopy in front of their place of business. In view of the fact that the City has an Ordinance which does not permit the hanging of signs over sidewalks of the City of Modesto, the City Clerk was instructed to write the Economy Hardware Store informing them of this fact and stating that the Council could not grant the permission asked for.

In the Matter of Letter from Mr. L. L. Dennett:

A communication was read from Mr. L. L. Dennett, calling attention of the City Council of the situation of the property of the City of Modesto lying north of the canal of the Modesto Irrigation District, and east of Virginia Avenue. He states that the property owners in that section of the City have neither City water, city sewage, city lights, street sprinkling, fire protection or police protection and in view of the fact that the people in that neighborhood are residents of the City of Modesto and pay City Taxes, they desire to have some of the conveniences of the City furnished them. Mr. Dennett also recites in this letter that he would very much like to obtain the grade of Virginia Avenue, and he also calls the attention of the Council to the dusty condition of the streets and stated that the residents in that section of the City would be glad to cooperate with the City in some manner with regard to sprinkling the streets with oil, which matter was referred to City Engineer McCarton with the view of working out some possible arrangement along that line.

After some consideration of this letter by the City Council the City Clerk was instructed to write Mr. L. L. Dennett appraising him of the fact that the grade for Virginia Avenue was established in November, 1923, and also that the City Council would exert every effort possible, also that the City Council would, as soon as the condition of the treasury would warrant, give to the residents of that part of the City any convenience or service enjoyed by any section of the City.

In the Matter of City Clerk's Report:

The City Clerk at this time submitted his annual report to the City Council in which he set forth a detailed statement of assets and liabilities of the operating account of the City for the fiscal year ending June 30th, 1924, he also attached thereto, a statement showing the revenues and expenditures of the operating accounts of the City for the fiscal year ending June 30th, 1924, as relative to the budget adopted by them for that year.

Further details regarding this report may be had by referring to the same on file in the office of the City Clerk.

No further business appearing the meeting upon motion adjourned.

Approved: _____
Mayor

Attest: W. G. Grigg
City Clerk

Board of Equalization, City of Modesto
Monday, August 4th, 1924.

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 4th day of August, 1924, 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, Brown, and Mayor Elias

Absent: Councilmen Prewett, and Osvald

Complaints were filed as follows:

Mr. T. J. LeHane, filed a written request asking that the Board of Equalization reduce the taxes 20% on the following described property in the City of Modesto: Lots 1, 2, 9, 10, 25 to 30 inc., 43, & 44, Block 350, Lots 3 to 6 inc., 31, 32, 39 to 42 inc., Block 351; Lots 25 to 27 inc., 33 to 38, Block 352: Lots 1 to 4 inc., 28 to 30 inc., 33, 34, Block 353; Lots 1, 2, 27, 28, Block 354.

Mr. L. E. Wise, in behalf of the Wise Cash Market, filed a written request asking that the assessment be reduced at the property located at 1302 H Street.

Mr. H. L. Robinson on Laurel Avenue and Mr. Felix Goodree, living on H. St., appeared in person, asking that the assessment on their respective properties be reduced. The foregoing complaints were at this time taken under consideration to be taken up again at the next Board of Equalization meeting. No further business appearing the meeting, upon motion, adjourned until Tuesday morning August 5th, 1924, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: H. E. Gragg
City Clerk

Board of Equalization, City of Modesto
Tuesday, August 5th, 1924.

The Board of Equalization met pursuant to adjournment of August 4th, 1924, and there was present, Councilman Boundey.

Absent: Councilmen Brown, Osvald, Prewett, and Mayor Elias

Owing to the lack of quorum the meeting was adjourned until Wednesday morning August 6th, 1924, at 10 o'clock, A.M.

Approved: _____
Mayor

Attest: H. E. Gragg
City Clerk

Board of Equalization, City of Modesto
Wednesday, August 6th, 1924.

The Board of Equalization met pursuant to adjournment of August 5th, 1924, and there was present Councilman Boundey.

Absent: Councilmen Brown, Osvald, Prewett, and Mayor Elias

Owing to the lack of quorum the meeting was adjourned until Thursday morning August 7th, 1924, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: NE Gray
City Clerk

Board of Equalization, City of Modesto
Thursday, August 7th, 1924.

The Board of Equalization met pursuant to adjournment of August 6th, 1924, and there was present Councilman Boundey.

Absent: Councilmen Brown, Oswald, Prewett, and Mayor Elias

Owing to the lack of quorum the meeting was adjourned until Friday morning August 8th, 1924, at 10 o'clock A.M.

Approved: _____

Attest: NE Gray

Board of Equalization, City of Modesto
Friday, August 8th, 1924.

The Board of Equalization met pursuant to adjournment of August 7th, 1924, and there was present Councilman Boundey.

Absent: Councilmen Brown, Oswald, Prewett, and Mayor Elias

Owing to the lack of quorum the meeting was adjourned until Saturday morning August 9th, 1924, at 10 o'clock A.M.

Approved: _____
Mayor

Attest: NE Gray
City Clerk

Board of Equalization, City of Modesto
Saturday, August 9th, 1924.

The Board of Equalization met pursuant to Adjournment of August 8th, 1924, and there were present, Councilmen Boundey, Prewett, and Oswald.

Absent: Councilmen Brown, and Mayor Elias

In the Matter of Assessment against the Property Assessed to Felix Godhue and the Wise Cash Market:

In the opinion of the Council after due consideration of the above assessments, they considered the reduction of the assessments were not justified therefore allowed the same assessments to stand against the property.

In the Matter of Assessment Against the Property Assessed to T. J. Lehane and H. L. Robinson:

After due consideration of this matter by the Board of Equalization, the City

Assessor was authorized to reduce the assessments on the property listed by Mr. LeHane in the amount of 20%, from the valuation placed against it for the year of 1924, and on Mr. H. L. Robinson's Property, the Assessor was authorized to reduce it from \$1155.00 to \$825.00.

No further business coming before the Board of Equalization the meetings are hereby declared terminated.

Approved: _____
Mayor

Attest: ITC Gray
City Clerk

Council, City of Modesto

Wednesday August 13th, 1924.

The Council met in regular session this date and there were present, Councilmen Boundey, Brown, Osvald and Prewett.

Absent: Mayor Elias

In the Matter of Minutes:

The minutes of the previous Council meeting of July 23rd, 1924, and the minutes of the Board of Equalization meetings of August 4th, August 5th, August 6th, August 7th, August 8th, and August 9th, 1924, were read and ordered approved as read.

In the Matter of Claims:

The claims for the month of July, 1924, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$16413.83
Water Fund.....	4600.84
Library Fund.....	955.47
Bond Redemption Int.....	11775.00
St. Bond Funds.....	41623.74
Unapportioned Fund.....	2.40
TOTAL.....	<u>\$75371.28</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 Reports:

Annual reports were received from the following departments, Fire Department, Health Department, Police Department, Police Court, McHenry Library, and the Mayor also submitted his annual report which dwelt very thoroughly upon the conditions and accomplishments of the City for the past fiscal year and called attention to the financial condition of the City at this time compared with a year ago, which was very gratifying. He also recited numerous other achievements that had been accomplished by the City Council during the past year and also many other improvements that he contemplated for the coming year.

The aforesaid reports were reviewed by the City Council and ordered placed on file in the City Clerk's Office.

Also, at this time, monthly reports were presented as follows, from the Police Department, Judge Rice's Police Court and Public Works Department. These were also ordered placed on file in the office of the City Clerk.

In the Matter of Street Work:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 in pursuance to Resolution of Intention No. 171

coming up for consideration, and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 171.

RESOLUTION NO. 423-S.P.

Resolution Ordering the Work No. 171

In accordance with certain plans and specifications heretofore adopted on the 27th day of February, 1924, and pursuant to Resolution of Intention No. 171, was introduced and upon roll call was declared adopted by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, and Prewett

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Setting Tax Rate:

The City Council took up the matter of setting the tax rate at this time, but owing to the fact that there was not a full attendance of the Council it was decided to postpone action upon this matter until the next regular meeting of the Council.

In the Matter of Petition for Orange Avenue:

A petition for the paving of Orange Avenue having been filed with the City Clerk was at this time brought to the attention of the Council and was referred to the City Engineer to ascertain whether the petition was in proper form, or not.

In the Matter of Bids for Legal Publishing:

Notices heretofore having been published calling for bids for City Printing for the year beginning July 1st, 1924, and this being the time set for the opening of such bids and there being on file one bid, the Council proceeded to publicly open and declare the same. The Bid filed was from the Modesto Herald which when opened read as follows:

"For the first insertion \$1.00 per non-pareil square and 50¢ 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."

Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 907-N.S.

awarding the official printing to the Modesto Morning Herald for the year 1924-25, which resolution was duly seconded and upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald and Prewett

Noes: Councilmen None

Absent: Mayor Elias

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

Approved: _____
Mayor

Attest: *HE Gage*
City Clerk

Council, City of Modesto

Wednesday, August 27th, 1924.

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 previous meeting of August 13th, 1924 were read and ordered approved as read.

In the Matter of Audit:

The City Auditor presented his report for the month of July also the annual audit prepared by the Brotherton, Thomas & Co., Certified Public Accountants, for the fiscal year ending June 30th, 1924. Upon examination of these audits by the Mayor and the City Council, they were ordered placed on file in the City Clerk's Office.

In the Matter of Firemen's Relief, Health, Life Insurance and Pension Fund:

Upon solicitation of the Mayor to the City Attorney asking him to prepare an opinion with reference to the liability of the City to members of the Fire Department under the act of the Legislature entitled: "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities and towns of the state."

In reference to the above act the City Attorney rendered to the City Council a very complete and full report and after some discussion of this matter by the City Council it was decided that no action would be taken upon the same at this time but would be given further consideration and study by the members of the City Council at a later date.

The aforsaid report was ordered placed on file in the office of the City Clerk.

In the Matter of Public Liability and Insurance on the Vehicles Belonging to the Fire Department:

In Compliance to the suggestion of the Mayor to the City Attorney, that he render an opinion as to the liability of the City regarding the fire department's motor equipment, the opinion was presented and read to the members of the City Council.

The City Attorney, Mr. Carlson, set out in his opinion that the general common law rule with regard to liability of municipal corporations in the discharge of their governmental or public functions, is overturned by express legislative enactment and that not only the driver of the vehicle but the employing municipality, is liable as well. In his opinion it is sound business judgment to carry insurance against the liability of the City.

Further perusal of this opinion may be had by referring to the files in the City Clerk's Office.

In the Matter of Setting Tax Rate for 1924:

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. 271-N.S.

Entitled "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR, 1923-24."

and establishing the tax rate for the City of Modesto for the current fiscal year at \$1.60, which Ordinance was introduced by Councilman Boundey at a regular meeting of the City Council held on the 27th day of August, 1924, 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

Nees: Councilmen None

Absent: Councilmen None

In the Matter of Orange Avenue Paving Petition:

City Engineer McCarton reported at this time that the majority of the property owners had been signed upon the petition for the paving of Orange Avenue, but at this time Mr. Hughs, a property owner of that locality made a verbal protest to the Council claiming that the signature of Mrs. Kate Shannon on the petition was irregular. After some discussion of this matter by the City Council it was decided to lay this petition over until the next regular meeting at which time it will be again brought up for consideration.

In the Matter of Closing "C" Street:

Attorney L. L. Dennett appeared before the City Council in behalf of certain property owners in the vicinity of "C" Street and stated that it was the desire of these property owners that "C" Street be closed, inasmuch as Attorney Dennett had not presented a petition relative to the closing of "C" Street the City Council advised Mr. Dennett to prepare the proper proceedings and present them to the Council at the next regular meeting at which time the matter would be considered by the City Council.

In the Matter of Awarding Contract for the Improvement of Grant Street:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described, which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 171 and all due and legal proceedings having been thereafter had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof thereof having been made and this being the time fixed by said resolutions and notices, for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file one bid which opened, read as follows, including the action of the Council in said matter:

Grading	@	\$.05 per sq. ft.
Paving	@	\$.17 per sq. ft.
Gutters	@	\$.20 per sq. ft.
Curbs	@	\$.70 per lin. ft.
Headers	@	\$.10 per lin. ft.
#700 Marbelite Electroliers	@	\$70.00 each
G. E. Novalux Units form #12 with #250	@	\$36.00 each
C.P. Globes	@	\$6.50 each
Connection Boxes	@	.25 per lin. ft.
1" Galv. Conduit	@	.165 per lin. ft.
#8 B.&S. lead covered copper cable	@	

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

RESOLUTION NO. 424-S.P.

Resolution of Award No. 171,

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 Soft Drink Ordinance:

Mr. H. J. Plattner appeared before the City Council and protested the Soft Drink Ordinance recently passed by the City Council, claiming that in his opinion the license fee was prohibitive and should be modified. Mr. Plattner was referred to City Attorney Carlson asking him to go over this ordinance and report to the City Council at the next meeting as to the advisability to making a change in soft drink ordinance.

In the Matter of Fleet Insurance for City Automobile Equipment:

The City Clerk in his annual report to the City Council recommended the insuring of the City Motor Equipment under a fleet insurance policy stating that it would be more economical for the City and put the motor insurance upon a more uniform basis. Whereupon several insurance concerns presented to the City Council propositions for the carrying out of this plan.

After consideration of this matter by the City Council it was referred to finance commissioner Boundey for further investigation.

In the Matter of Hauling Hay to Shoemake Warehouse:

Councilman Brown proposed to the City Council that inasmuch as the Grange Company Warehouse had not been rebuilt and no definite date know as to when it would be ready for the storage of hay, he suggested that the hay which the City had purchased some time ago and which is now in the field should be stored in some ware house and suggested that it be placed in in the Shoemake Ware House, whereupon the members of the City Council concurred in this suggestion and ordered the City Engineer to have this hay transferred to the Shoemake Warehouse.

In the Matter of Fire Chief's Bill for Expenses of Attending Fire Chief's Convention:

Discussion of the bill presented by Fire Chief Wallace for reimbursement of his expenses while attending the Fire Chief's Convention, by the City Council resulted in a resolution being introduced by Councilman Boundey, being,

RESOLUTION NO. 908-N.S.

disallowing the bill presented by the Fire Chief, and which resolution was duly 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

In the Matter of Fire Insurance Bill for James E. McCormick:

Commissioner Boundey presented a resolution, being,

RESOLUTION NO. 909-N.S.

providing for the payment of premiums on policy numbers 7702052, 7702071, and 7702075, being insurance on the dwelling on Poplar Avenue: City Hall; Dwelling, Garage & Barn; on 8th Street. The total amount of premiums being, \$173.80. The above resolution was duly 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

In the Matter of Lighting Modesto Avenue and Johnson Street:

Mr. James E. McCormick appeared before the City Council and stated that some steps should be taken towards placing a street light at the intersection of Johnson Street and Modesto Avenue. This matter was referred to the City Engineer for adjustment.

In the Matter of Water for Mr. Fred Zeilinga:

On July 9th, Mr. Fred Zeilinga appeared before the City Council asking that City Water be furnished to him at his property lots 11 and 12, Block 451, in the Virginia Tract, at which time the matter was postponed owing to the fact that the cost in making this extension was quite heavy. Mr. Zeilinga appeared before the Council again at this date, stating that he was about to begin the building of a house and desired to know definitely what action the Council intended to take about extending City water to his property.

After due consideration of this matter City Engineer McCarton was ordered to extend City Water mains along block 457 and 451 of the Virginia Tract.

In the Matter of Budget for the year, 1924-25:

The budget of year of 1924-25 was taken up by the City Council at this time and adopted by Resolution No. 910-N.S. which reads as follows:

RESOLUTION NO. 910-N.S.

A resolution adopting the budget for the fiscal year 1924 and 1925.

Be it Resolved by the Council of the City of Modesto that the budget this day filed with said Council a copy of which is attached to this Resolution, be and the same is hereby adopted as the budget for the City of Modesto for the fiscal year 1924 and 1925.

Be It Further Resolved that the moneys therein designated for the purposes therein specified be, and the same are, hereby appropriated in the amounts named and for the purposes named, and that the salaries and compensation of the officers and employees of the City of Modesto for said fiscal year, be, and they are hereby fixed at the amounts mentioned in said budget, and in particular that the salary of the Chief of Police, and the Chief of the Fire Department, and of the Deputy City Engineer, and of the Deputy City Electrician, be and they are hereby fixed at the sum of \$200.00 per month, or \$2400.00 per year for each of said officers, and that the Salary of the Assistant Tax Collector be and the same is hereby fixed at \$140.00 per month or \$1680.00 per year, and that the allowance of \$200.00 per month or \$2400.00 per year for the salary and transportation of the Inspector in the Health Department be segregated as follows:

On account of salary, \$165.00 per month; on account of transportation, the vehicle to be furnished by the officer, \$35.00 per month.

The foregoing resolution was introduced at a regular meeting of the City Council of The City of Modesto held on the 27th day of August, 1924, by Councilman Boundey who moved its adoption, which motion being duly seconded, was upon roll call carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

No further business appearing the meeting upon motion adjourned.

Approved: _____
Mayor

Attest: NE Gray
City Clerk

.....

Council, City of Modesto

September 10th, 1924.

The Council met in regular session this date and there were present, Councilmen Bounday, Brown, Oswald, Prewett, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes;

The minutes of the previous meeting of August 27th, 1924 were read and ordered approved as read.

In the Matter of Claims;

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

General Fund.....	\$15713.68
Water Fund.....	4180.49
Library Fund.....	780.18
TOTAL.....	<u>\$20674.35</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 Report of Mrs. Mable Carr Warren, Supervisor of Play Grounds of the City of Modesto;

Mrs. Mable Carr Warren, Supervisor of the Play Grounds of the City of Modesto, prepared and arranged a display of the work accomplished by the children in the play grounds during the summer. She also rendered a report of the activities of the play grounds for the several parks in the City of Modesto. The above mentioned report, being read to the City Council was ordered placed on file in the City Clerk's Office.

In the Matter of Water Extension Across Canal between Elm and Chestnut Street:

Mr. W. H. Meyers appeared before the City Council and asked that City water mains be extended to accomodate his property across the canal between Elm and Chestnut Streets. Upon due consideration of this matter it was placed in the hands of City Engineer McCarton with instructions to extend the City water service to Mr. Meyers property across the canal between Elm and Chestnut Streets.

In the Matter of Final Adeption of Ordinance No. 271-N.S.:

ORDINANCE NO. 271-N.S.

Entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR, 1923-24".

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council held on the 27th day of August, 1924, and having been published as required by the Charter, coming on for final adoption this 10th day of September, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Signature on Orange Avenue Petition:

A communication was received and read from Mrs. Kate Shannon in which she stated that Mr. Shannon signed the first petition relative to the paving of Orange Avenue and that she signed the second petition for the paving of the above mentioned street, which clears up the question as to the genuineness of her signature on the petition filed for the paving of Orange Ave.,

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of Orange Avenue, from the North line of Needham Street to the South line of Stoddard Avenue as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 425-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 Orange Avenue in the said City, from the North line of Needham Street to the South line of Stoddard Avenue, be graded, paved to the official line and grade with a two and one-half ($2\frac{1}{2}$) inch Asphaltic Concrete base and a one and one-half ($1\frac{1}{2}$) inch Warrenite Bitulithic wearing surface, and having constructed along the same Cement Concrete Curbs and Gutters excepting therefrom any of said work already done to the official line and grade.

That Cement Concrete posts with wire, globes, conduit and necessary appliances for lighting be installed along each side of said street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 10th day of September 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

-- Engineer's Estimate --

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

RESOLUTION NO. 426-S.P.

RESOLUTION 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 the Resolution of Intention No. 173, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

RESOLUTION NO. 427-S.P.

RESOLUTION OF INTENTION NO. 173

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 Orange Avenue, from the North line of Needham Street, to the South line of Stoddard Avenue, be grade^d, paved between the gutters 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; 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.

That Concrete Electroliers of the kind known by the trade name "Marbelite (type 700) with G. E. Novalux Unit Form 12 complete with globe, wires, lamps, 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 East curb line of Orange Avenue ninety (90) feet North from the North line of Needham Street; one (1) on the West curb line of Orange Avenue two hundred thirty (230) feet North from the North line of Needham Street; one (1) on the East Curb line of Orange Avenue seventy-five (75) feet South from the South line of Alice Street; one (1) on the West curb line of Orange Avenue and the North property line of Alice Street; one (1) on the East curb line of Orange Avenue one hundred thirty-five (135) feet North from the North property line of Alice Street; one (1) on the West curb line of Orange Avenue one hundred fifteen (115) feet South from the South property line of Wright Street; one (1) on the East curb line of Orange Avenue and the South property line of Wright Street; one (1) on the West curb line of Orange Avenue ninety-five (95) feet North from the North property line of Wright Street; one (1) on the East curb line of Orange Avenue and the South property line of 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 Brother's Company of Boston, Mass. 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 declares to be the district benefited by said work and improvement, and to be assessed to pay costs and expenses thereof; which district is described as follows and consists of the following described lots and blocks:

Lots 19 to 36, both inclusive, Block 510; lots 17 to 32, both inclusive, Block 511; lots 15 to 21, both inclusive, Block 512; lots 1 to 9, both inclusive, Block 513; lots 1 to 16, both inclusive, Block 514; lots 1 to 18, both inclusive, block 515; (as per map of Record in the County Recorder's Office, Volume 10 of Maps, Pages 510, 511, 512, 513, 514, and 515, 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 ten months from their date.

Notice is hereby given that on the 8th day of October, 1924, 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 10th day of September, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk.

In the Matter of Communication from State Board of Health:

A communication was received and read to the Council by the Mayor from the State Board of Health, calling the City's attention to the annual conference of the League of California Municipalities held at Del Monte from October 6th to 10th, inclusive. In this communication an urgent request was made that the City Officials and the Health Officers attend this conference.

In the Matter of Claim of Redwood Realty Company:

Some years ago the City of Modesto entered into a contract with the Redwood Realty Company for the construction of a certain sewer in the Eastern part of the City. At a recent Council meeting the Realty Company reported to the City through their agent Mr. A. A. Fields that there was still a balance due on this contract amounting to \$1174.34. After consideration of this matter by the City Council it was decided to refer this matter to the City Attorney and City Clerk to verify the amount due them and report the same at the next Council meeting.

In the Matter of Application for two inch water tap at Economy Laundry:

The Economy Laundry made formal application to the City Council for a two inch water tap at their place of business, 1426 9th St., lots 27 and 28, Block 61. The above mentioned application was duly considered by the City Council and request granted, Engineer McCarton was instructed to install a two inch tap, when rules and regulations governing the same have

been complied with.

In the Matter of Communication from Automobile Trade Association;

A communication was received and read by the Mayor asking permission to hold an Automobile Show for one week commencing October 4th, 1924 on the Southern Pacific Reservation. The above mentioned request was granted by the City Council and the City Clerk instructed to write the Stanislaus County Automobile Association to that effect.

In the Matter of Assistant Fire Chief's Car;

Confirming that portion of the budget calling for an expenditure of \$200.00 to be paid to the assistant fire chief for the use of his automobile in connection with the fire department, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 911-N.S.

authorizing the City Clerk to pay the assistant fire chief the sum of \$200.00, to be paid at the rate of \$20.00 per month for the ensuing fiscal year until the amount of \$200.00 has been paid, which resolution was duly 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

In the Matter of Petition for Closing "C" Street:

Mr. L. L. Dennett, appeared before the Council in behalf of the Modesto Terminal Company and the Modesto Gas Company presented a petition to the City Council of the City of Modesto, the body of which petition reads as follows:

"The Modesto Terminal Company and the Modesto Gas Company hereby respectfully petitions your Honorable Body to close "C" Street as now delineated upon the published map of the City of Modesto where it extends from Ninth Street northeasterly to the present end thereof, subject however to an easement thereunder, thereupon or thereover, for all sewers, water and gas mains, pipes, poles for telephone, telegraph or power lines constructed or to be constructed by the City of Modesto, or any public utility operating in the City of Modesto, and subject of course to the crossing over of all streets now crossing said tract of land delineated as "C" Street.

This application is made with the consent of all property owners upon the said "C" Street as at present indicated, to-wit, The Pratt-Lowe Preserving Company, the Tidewater Southern Railway Company, and the Modesto Gas Company and the Modesto Terminal Company. This street has never been formally accepted by the City of Modesto, has never been laid out, and never been used as a street. Its abandonment would add to the taxable property of the City of Modesto, and would relieve the city from the possible future liability of caring for said tract of land when laid out as a street. There is some question as to whether or not the said tract of land indicated as "C" Street is actually a public highway, as apparently there has never been an offer of dedication nor a formal acceptance by the city either by resolution or by use, but the formal action of the Council in abandoning this street would remove any question in this regard, and would protect the easement for the sewer, water lines and power lines.

This strip of land does not now and can not conceivably under any future development afford access to any property or any portion of the City not now equally accessible from highways already established."

Mr. Dennett submitted his arguments to the Council setting forth his reasons why he

believed it would be beneficial for the City to close this street. The petition was discussed at some length by the City Council and finally resulted in a resolution, being,

RESOLUTION NO. 912-N.S.

wherein the City Council stated that they did not wish to go on record as jeopardizing the interests of the City in years to come and therefore declined to consider the closing of "C" Street as petitioned which resolution was introduced by Mayor Elias and duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports;

Reports from the various departments were presented and ordered placed on file in the City Clerk's Office.

In the Matter of Slot Machine;

City Attorney Carlson brought to the attention of the City Council the conversation which he had had with a certain individual regarding a project of placing a certain kind of slot machine in operation in the City of Modesto. After due consideration of this matter it was referred to City Attorney Carlson for further recommendation as to the advisability of granting permission to operate this particular make of slot machine in the City of Modesto.

In the Matter of Motor Equipment for the Cities Streets:

The following ordinance was introduced, being,

ORDINANCE NO. 272-N.S.

Entitled: "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PURCHASE OF CERTAIN PERSONAL PROPERTY BY THE CITY OF MODESTO"

was introduced by Councilman Boundey who moved its adoption. The motion was duly seconded and the ordinance 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 Paving of Achor Court:

A petition was presented for the paving of Achor Court which was placed in the hands of the City Engineer to ascertain as to whether or not the petition contained the proper number of signatures.

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

Approved: _____
Mayor

Attest: *H. J. [Signature]*
City Clerk

September 24th, 1924.

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

Absent: Councilman Brown

In the Matter of Minutes:

The minutes of the previous meeting of September 10th, 1924, were read and ordered approved as read.

In the Matter of Final Adoption of Ordinance No. 272-N.S.:

ORDINANCE NO. 272-N.S.

"AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PURCHASE OF CERTAIN PERSONAL PROPERTY BY THE CITY OF MODESTO"

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council held on the 10th day of September, 1924, and having been published as required by the Charter, coming up for final adoption this 24th day of September it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Deeds of Leonard Latz, Aimee Latz, Nell B. Fuller, and W. B. Fuller:

Leonard Latz and Aimee Latz, his wife, of the City of Modesto conveyed to the City by Quit Claim Deed, the following described property: A strip of land ten (10) feet wide lying immediately south of and adjoining the north fifty (50) feet of Lot One (1) in Block one (1) of Panama Heights Addition to the City of Modesto, according to the map or plat of said Panama Heights Addition to the City of Modesto, filed in the office of the County Recorder of Stanislaus County, on November 12, 1912, in Vol. 7 of Maps, page 11.

Also, at this time, W. B. Fuller and Nell B. Fuller, his wife, conveyed to the City of Modesto by quit Claim Deed the southerly 10.14 feet of the northerly 70.28 feet of Lot One (1) in Block Five Hundred Forty-three (543) of the City of Modesto, according to the official map or plat thereof filed in the office of the County Recorder of Stanislaus County on March 20th, 1920.

The foregoing deeds were accepted by the City of Modesto through a resolution introduced by Councilman Boundey, being,

RESOLUTION NO. 913-N.S.

authorizing the City Council to accept the above quit Claim Deeds as presented by Leonard Latz and Aimee Latz, his wife, and W. B. Fuller and Nell B. Fuller, his wife; which resolution was, upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Achor Court Petition:

The City Engineer reports on the petition filed September 10th, 1924, as follows:

That said petition is signed by the owners of 49.31 per cent of the frontage thereon and on the supplementary petition filed September 24, 1924, which brings the total to 56.19 per cent of the total frontage, being sufficient frontage to order the paving of Achor Court to proceed.

In the Matter of Street Work:

Proceedings were presented to the City Council by the City Engineer for the improvement of Achor Court from the East line of Magnolia Avenue, to the West line of McHenry Avenue as more fully described in the resolution pertaining to such work which is as follows:

RESOLUTION NO. 428-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 Achor Court in the said City, from the East line of Magnolia Avenue, to the West line of McHenry Avenue, be graded, paved between the gutters 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 and having constructed along the same Cement Concrete Curbs and Gutters, excepting therefrom any of said work already done to the official line and grade.

That Cement Concrete posts with wire, globes, conduit and necessary appliances for lighting be installed along each side of said street.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 24th day of September, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

Attest: H. E. Gragg
City Clerk

-- Engineer's Estimate --

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

RESOLUTION NO. 429-S.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call adopted by it's outline in the Resolution of Intention No. 174, by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

Attest: H. E. Gragg
City Clerk

RESOLUTION NO. 430-S.P.

Resolution of Intention No. 174.

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 Achor Court, from the East line of Magnolia Avenue, to the West line of McHenry Avenue, be graded, paved between the gutters 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, 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.

That Concrete Electroliers of the kind known by the trade name "Marbelite" (type 700) with G. E. Novalux Unit Form 12 complete with globe, wires, lamps, 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 South curb line of Achor Court ninety-four (94) feet West from the West property line of Lottie Avenue; one (1) on the North curb line of Achor Court two hundred twenty (220) feet East from the East property line of Magnolia Avenue; one (1) on the South curb line of Achor Court ninety-seven (97) feet East from the East property line of Lottie Avenue; one (1) on the North curb line of Achor Court and the Center line of Adam Avenue extended and produced; one (1) on the South curb line of Achor Court one hundred twenty (120) feet East from the East property line of Adam Avenue; one (1) on the North curb line of Achor Court fifteen (15) feet West from the West property line of McHenry 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-Bituminous License Mixture Agreement of Warren Brother's Company of Boston, Mass. 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 benefitted by said work and improvement, and to be assessed to pay costs and expenses thereof; which district is described as follows and consists of the following described lots and blocks:

All of lot 1, of block 545, excepting therefrom the Southerly twenty and 28/100 (20.28) feet, by ninety-four and nine tenths (94.9/10) feet of the Northerly seventy and 28/100 (70.28) feet, by ninety-four and nine tenths (94 9/10) feet, Volume 10 of Maps, page 543, filed March 18, 1920; lots 18 to 42, both inclusive, of the Achor Subdivision filed July 19, 1920, Volume 9 of Maps, page 39; lots 2 to 17, both inclusive, of the Morris Tract filed June 16, 1920, Volume 9 of Maps, page 37, being a re-subdivision of Lots 1 and 2, block 556, filed March 18, 1920, Volume 10 of Maps, page 556; lots 9 to 14 and 29 to 34, ~~both~~ inclusive of Morris Tract filed June 16, 1920, Volume 9 of Maps, page 37, being a re-subdivision of Block 555, filed March 18, 1920, as per Maps of Record in the County of Stanislaus.

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 ten months from their date.

Notice is hereby given that on the 22nd day of October, 1924, 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 7, 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 24th day of Sept., 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

Attest: H. E. Gragg
City Clerk

In the Matter of Communication:

A communication addressed to the Mayor and City Council from L. D. Thompson, president of the Modesto Horseshoe Club, in which he expressed his appreciation and thanks for the cooperation and service rendered to the Modesto Horseshoe Club in the lighting of the courts.

The communication also recites that such cooperation and service rendered to the citizens creates a spirit of harmony and tends to build up a community. The above communication was read by the Mayor and accepted by the Council in the spirit in which it was written.

In the Matter of Claim of Redwood Realty Company:

At the Council meeting of Sept. 10, an old claim of long standing on behalf of the Redwood Realty Company with regard to balance due on constructing sewers on the Eastern Addition, was taken up by the Council with the idea of paying the same, but as there was some question as to the amount that should be paid, City Attorney and City Clerk were instructed to look into this matter and ascertain if the amount asked for by the Redwood Realty Company was correct. The City Clerk reported that he was not prepared to report at this time therefore the matter was continued until the next regular meeting of the Council.

In the Matter of Salary for Stenographer:

The City Clerk reported that his present stenographer was leaving and that he had contracted the services of Miss Veta Whitcomb at salary of \$90.00 per month, beginning October 1st, 1924; whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 914-N.S.

authorizing the City Clerk to pay a salary of \$90.00 a month to Miss Veta Whitcomb as stenographer, which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Salary of the Deputy City Electrician:

Councilman Boundey introduced a resolution being,

RESOLUTION NO. 916-N.S.

fixing the salary of the Deputy City Electrician at \$225.00 per month, beginning October 1st, 1924, which resolution was duly seconded and regularly adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, and Mayor Elias

Noes: Councilman Prewett

Absent: Councilman Brown

In the Matter of Sale of Discarded Generators, Material and Junk and Useless Equipment:

City Engineer McCarton presented to the City Council a list of material and junk that has accumulated in the city's warehouses, whereupon

Councilman Boundey introduced a resolution being,

RESOLUTION NO. 916-N.S.

providing that the above mentioned equipment and material be sold at public auction as provided in the City Charter, which resolution being duly seconded was, upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Special Police Officer:

Councilman Oswald introduced a resolution being,

RESOLUTION NO. 917-N.S.

providing that the salary of the Special Police Officer, P. J. Strickland, shall be \$50.00 per month, dating from the 1st day of October, 1924.

The above mentioned resolution was duly seconded and upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen Brown

In the Matter of Raise of Salary for the Firemen:

Chief Wallace appealed to the City Council for a raise of salary for the firemen, to take effect January 1st, 1925, stating in his appeal, that in his opinion, they were not being paid a living wage and that it was difficult to secure and keep reliable men at the wage now being paid. He also informed the Council that there was a possibility that several of his men would leave the department if the raise of salary was not granted and he also stated that in his opinion an injustice was being done the firemen in asking them to work for the City of Modesto at the present scale of wage. He felt sure that if this raise could be promised to take effect the first of the year that the men would be satisfied.

After due consideration of this matter by the City Council, it was decided to postpone action upon the same until a later date.

In the Matter of Special Police Officer, P. J. Strickland:

City Clerk is instructed to write Special Police Officer, P. J. Strickland, instructing him to file his reports with the City Council every month as originally had been done.

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

Approved: _____
Mayor

Attest: W. E. Gray
City Clerk

.....

Council, City of Modesto

October 8th, 1924

The Council met in regular session this date and there were present Councilmen Bounday, Osvald, Prewett, Brown, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the previous meeting of September 24th, 1924, were read and ordered approved as read.

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	\$14,104.13
Water Fund	4,175.01
Library Fund	871.36
Bond Red. & Interest	122.92
Miscellaneous	2,774.99
TOTAL	<u>\$22,048.41</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 Street Work:

Mr. Fitzpatrick appeared before the City Council and stated that the portion of Linden Street between Madison and Franklyn got in a very bad condition as soon as the rains commenced in the fall and he asked the Council that some relief be given the residents along that portion of the street in the way of sanding and graveling the street. The City Council informed Mr. Fitzpatrick that this matter would be placed in the hands of the engineering department for their recommendation.

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. 173, coming up for consideration and more than 15 days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protest of the work therein described having been made and delivered as permitted by the said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 173.

RESOLUTION NO. 451-S.P.

Resolution Ordering the Work

In accordance with certain plans and specifications heretofore adopted on the 10th day

September, 1924, and pursuant to Resolution of Intention No. 173 was introduced and upon roll call adopted by the following vote, to-wit:-

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from the American Legion:

The following communication was received from the American legion and read to the City Council and in line with the above communication, the City Clerk explained to the City Council that he used every means within his power to ascertain the exact conditions of ex-service men, applying to his office for permits to sell various lines of merchandise. The above communication was in line with the opinion of the City Council and the City Clerk was instructed to use every discretion possible in protecting the public from imposters along the above lines.

In the Matter of Park Commission:

The Park Commission composed of Mr. Morris, Mrs. Bates, and Mr. Utter, appeared before the City Council at this meeting. Mr. Morris and Mrs. Bates, both addressed the Council, asking that the City Council undertake to do certain things in the various parks of Modesto. The Mayor advised the Park Commission that he expected them to file an annual report, setting forth the activities of the various parks of the City during the past fiscal year. He also requested them to file with the City Council a written report, setting forth the various improvements and suggestions in regard to the betterment of the parks which they desire the City Council to take action upon. This the Park Commission agreed to do.

In the Matter of Baseball in Enslan Park:

Mr. James A. Davis appeared before the City Council and advised them that in as much as there had been more or less objection in regard to using Enslan Park for the playing of baseball and that the Baseball Clubs had secured another ground which they expected to use for baseball purposes. At this time, he asked the City to loan them the seats and equipment such as dressing rooms and seats which are now in Enslan Park; whereupon Councilmen Prewett introduced a resolution, being,

RESOLUTION NO. 918-N.S.

to loan Mr. James A. Davis and the Baseball Clubs, for use in their new Baseball Park, the use of the seats, benches and dressing rooms which are now being used by the teams in Enslan Park, which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ladie's Rest Room:

Mrs. J. U. Garten, president of the Women's Improvement Club, and Mrs. Dozier appeared before the Council and spoke to them upon the rest room which they are attempting to establish in the City of Modesto. Their contention was that the City should help bear the expenses of establishing a rest room in the City of Modesto. They asked the City to donate \$25.00 per month, which would pay the rent of the room in which they proposed to establish a Ladie's Rest Room. Mayor Elias informed them that it would be impossible for the City, at this time, to render them any assistance in the way of making a money donation.

In the Matter of Claim of Redwood Realty Company:

The City Clerk reported to the City Council that the balance due on the claim of the Redwood Realty Company for the construction of the sewer in the eastern addition some few years ago, amounted to \$1174.35; whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 919-N.S.

authorizing the City Clerk to draw a warrant in favor of the Redwood Realty Company in the amount of \$1174.35, the said amount being the balance due on the purchase price of water and sewer system as set out in Ordinance No. 69-N.S., which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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. 171, were presented to the Council for approval. Upon a close study of this assessment map, the resolution was introduced approving of the same, being,

RESOLUTION NO. 432-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Grant Street. The foregoing resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition for Lights on the Crossings of Madison and California and Franklin and California Streets:

A petition, signed by the residents in the vicinity of the above named streets, asking that some lights be placed at the crossings of Madison and California and Franklyn and California Streets. The same was referred to the Engineering department with the recommendation to install the above named lights.

In the Matter of Street Work:

A petition was presented to the City Council, asking that Sixth Street, from E. to H Street be paved. Said petition was referred to the City Engineer for verification.

In the Matter of Leasing from the School District for City's pumping Plant:

City Engineer McCarton reported to the City Council the possibility of leasing of a certain piece of land from the Modesto School District for a period of 99 years for the purpose of installing a new well and pumping plant therein. Whereupon, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 920-N.S.

authorizing the leasing from the Modesto City School District of a certain piece of land, more fully described in the resolution, for the purpose of installing and maintaining a new pumping unit which said resolution is on file in the Clerks Office. The motion to adopt the above resolution was duly seconded and upon roll call, was carried and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

Reports from the various departments of the City were presented and ordered placed on file in the City Clerk's Office.

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

Approved: _____
Mayor

Attest: *H. E. Gray*
City Clerk

Council, City of Modesto

Wednesday, October 15, 1924

The Council met in special meeting at the City Hall, 717 Tenth Street, at 7:30 P. M. on Wednesday, October 15th, 1924, pursuant to call therefore made by the Mayor and notice thereof in writing personally served on each member and signed and delivered by the City Clerk not less than two hours prior to the time of the meeting, in accordance with Ordinance No. 2-N.3. of the City of Modesto, said written notices, with the acknowledgment of service on each member endorsed thereon, being on file in the Clerk's office and hereby referred to for greater certainty.

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

Absent: Councilman Brown

In the Matter of Claims:

The following claims were presented to the City Council and upon consideration of the same were ordered paid:

A. E. Jessup; a/c Service as Police Officer for $\frac{1}{2}$ month, \$62.50; Frank W. Wooley; a/c Extra Service as special police officer rendered to the City during his vacation period on account of Officer Peterson being laid up in the hospital from September 10, to September 30, ~~1924~~ inclusive, \$62.50.

In the Matter of Contract with the Modesto Irrigation District for Electric Energy:

This being the time set by the Mayor in his call of a special meeting for receiving the proposal of the Modesto Irrigation District for the furnishing to the City of Modesto electric energy for the ensuing year.

The following proposal being submitted to the City of Modesto by the Modesto Irrigation District:

RESOLUTION

WHEREAS, the District desires to cooperate with the City in furthering the interests of both parties, and,

WHEREAS, a considerable increase in the amount of street lighting is required in order to keep Modesto on a par with other cities in the State,

NOW, THEREFORE, BE IT RESOLVED, that the rates for street lights for the year beginning November 1st, 1924, shall be one cent per Kilo-Watt-Hour, metered at 2500 volts, with an annual minimum of \$5500, and,

BE IT FURTHER RESOLVED, that the rate for lighting municipal offices and other city buildings, for the year beginning November 1st, 1924, shall be three cents per Kilo-Watt-Hour, metered at the standard 115 or 250 volts, and,

BE IT FURTHER RESOLVED, that the rate for the city's pumping plants, for the year beginning November 1st, 1924, shall be one and one-quarter cents per Kilo-Watt-Hour, metered at 2500 volts.

RESPECTFULLY SUBMITTED,

Signed By H. A. Storrs
Chief Engineer

By R. J. O'Connell
Electrical Engineer

ELECTRIC RATES FOR THE
CITY OF MODESTO

Moved by Director Broughton, seconded by Director Rose, that the rates to be charged the City of Modesto for Electric Energy for the year commencing November 1st, 1924, as recommended by the Engineers of the District in their letter to the Board of Directors, dated October 15th, 1924, be approved and adopted, "except the rate for street lighting," which is hereby fixed at one and one-half cents per K.W.H. metered at 2500 volts with annual minimum of \$3500. Motion carried.

MODESTO IRRIGATION DISTRICT
By C. S. Abbott, Secretary

After considerable discussion of the above resolution and rates presented by the Modesto Irrigation District, by and between the City Council and the Directors of the Modesto Irrigation, and no agreement being reached, the matter was continued to the regular meeting of the City Council October 22nd, 1924.

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

Approved: _____
Mayor

Attest: W. G. Grogan
City Clerk

Council, City of Modesto
October 22nd, 1924.

The Council met in regular session this date and there were present Councilmen Boundey, Cervald, Prewett, Brown, and Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of October 8th, 1924 and the special meeting of October 15th, 1924, were read and ordered approved as read.

In the Matter of Communications:

The following communication was received from the Borden Company of Modesto:
October 15th, 1924.

City of Modesto
Modesto, California

Gentlemen:

This is to advise ~~you~~ that the loan of \$1250.00 which we made to the City of Modesto on October 27th, 1921, falls due this month. The agreement was that the above loan was to be returned to us within three years without interest.

Yours very truly,
The Borden Co. of California
Modesto, California

C. D. Van Derson, Sup't

In considering the advisability of paying this claim at this time, Councilman Boundey reported to the Council that he had heard in a conversation with Mr. C. D. Van Derson, manager of the Borden Company, that they were not especially urging that this loan be paid at this time. Whereupon, Councilman Boundey made a motion which was duly seconded and car-

ried, that this matter be laid over until the first meeting in January 1925.

A communication was received from Mr. J. E. Tempest, Ass't City Engineer of the City of Sacramento, addressed to the City Council, setting forth their experiences with the Sterling Motor Trucks being used in their city. This communication was read to the City Council and placed on file in the office of the City Clerk.

In the Matter of Adjusting Rates with the Modesto Irrigation District for Electric Energy to be Furnished to the City of Modesto:

In pursuance of the special meeting held on October 15th, 1924, for the purpose of fixing a rate for electric energy to be used by the City of Modesto for the ensuing year, commencing November, 1st, at which time no agreement was reached by the City of Modesto and the Modesto Irrigation District. At this time, Councilman Oswald, introduced a resolution, being,

RESOLUTION NO. 921-N.S.

authorizing the Mayor and City Engineer to confer with the Modesto Irrigation District and obtain from them the best contract possible for the furnishing of electric energy to the City of Modesto for the ensuing year, commencing November 1st, 1924, also authorizing the Mayor and City Clerk to execute the above contract, which resolution was duly seconded and 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 Sixth Street:

A petition being presented to the City Council at their last regular meeting, asking that Sixth Street be paved between H. and E. Streets, which was referred to the City Engineer for his recommendation. The City Engineer reports in regard to the petition filed October 8th, 1924, for the improvement of Sixth Street, that he finds said petition is signed by the owners of 52.1% of the frontage thereon, being sufficient frontage to order the paving of Sixth Street between H. and E. Streets to proceed. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 433-S.P.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS

wherein the City Engineer is ordered to prepare plans and specifications for the work to be done in the improvement of Sixth Street between H. and E. Streets.

In the Matter of Awarding Contract for the Improvement of Orange Avenue:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described, which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 173 and all due and legal proceedings having been thereafter had under and pursuant to said resolution and notices having been published and posted as required by law and this being the time affixed by said resolution and notices for receiving, opening and declaring such bids, the Council, now in open session, proceeded to publicly open and declare the same.

There was on file two bids for the work which opened read as follows:

BID OF A. REICHERT & SON FOR THE IMPROVEMENT OF ORANGE AVENUE:

Grading	⊙	\$0.0475	per sq. ft.
Paving	⊙	0.185	" " "
Gutter	⊙	0.20	" " "
Curb	⊙	0.70	" lin. "
Headers	⊙	0.20	" " "

#700 Marbelite Standard and Foundations	Ⓞ	\$75.00	each
G. E. Novalux Units Form	Ⓞ		
#12 Connection Boxes	Ⓞ	36.50	"
1 1/2" Fibre Conduit	Ⓞ	6.50	"
2 1/2" " " "	Ⓞ	0.31	per ft.
#8 Bl S.R.C.wire	Ⓞ	0.41	" "
#8 Bl S. Solid Single Conductor Park Cable	Ⓞ	0.04	" "
		0.175	

BID OF THE STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF ORANGE AVENUE:

Grading	Ⓞ	\$.05	per sq. ft.
Paving	Ⓞ	.17	" " "
Cutter	Ⓞ	.20	" " "
Curb	Ⓞ	.70	" lin. "
Headers	Ⓞ	.20	" " "
#700 Marbelite Standards and Foundations	Ⓞ	70.00	each
G. E. Novalux Units form			
#12 Complete	Ⓞ	36.00	"
Connection Boxes	Ⓞ	6.50	"
1 1/2" Fibre Conduit	Ⓞ	.30	per lin. ft.
2" Fibre Conduit	Ⓞ	.40	" " "
#8 B&S.R.C. wire	Ⓞ	.04	" " "
#8 B.&S. Solid Single Conductor Park Cable	Ⓞ	.175	" " "

The bids being duly considered, Councilman Boundey introduced a resolution being,

RESOLUTION NO. 434-S.P.

Resolution of Award No. 173

Said Resolution awards the contract to the Standard Paving Company at the prices named in the proposal. 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

In the Matter of Achor Court Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911, in pursuance of Resolution of Intention No. 174, coming up for consideration, and more than 15 days having expired after the last publication of the resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in resolution of Intention No. 174.

RESOLUTION NO. 455-S.P.

Resolution Ordering the Work No. 174.

In accordance with certain plans and specifications heretofore adopted on the 24th day of September, 1924, and pursuant to Resolution of Intention No. 174, was introduced and upon roll call 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 Authorizing Proof of Loss at the City Engineer's Office on Account of Fire:

On account of a recent small fire at the City Engineer's Office wherein it required the proper City officials to sign the proof of loss to the Insurance Company, Councilman Boundey introduced a resolution being,

RESOLUTION NO. 922-W.S.

authorizing the City Clerk to sign the proof of loss on account of the above mentioned fire. Which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Transformers:

The City, having heretofore advertised for bids for transformers, 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 read as follows:

H. B. Squires & Company, San Francisco, Calif.

2 Only, 15 KV-A constant current transformers, 2500 volt, 6.0. ampere, 60 cycle, complete with oil hangers and cutouts.
Price, net each-----\$452.00
f.o.b. factory, Warren, Ohio.

General Electric Company

2 Type RV, 60 cycle, 15 KW 2500 volt, 6.0. ampere, Station Type, constant current transformers, Catalog #197093
Net price each-----\$592.00
f.o.b. Eastern factory, freight allowed to San Francisco.

Allis-Chalmers Manufacturing Company

2 * 15 KVA, 2500 volt, 6.0 ampere, 60 cycle, constant current transformers.
Price, 2 units f.o.b. Norwood, Ohio---\$800.00

Westinghouse Electric & Manufacturing Company

2 Only, 15 KV-A, pole type regulators, 60 cycle, style #358633, high voltage 2300 with extra taps for 90 per cent of a standard primary voltage. Secondary 6.6 ampere. Each including:

1-Set of hanger irons
Necessary Wemco-C oil.
Net price each at San Francisco, warehouse----\$451.25

For further particulars and details regarding the above bids, reference is hereby made to the proposals in the office of the City Clerk.

After due consideration of the above bids, Councilman Boundey offered a resolution, being,

RESOLUTION NO. 923-N.S.

Whereas, the time has arrived for opening of bids for transformers and four bids being received, some of which offer alternative propositions which will require further consideration, be it resolved, that Mayor Elias appoint a committee to further consider the bids and report at the next meeting of the Council.

The foregoing resolution was regularly introduced by Councilman Boundey and upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Mayor Elias thereupon appointed a committee in line with the above resolution consisting of City Engineer McCarton, City Electrician Evans, Commissioner of Finance Boundey, and Commissioner of Public Supplies Brown to analyze the bids in question.

In the Matter of an Ordinance Regulating Slot Machines:

For some time past, it has been the desire of the people operating and running pool halls, to have an ordinance passed regulating the use of certain slot machines therein, whereupon Councilman Brown introduced an ordinance to that effect which was duly seconded but not adopted by the following vote:

Ayes: Councilmen Brown and Prewett

Noes: Councilmen Boundey, Oswald, and Mayor Elias

Absent: Councilmen None

In the Matter of Soft Drink Ordinance:

On February 27th, 1924, Ordinance No. 266-N.S. was passed by the City Council, regulating the manufacture and sale of soft drinks within the City of Modesto. It seems that the terms of this ordinance were too drastic according to the claim of the people operating in this line of business in the City of Modesto and that the license fee was prohibitive. The City Clerk has experienced a great deal of trouble in enforcing the above ordinance and in order that the terms in the above ordinance may be somewhat modified, the following ordinance was introduced being,

ORDINANCE NO. 273-N.S.

entitled "AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 266-N.S. introduced by Councilman Oswald, who moved its adoption which was duly seconded and 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 Installing a New Pumping Unit:

Pursuant to Ordinance No. 270-N.S. Councilman Boundey introduced a resolution being,

RESOLUTION NO. 924-N.S.

adopting the plans and specifications for a well, complete with casings installed in the Northwest 1/4 of Section 29, T. 3 S.R. 9 E. in the City of Modesto, more particularly shown in accompanying diagram. Which resolution was, 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 Advertising for Bidders for Well:

In pursuance of Ordinance No. 270-N.S. Section 3, the City Clerk is ordered to advertise for drilling of well and purchase of pipe and fittings.

In the Matter of Purchasing Auto for the City's Use:

The matter of purchasing an automobile for the City's use was brought to the attention of the Council whereupon Mayor Elias appointed the following committee to look after the purchase of automobiles and report to the City Council upon the completion of their investigation. The following committee was appointed: Councilman Brown, Councilman Boundey, Councilman Prewett, and City Engineer McCarton.

In the Matter of Bids on Auto Pick-up Sweeper:

The City having heretofore advertised for bids for Auto Pick-up Sweeper 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 read as follows:

Austin Manufacturing Company

Proposes to furnish to the City of Modesto, State of California, f.o.b. Modesto.
I--Austin Pick-up Sweeper in accordance with detailed specifications herewith stated for the Sum of ----- \$7500.00
I--Two (2) per cent discount for cash on delivery of machine.
II--Within one year by equal monthly, quarterly or semi-annual installments. First installment due on delivery of machine.

The Stuart S. Smith Company

Proposition No. 3. 1 Elgin Motor Pick-up Sweeper with Cutter Broom Attachment, \$7180.00
Terms- $\frac{1}{2}$ on delivery of machine and balance at the beginning of next fiscal year, f.o.b.
Modesto.

Kimball Motor Truck Corporation

We offer to the City of Modesto 1 Kimball Motor Truck Corporation Vacuum Street Cleaner, specifications attached and forming a part of this bid and will sell and deliver one of these sweepers complete for the
Sum of ----- \$8000.00
with 2 per cent discount for cash, delivery of said machine to be made within 15 days from the date of acceptance.

In the Matter of Bids on Auto Combination Flusher and Sprinkler with a 500 gallon tank on a 5 ton truck and one Auto Truck $2\frac{1}{2}$ ton Capacity Complete with Closed Cab and Power Dump Body:

The City having heretofore advertised for bids for Auto Combination Flusher and Sprinkler with a 500 gallon tank on a 5 ton truck and one Auto Truck $2\frac{1}{2}$ ton Capacity complete with closed cab and power dump body, and this being the time fixed in accordance with published notice for receiving and considering said bids and there being fourteen bids on file, Councilman Boundey moved that the same be opened and read as follows:

Moreland Sales Corporation

Terms- $\frac{1}{2}$ down, unpaid balance at 6 per cent interest to be divided into 12 equal balances. Price ----- \$8245.50

General Motor Truck Company

Proposition No. 1 Auto Combination Flusher and Sprinkler as per specifications.
Price ----- \$8765.40
Supplemental proposition on the above as described in bid.
Price ----- \$8098.40

Fred F. Webber

Special model 645, Fageol Truck combination flusher and sprinkler.
Terms to be cash or terms satisfactory to both buyer and seller.
Price ----- \$8531.50

M. M. Shelly

1 combination flusher and sprinkler as per specifications in bid.
Price ----- \$7895.00
Terms-25 per cent cash, balance to be made in 12 monthly payments, 6 per cent interest.

The White Truck Sales Company

A combination flusher and sprinkler as per specifications.
Price ----- \$9702.50

Mack International Motor Truck Corporation

Combination flusher and sprinkler as per specifications attached.
Terms-Cash payment or if desired, half cash and the other half covered by warrant drawn on the City Treasury, dated the day on which the equipment is accepted and payable July 1st, 1925.
Price ----- \$8392.68

International Harvester Company

Proposal for motor driven street equipment.
Price ----- \$600.75

In the Matter of Bids on Auto Truck of $2\frac{1}{2}$ ton Capacity:

Moreland Sales Corporation

1 Auto truck of $2\frac{1}{2}$ ton capacity per specifications, ----- \$1170.75
Price -----
With this, we will furnish one model F2 Woods Underbody Hoist complete with 2 or $2\frac{1}{2}$ yard all steel dump body for the ----- \$767.85
Price of -----
We will install this body on our chassis at our factory and deliver the complete job in Modesto for ----- \$5937.50
Price -----
Terms- $\frac{1}{3}$ cash with interest at the rate of 6 per cent on the unpaid balance, divided into 12 equal payments or if preferred, quarter or semi-annual installments.

International Harvester Company

1 Model 63 or 5 ton International Motor Truck as per specifications ----- \$4049.35
Price -----
Terms- $\frac{1}{3}$ cash on delivery, balance divided into 12 equal monthly payments, 7 per cent interest.

General Motors Truck Company

1 Auto truck of 2½ ton capacity as per specifications.

Price -----\$3995.46

f.o.b. Modesto

Terms-cash on acceptance or will accept part cash and balance within 8 months from date of delivery, bearing interest at 8 per cent.

Fred F. Webber

1 Special model 540 Pageol Truck with enclosed cab for

Price -----\$4293.75

Terms-satisfactory to both buyer and seller.

M. M. Shelly

1-2½ ton Sterling truck, complete.

Price -----\$4285.00

Terms-as desired.

The White Truck Sales Company

1-2½ ton White dump truck complete as per specifications.

Price -----\$4455.00

Mack International Motor Truck Corporation

1-2½ ton dual reduction drive Mack truck as per specifications, f.o.b. Modesto

Price -----\$4413.89

Terms-half cash, balance covered by a Warrant drawn on the City Treasury, payable July 1st, 1925.

For further particulars and details regarding the above bids, reference is hereby made to the proposals in the office of the City Clerk.

After due consideration of the above bids, Councilman Boundey offered a resolution, being,

RESOLUTION NO. 925-N.S.

Whereas, the time has arrived for opening of bids for Auto Pick-up Sweeper and Auto Combination Flusher and Sprinkler and 2½ ton capacity Auto Truck, and fourteen bids being received, some of which offer alternative propositions which will require further consideration, be it resolved that Mayor Elias appoint a committee to further consider the bids and report at the next meeting of the Council.

The foregoing resolution was duly seconded and upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Mayor Elias thereupon appointed a committee in line with the above resolution consisting of Councilmen Boundey, Brown, Osvald, Prewett, Mayor Elias and City Engineer McCarten.

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

Approved: _____
Mayor

Attest: W. E. Prewett
City Clerk

November 12th, 1924.

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 October 22nd, 1924, were read and ordered approved as read.

In the Matter of a Cat and Dog Hospital:

Mr. K. R. Fowler appeared before the City Council in behalf of the numerous residents in the neighborhood along McHenry Avenue between Morris, Maynell and Modesto Avenues; and cited to the City Council that there was being erected a Cat & Dog Hospital which the residents of this neighborhood desired to enter a vigorous protest. He asked that the City Council, if within their power, adopt some measures for curbing the building of this Cat & Dog Hospital in that vicinity.

The City Council concurred in the opinions of the neighbors and residents of that section of the City by passing an ordinance, being,

ORDINANCE NO. 274-N.S.

PROHIBITING VETINARY HOSPITALS EXCEPT WITHIN CERTAIN LIMITS IN THE CITY OF MODESTO.

The foregoing ordinance was introduced at a regular meeting of the City Council by Councilman Boundey, who moved its adoption and passage to print which motion, being duly seconded, was upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Motor Equipment and Street Cleaning Equipment:

In pursuance of the opening of bids on the above mentioned equipment on October 22nd, 1924, wherein Mayor Elias appointed a committee to further consider the bids and report at the next meeting of the Council, and this being the time set to hear their report and owing to the fact that the committee had not completed their investigation, it was continued until the next regular meeting of the City Council.

In the Matter of Communication from J. W. Ross:

A communication was received from Mr. J. W. Ross, wherein he requested the City to rebate him on water used at 41c Johnson Street during the period of time that the property was vacant and on which the water department had not been notified to turn off the water.

In the Matter of Purchasing Autos for the City's Use:

This matter was continued from the meeting of October 22nd, 1924, through a committee appointed by Mayor Elias and instructed to report at this meeting. However, as the committee had not had sufficient time to complete their investigation, the matter was continued until the next regular meeting of the City Council.

In the Matter of Adjusting Rates with the Modesto Irrigation District:

In pursuance of a special meeting held on the 16th of October, in regard to the above matter, which matter was continued until October 22nd, 1924, at which time a resolution was passed authorizing the Mayor and City Engineer to confer with the Modesto Irrigation District and arrange a schedule of prices and authorizing the Mayor and City Clerk to execute a contract as per the findings of the Mayor and City Engineer.

The Mayor reported that no further action had been taken upon this matter and it was his opinion that in as much as the district had set forth a schedule of rates for the City of Modesto that about all the City could do would be to accept those rates and pay the bills as they came in each month and not enter into any contract with the Modesto Irrigation District. There was some discussion in regard to this matter with the result that no final action was taken.

In the Matter of Sixth Street Proceedings:

Proceedings were presented to the City Council by the City Engineer for the improvement of Sixth Street from the Northerly line of "E" Street to the Southerly line of "H" Street as more fully described in the Resolution pertaining to such work which is as follows:

RESOLUTION NO. 436-S.P.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS

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

That Sixth Street, from the Northerly property line of "E" Street to the Southerly property line of "H" Street, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half ($2\frac{1}{2}$) inches in thickness and a Warrenite-Bituminous wearing surface one and one-half ($1\frac{1}{2}$) inches in thickness 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.

That a Corrugated Iron Culvert be constructed at "H" Street and Catch Basins be constructed on the South and East corners of the curb returns on "G" Street. That Cast Iron Electroliers, Modesto Type, No. 5 with wire, cable, lamps, globes, conduit, and necessary appliances for lighting be installed along each side of said street.

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Modesto at a regular meeting held on the 12th day of November, 1924, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. CRAIG
City Clerk

--Engineer's Estimate--

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

RESOLUTION NO. 457-S.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll adopted as outlined in the resolution of Intention No. 175 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 438-S.P.

RESOLUTION OF INTENTION 175

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 Sixth Street, from the Northerly property line of "E" Street to the Southerly property line of "H" Street, be graded, paved between the gutters 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, 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.

That a Corrugated Iron Culvert be constructed at "H" Street and Catch Basins be constructed on the South and East Corners of the Curb returns on "G" Street.

That Cast Iron Electroliers, Modesto Type No. 5, with wire, cable, globes, lamps, conduit, and necessary appliances for lighting be installed along each side of said street.

All as more fully and in detail appears and as shown by and described and specified on 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 Brother's Company of Boston, Mass., 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 benefitted 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 1 to 16 both inclusive, Block 24;

Lots 1 to 16 both inclusive, Block 25;

Lots 1 to 16 both inclusive, Block 26;

Lots 17 to 32 both inclusive, Block 30;

Lots 17 to 32 both inclusive, Block 31;

Lots 17 to 32 both inclusive, Block 32; as per map of Record in the

County Recorder's Office; Volume 10 of Maps, Pages 24, 25, 26, 30, 31, and 32, 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 1916, the last installment of which bonds shall mature fourteen years from the second day of July next succeeding ten months from their date.

Notice is hereby given that on the 10th day of December, 1924, at eight o'clock P.M. in the council chamber of the City Council of said City, any and all persons having any objections to the proposed work or improvement may appear before said board and show cause why said proposed improvement should not be carried out in accordance with this resolution.

The 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 contemplated work and improvement and along all the open streets within said district above described and in front of all the property liable to be assessed notices of the passage of this resolution of Intention, in the time, form and manner 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 7, 1911, and amendments thereto.

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Modesto at a regular meeting thereof held the 12th day of November, 1924, by the following vote to-wit:

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

Nees: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on November 15th, 1924.

Attest: H. E. Gragg
City Clerk

In the Matter of Leasing a Certain Piece of Land for the Purpose of Installing and Maintaining a New Pumping Unit:

At this time, Attorney Carlson presented to the City Council the agreement which he had prepared as per Resolution No. 920-N.S., regarding the leasing of a certain piece of land from the Modesto School District. This agreement, having been signed by the School Board Officials is now presented to the City Council for their acceptance as follows:

This Agreement, made and entered into this 22nd day of October, 1924, by and between THE BOARD OF EDUCATION OF THE MODESTO CITY SCHOOL DISTRICT, a quasi public corporation and School District, organized and existing under and by virtue of the laws of the State of California, within the County of Stanislaus, State of California, the party of the first part, and THE CITY OF MODESTO, a municipal corporation, organized and existing under and by virtue of the laws of the State of California, the party of the second part.

W - I - T - N - E - S - S - E - T - H :

Whereas, the said party of the first part on behalf of the Modesto City School District has heretofore, pursuant to Section 1617½ of the Political Code of the State of California, in open meeting by a two-thirds vote of all of its members, adopted a resolution declaring its intention to lease certain property (hereinafter described) belonging to said Modesto City School District, upon which no public school is being maintained, which said resolution described the property proposed to be sold in such manner as to identify it, and specified the minimum price or rental and terms for which it would be leased, and fixed a time, to-wit: October 15, 1924, at the hour of 8 o'clock P.M., which was not less than three weeks after the adoption of said resolution, and a place for a public meeting of said Board of Education, to-wit: the office of the Superintendent of Schools of the City of Modesto at the High School Building, at which time sealed proposals to lease said property would be received and considered, and caused said resolution to be published once a week for three successive weeks before the date of such meeting, in a newspaper of general circulation published in said district, to-wit: The Modesto Evening News, and

Whereas, at the time and place fixed in said resolution for the meeting of said Board of Education, the City of Modesto, the party of the second part herein, submitted a sealed proposal to lease said property on the terms and conditions in said resolution and hereinafter stated, and said bid or offer of said City of Modesto was then and there opened, examined, and declared by said Board of Education in public session, and there being no other bids, the said Board of Education of the Modesto City School District, by a resolution adopted by unanimous vote of all members present (a quorum of said Board being present) and spread upon its minutes, accepted said bid of said City of Modesto, and authorized the President and the Clerk of said Board of Education to execute this lease on behalf of said Modesto City School District, and the Board of Education thereof.

Now, therefore, the said party of the first part in consideration of the premises, and of the rents, covenants, and agreements hereinafter contained, specifically to be paid, kept, and performed by said party of the second part as hereinafter mentioned, does by these presents lease, demise, and let unto the said party of the second part, the following described premises or real property lying, situate, and being in the City of Modesto, in the County of Stanislaus, State of California, and more particularly described as follows, to-wit:

Beginning at a point which is S. 42 degrees, 23 minutes E., a distance of 845 feet from the section corner of Sections 19, 20, 30 & 29, T. 3 S. R. 9 E., M. D. B. & M., and running thence S. 1 degree 35' W. a distance of 50 feet; thence S. 88 degrees 25' E., a distance of 50 feet; thence N. 1 degree 35' E., a distance of 50 feet; thence N. 88 degrees 25' W. a distance of 50 feet; to the point of beginning, said parcel or piece of land all being situated in the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Section 29, T. 3 S. R. 9 E., M. D. B. & M.

Together with the right of ingress and egress thereto, and therefrom, and the appurtenances.

To have and to hold said described real property unto the said party of the second part for the term of ninety-nine years, beginning on the date hereof.

Yielding and paying unto the said party of the first part as rental therefor, the sum of One Dollars per annum, payable annually in advance, and also the performance by the said party of the second part of the terms, covenants, and conditions hereinafter stipulated. Provided, however, that if the said party of the second part shall fail to pay said rental, or to perform said terms, covenants, and agreements, as hereinafter stipulated, the party of the first part shall have the right to cancel and terminate this lease and oust and eject said party of the second part from the possession of said premises, and re-take the same, and the whole thereof, into the possession of the said party of the first part, the same as in their first and former right, anything hereincontained to the contrary thereof in any wise notwithstanding.

The party of the second part covenants and agrees to pay said rental at the time and in the manner aforesaid.

It also covenants and agrees that it shall and will, as a part of the rental to be paid to the said party of the first part, and as part of the consideration for said lease, and as conditions upon which said lease shall continue in operation, construct and install upon said property within six months from the commencement of said lease, a deep well, of approximately the same type as the wells now in use by the City of Modesto in its municipal water system, for the purpose of supplying water for commercial and domestic purposes, including irrigation and fire control, to the inhabitants of said City, including the property of the Modesto City School District; and thereupon equip said well with a proper and adequate pump or pumps, electric motor, or motors, and other necessary apparatus and equipment for the operation of the same for the purposes aforesaid; and shall thereafter, during the continuance of this lease, maintain and operate said well for the purposes aforesaid, and in the manner in this lease expressed.

The party of the second part shall also, within a reasonable time after the construction and installation of said well, construct and thereafter maintain at said well, a pump-house of a design and of a construction harmonizing with the buildings of the Modesto City School District adjacent thereto.

It shall also keep and maintain the said premises so leased and the improvements thereon, during the term of said lease, in a neat, orderly, and sanitary condition, and in such a manner that the operation of said well shall not become offensive by reason of any unusual noise or condition over which the party of the second part may have control.

The party of the second part also covenants and agrees not to make over or assign this present lease, nor any of its term or time therein, nor to sub-let or sub-rent said premises, or any part or portion thereof, to any person whomsoever without first securing the consent in writing of the said party of the first part.

For a breach of any of the foregoing stipulations or covenants, the party of the first part may cancel and terminate this lease.

The party of the second part shall have the right of ingress and egress to and from said leased premises over the remaining property of the said party of the first part, selecting therefor a route that will interfere as little as possible with any improvements that may be placed upon the balance of said property by the party of the first part, or any use to which said property may be put by said party of the first part.

The party of the second part shall have the right upon the termination of this lease, for any cause, to enter upon said premises and remove therefrom all motors, pumps, or other apparatus, or equipment which it may have placed thereon, but shall not have the right to fill in or destroy the well, without the consent of the party of the first part.

IN WITNESS WHEREOF, the said party of the first part by its President or Chairman, and its Clerk or Secretary, thereunto duly authorized by a resolution adopted on the 13th day of October, 1924, has caused its name to be hereunto signed and this agreement to be executed and delivered, and the party of the second part by its Mayor and City Clerk thereunto duly authorized by a resolution of its City Council, has likewise caused its name to be hereunto subscribed and its corporate seal to be affixed, and this instrument to be executed, all in duplicate,

the day and year first above written.

THE BOARD OF EDUCATION OF THE MODESTO CITY
SCHOOL DISTRICT

By J. W. Guyler Its President
By E. D. Abbott Its Clerk

THE CITY OF MODESTO

By Sol P. Elias Its Mayor
By H. E. Gragg Its Clerk

Countersigned,

H. E. Gragg

City Auditor.

Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 926-N.S.

AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ABOVE AGREEMENT which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids for Well:

The City, having heretofore advertised for bids for the boring of a well and furnishing of casing for the same and this being the time fixed in accordance with the published notice for receiving and considering said bids and there being three bids on file, Councilman Boundey made a motion that the bids be opened and read as follows:

Porter and Wilkinson, Half Moon Bay, California; total cost complete as per specifications in published notice, \$2500.00

E. Bowman and Mike Rinehart, Modesto, California; total cost complete as per specifications in published notice, \$2508.80

Osterberg Brothers, Modesto, California; total cost complete as per specifications in published notice, \$1468.50

After due consideration of the above bids by the City Council, it was decided that the bid of the Osterberg Brothers was the lowest bid submitted, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 927-N.S.

ACCEPTING THE BID OF THE OSTERBERG BROTHERS AND REJECTING THE BIDS OF PORTER & WILKINSON AND BOWMAN & RINEHART. The City Clerk was instructed to return their certified checks to the unsuccessful bidders which resolution was duly seconded and upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on the Cast Iron Pipe:

The City having heretofore advertised for bids for Cast Iron Pipe and this being the time fixed in accordance with the published notice for receiving and considering said bids, and there being three bids on file, Councilman Boundey moved that the same be opened and read as follows:

Nation^l Cast Iron Pipe Co., total bid per published notice, \$1598.65

American Cast Iron Pipe Co., total bid per published notice, \$1642.65

United States Cast Iron Pipe and Foundry Co., total bid per published notice, \$1501.67

After due consideration of the above bids by the City Council, it was determined that

the bid of the United States Cast Iron Pipe and Foundry Co. was the lowest and best bid, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 928-N.S.

ACCEPTING THE BID OF THE U.S. CAST IRON PIPE AND FOUNDRY CO. AND REJECTING THE BIDS OF THE AMERICAN CAST IRON PIPE AND FOUNDRY CO. AND THE NATIONAL CAST IRON PIPE CO., and instructing the City Clerk to return to the unsuccessful bidders their certified checks accompanying their bids which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of Achor Court:

The Council having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 174 and all due and legal proceedings having been heretofore had under and pursuant to said Resolution, as appears by the records of said Council, and said resolution and notices having been published and posted as required by law and the order of this Council and due proof hereof having been made and this being the time fixed by said resolution and notices, for receiving, opening, examining and declaring such bids and proposals, the Council, now in open session, proceeded to publicly open, examine and declare the same. There was on file one bid which opened read as follows including the action of the Council in said matter:

Grading	@	\$.035 per sq. ft.
Paving	@	.17 " " "
#700 Marbelite Standards and Foundations	@	\$70.00 each
G. E. Novalux Units	@	47.00 "
Connection Boxes	@	6.50 "
1 1/2" Fibre Conduit	@	.30 per lin. ft.
2" Fibre Conduit	@	.40 " " "
No. 8 B.&S. Solid Single Cond. Park Cable	@	.18 " " "
No. 8 B.&S.R.C. Wire	@	.04 " " "

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

RESOLUTION NO. 439-S.P.

AWARDING THE CONTRACT TO THE STANDARD PAVING COMPANY AT THE PRICES NAMED IN THEIR PROPOSAL, which resolution, upon roll call, was declared adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Lithographing the City Treasurer's Name upon Street Bond Coupons:

Section 7 of Improvement Bond Act of 1915 provides that the City Council may authorize a lithographic signature of the City Treasurer upon all street improvement bonds and coupons, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 929-N.S.

AUTHORIZING THE CITY TREASURER TO HAVE HIS NAME LITHOGRAPHED UPON STREET IMPROVEMENT BONDS AND COUPONS AS PROVIDED IN SECTION 7 OF THE IMPROVEMENT BOND ACT OF 1915. The resolution was duly seconded and upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman None

In the Matter of Transformers;

In pursuance with the opening of bids for transformers on October 22nd, 1924, as provided in published notice and at which time the matter was referred to the City Engineer and City Electrician for their decision. They report, at this time, that in their opinion, the bid from the General Electric Company, being the lowest and best bid, whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 930-N.S.

ACCEPTING THE BID OF THE GENERAL ELECTRIC COMPANY FOR TRANSFORMERS AS OUTLINED IN ADVERTISED SPECIFICATIONS and that the bids of the other firms be rejected and the City Clerk be instructed to return their certified checks to the company of such bid, which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Horse-traders and Gypsies occupying the Vacant Grounds North of Chestnut Street and Adjacent to the Irrigation Canal:

Councilman Boundey reported that a complaint had been made to him regarding the above practice of gypsies and horse-traders camping north of Chestnut Street and adjacent to the irrigation canal. That their presence had created more or less of a nuisance to the City and that the grounds were, in a measure, unsanitary on account of such occupancy, and that some measure should be taken to correct the above mentioned complaint.

Upon the recommendation of the Council, this matter was referred to the Chief of Police with instructions to eliminate the above condition as much as possible.

In the Matter of Reports from the Departments:

The reports of the various departments for the month of October were reviewed by the Council and ordered placed on file in the Office of the City Clerk.

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

Approved: _____
Mayor

Attest: W. E. Gugg
City Clerk

November 26th, 1924.

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 November 12th, 1924, were read and ordered approved as read.

In the Matter of Closing Carlson Street:

Mr. Courtney appeared before the Council and asked that Carlson Street be closed as far as Water Street and that Water Street be opened and Jennie Street be widened. After some discussion regarding the above closing of Carlson Street, the City Council advised Mr. Courtney that they would thoroughly investigate this matter before making any decision.

In the Matter of City Garbage:

Mr. Jennings appeared before the City Council and urged that the City take over the work of collecting the garbage in the City of Modesto. He stated that he thought it would be much more satisfactory to the residents of the City to have the City collect this garbage even though they maybe charged for doing it, as the work of collecting the garbage by private concerns as done at the present time was not always satisfactory and that the service was very poor. After due consideration of this matter by the Council, they told Mr. Jennings that this matter would be taken under further consideration and that possibly some arrangement could be worked out which would take care of this matter along the lines suggested by Mr. Jennings.

In the Matter of Establishing Lines in the Jones and Johnson Addition in Blocks 570 and 578 City of Modesto:

Mr. Bates appeared before the Council and requested that the City take some action towards establishing the proper lines in the streets and alleys in the above mentioned addition. He stated that he had been before the Council on several occasions and that he had been given assurance that this would be taken care of. It was brought out in the discussion that some two years ago, the Council had passed an order taking care of the above matter. City Attorney Carlson stated that he had talked with some of the property owners affected by this order and that they had stated to him that they would move their buildings to the right property line when all the property owners affected by this order would do so in a concerted action. This matter was placed in the hands of City Attorney Carlson and City Engineer McCarton to see that the previous order of the City Council was carried out to it's final conclusion. Whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 931-N.S.

AUTHORIZING THE CITY ATTORNEY, MR. CARLSON, TO COMPEL THE PROPERTY OWNERS IN THE JONES AND JOHNSON ADDITION, CITY OF MODESTO, TO VACATE CITY PROPERTY NOW OCCUPIED BY THEM. Which

resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Old Delinquent Taxes:

Mr. R. O. Bordner of the Central California Title Company appeared before the City

Council regarding some old delinquent taxes which are many years standing and that have recently been brought to light. Mr. Bordner contended that the City had no equity in these taxes due to the fact that they were tax sales purchased from the State and that more than 20 years had elapsed since their purchase and in that event the City had no claim upon them but yet they remain open upon the City's books and stand as more or less a cloud on the property affected by the same. City Attorney Carlson concurred in the opinion of Mr. Bordner in the above matter and he stated that there were a number of other taxes of similar nature on the Tax Collector's books and he suggested that the City Clerk make a note of such tax sales and bring them before the Council at their next regular meeting when some action will be taken to clear the records of the same.

In the Matter of Final Adoption of Ordinance No. 274-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 12th day of November, 1924, and having been published as required by the Charter, coming on for final adoption this 26th day of November, 1924, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of an Ordinance Regulating Street Carnivals:

An ordinance was introduced at a regular meeting of the Council of the City of Modesto, being,

ORDINANCE NO. 275-N.S.

REGULATING STREET CARNIVALS AND STREET SHOWS AND PROVIDING A LICENSE THEREFOR.

The foregoing ordinance was introduced by Mayor Elias who moved it's adoption and passage to print, which motion, being duly seconded, was upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition for a Light in the Alley Between 12th and 13th, H. and G. Streets:

Mr. J. B. Jennings presented to the City Council a petition signed by property owners adjoining the above mentioned alley, asking that the City install and maintain a suitable light in that alleyway. Said property owners donated the sum of \$35.00, the initial cost for the installation of the above mentioned light which amount was paid on this date to the City Clerk by Mr. J. B. Jennings. After due consideration of this matter, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 932-N.S.

INSTRUCTING THE CITY ENGINEER TO INSTALL A LIGHT IN THE ALLEY BETWEEN 12TH AND 13TH, H. AND G. STREETS. Which resolution was duly seconded and 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 a 2" Tap for the A. A. Bundle Laundry:

The A. A. Bundle Laundry hereby makes application for a 2" tap at their premises at 715 "H" Street with a fee of \$27.00 accompanying the application. Whereupon Councilman

Boundey introduced a resolution, being,

RESOLUTION NO. 933-N.S.

AUTHORIZING THE CITY CLERK TO GRANT THE A. A. BUNDLE LAUNDRY A 2" TAP AT THEIR PREMISES AT 715 "H" STREET. Which resolution was duly seconded and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Street Flusher and Trucks:

In pursuance of the opening of bids some time ago for a street flusher and truck for the City of Modesto, which were referred to a committee for consideration and which had been continued from meeting to meeting again states that they are not ready to make a report at this time. Whereupon the committee was continued until the next regular meeting of the Council.

In the Matter of a Communication from the White Truck Sales Company:

The following communication was received from the White Truck Sales Company and read to the City Council and was ordered placed on file in the City Clerk's Office.

November 26th, 1924.

Honorable City Council,
City of Modesto.

Confirming our Mr. H. C. Baileys verbal correction of our bid of October 22, 1924. We beg to offer sprinkler and flusher unit on 5-ton chassis as per specification attached to our bid f.o.b. City of Modesto, \$8578.00.

WHITE TRUCK SALES COMPANY
By A. F. Willet

WFW:MB

In the Matter of Purchasing Automobiles for the City's Use:

In pursuance of the appointing of a committee some meetings ago for the purpose of investigating the purchase of some automobiles for the City's use, the committee states that they have not completed their investigations and desire more time. Whereupon the committee was continued until the next regular meeting of the Council.

In the Matter of Street-sweeper Equipment:

In pursuance of the opening of bids on the above mentioned equipment on October 22nd, which was referred to a committee appointed by Mayor Elias and which committee has been continued from time to time, reports that at this time, in their estimation, the bid from the Stuart S. Smith Company is the lowest and best bid. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 954-N.S.

ACCEPTING THE BID OF \$7180.00 F.O.B. MODESTO, FOR ONE ELGIN MOTOR PICK-UP SWEEPER WITH GUTTER BROOM ATTACHMENT and rejecting the bids of the other bidders and directing the City Clerk to return to them, their certified checks which accompanied their bids. Also authorizing the Mayor and City Clerk to execute a contract with the Stuart S. Smith Company conforming with the bid proposed by that Company and accepted by the City of Modesto. Which resolution was duly seconded and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claim of J. H. Search:

Mr. J. H. Search protested to the City Council regarding the claim, used for water, at 429 Rue De Yoe. This claim accumulated against this property while it was occupied. The renters living on the property contracted the bill but moved away without paying the same. Mr. Search reported to the City Council that the property had been vacant for a year which proved to be correct, the bill being contract^d over a year ago and the water being furnished to a family while living on the premises. This bill for water was, in the opinion of the Council, a just claim therefore rejecting Mr. Search's claim for rebate and ordering him to pay up the back bill as he is now the owner of the property.

In the Matter of Irregularities in Mr. Suggestt's Place of Business Where Cards are Played and Soft Drinks Sold:

The Chief of Police reported that Mr. Suggestt had built a private room in the basement which was contrary to the ordinance regulating pool halls and business of like nature in the City of Modesto. Mr. Suggestt was asked to appear before the City Council in regard to the above matter which he did and was questioned by the Mayor in regard to the above mentioned room. He stated that he had built ~~this room~~ with the idea of using it for a store-room and also admitted that he had intended to use it for games but that he had not had an opportunity to do so. The Mayor informed Mr. Suggestt that he would be expected to live strictly within the regulations of the ordinance which Mr. Suggestt agreed to do.

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

Approved: _____

Mayor

Attest: _____

City Clerk

December 10th, 1924.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 26th, 1924, were read and ordered approved as read.

In the Matter of Claims:

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

General Fund.....	\$16017.24
Water Fund.....	3478.34
Library Fund.....	819.16
Bond Red. & Int.....	207.11
Miscellaneous.....	34.12
TOTAL.....	\$20555.97

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 Salary for Special Police Officer, Strickland:

Special police officer, Strickland, appeared before the Council and stated that the salary of \$50.00 per month, which he is now receiving, is not sufficient to meet his needs during the winter months. After due consideration of this matter by the City Council, Councilman Oswald introduced a resolution being,

RESOLUTION NO. 935-N.S.

AUTHORIZING THE CITY CLERK TO INCREASE THE SALARY OF SPECIAL POLICE OFFICER, STRICKLAND, \$25.00 PER MONTH DURING THE MONTHS OF DECEMBER, JANUARY AND FEBRUARY.

The foregoing resolution was duly seconded and upon roll call adopted by the following vote:

Councilmen Boundey, Brown, Oswald, Prewett, Mayor Elias-Ayes.

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from the G. P. Schafer Company:

The G. P. Schafer, through its' manager, Ed. E. Hunsucker, addressed a communication to the City Council setting forth that a petition had been presented to them for the paving of Sixth Street from H Street to F Street, which they signed. Since that time they have examined the petition on file in the City Clerk's office and state that the petition had been changed to read, from H Street to E Street instead of from H Street to F Street, as they had signed it. They further state that a protest will be filed with the City Council protesting the improvement of this street as set out in the petition and that they wished to have their name with-drawn from the petition until the controversy had been settled.

For further reference to the above communication, the same will be found on file in the City Clerk's office.

In the Matter of Communication from the Industrial Accident Commission:

A communication was received and read to the City Council from the Industrial Accident Commission Department of Safety, stating that, upon request by proper authorities, it had

been the practice of the Commission to tender the assistance of its' engineers for investigating alleged unsafe conditions in the construction of theatres, schools, and other public buildings. They stated that such an investigation had been made in connection with the Richards Theatre and as a result of this investigation, they recommended that more exits be provided on the right-hand side of the house, facing the stage.

In the discussion of this matter, it was brought to the attention of the Council by City Attorney, Carlson, that this matter had been called to the attention of the Council some time in the past and had been thoroughly investigated and that, in his opinion, the number of exits now existing at this particular theatre were sufficient for the safety of the public. Fire Chief Wallace also reported that he had made an investigation of this theatre and also reported that in his opinion, the exits now existing in the theatre were sufficient to safeguard the public in the event of a fire. The opinion of the Council was that no further action would be taken on this matter at the present time, and ordered the communication placed on file.

In the Matter of a Claim from the Borden Company:

The Borden Company billed the City of Modesto for \$809.60, claiming that an error in valuation of improvements inside the City limits of the City of Modesto had been made by the City Assessor to the extent of \$809.60, the amount asked for in their bill. This matter was discussed briefly by the Council but on account of extenuating circumstances this matter was laid over by the Council to be taken up at a future meeting.

In the Matter of Purchasing Automobiles for the City's Use:

This matter, having been continued from time to time and the committee at this time, being unable to make a report, asked for a further extension of time which was granted.

In the Matter of Report of Committee on the Purchasing of an Auto Combination Flushers and Sprinkler:

In pursuance of the opening of bids on a combination flusher and sprinkler on October 22nd, at which time, the Mayor appointed a committee to investigate the merits of the various bids and report back to the Council. The report of this committee, having been deferred from time to time, after due deliberation and careful investigation of the various bids submitted, reports that they are unable to unanimously agree on any particular piece of equipment, whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 956-N.S.

AUTHORIZING THE CITY TO PURCHASE ONE 5 TON WHITE TRUCK AND ONE 2½ TON WHITE TRUCK which resolution was duly seconded and upon roll-call not adopted by the following vote:

Ayes: Councilman Prewett

Noes: Councilmen Boundey, Brown, Oswald, Mayor Elias

Absent: Councilman None

At this time Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 937-N.S.

AUTHORIZING THE CITY COUNCIL TO ACCEPT THE BID OF THE MACK INTERNATIONAL TRUCK CORPORATION FOR ONE 5 TON MACK TRUCK equipped with one Hvass 1500 gallon tank and sprinkler as per specifications attached to bid, mounted on a standard five ton chassis equipped with cab, windshield, and electric lights as per specifications of the chassis also attached, f.o.b. Modesto at a price of \$8392.68, delivery to be made in approximately 60 days and that the City Clerk be instructed to return to the unsuccessful bidders their certified checks and that the Mayor and City Clerk be authorized to enter into a contract with the Mack Inter-

national Truck Corporation of San Francisco for the above mentioned combination flusher and sprinkler. Which resolution was upon roll call adopted by the following vote:

Ayes: Councilmen Brown, Oswald, Prewett, Mayor Elias

Noes: Councilmen Boundey

Absent: Councilmen None

In the Matter of Purchasing a 2½ ton Dump Truck:

Councilman Prewett introduced a resolution being,

RESOLUTION NO. 938-N.S.

AUTHORIZING THE CITY COUNCIL TO ACCEPT THE BID OF THE WHITE TRUCK SALES COMPANY FOR ONE 2½ TON WHITE DUMP TRUCK complete with cab and windshield as per specifications furnished in their

bid for the sum of \$4455.00. Which resolution was duly seconded and upon roll call not adopted by the following vote:

Ayes: Councilman Prewett

Noes: Councilmen Boundey, Brown, Oswald, Mayor Elias

Absent: Councilmen None

At this time Councilman Brown introduced a resolution being,

RESOLUTION NO. 939-N.S.

AUTHORIZING THE CITY COUNCIL TO ACCEPT THE BID OF FRED. F. WEBBER, 1502 Tenth Street, Modesto, California for one special model 340 Pageol truck with closed cab and 3-yard combination body with under-body hoist, for the sum of \$4293.75. Terms to be arranged between the buyer and seller and authorizing the City Clerk to return to the un-successful bidders of this size truck their certified checks and authorizing the Mayor and City Clerk to enter into a contract with Fred F. Webber, 1502 10th St., Modesto, Calif. for the purchase of this truck. Which resolution was duly seconded and upon roll call adopted by the following vote:

Ayes: Councilmen Brown, Oswald, Mayor Elias

Noes: Councilmen Boundey, Prewett

Absent: Councilmen None

In the Matter of Furnishing Free Water to Mrs. Johnson, 431 Virginia Avenue:

A report, being presented, that Mrs. Johnson, living by the support of the County and friends was not in a financial position to continue the paying to the City for the water used at the above named address, after due consideration of this matter, the Council referred the matter to Councilman Oswald for investigation and to report back to the next meeting of the Council.

In the Matter of Water Furnished to Jemima Cox Robbins by the City of Modesto:

Some months ago, upon proper appeal being made to the City Council, Mrs. Cox Robbins, who at that time was Mrs. Cox, a widow, and unable to pay for her water, was given free water by the City of Modesto. It now appears that she has become married and the City does not feel obligated to assist her any further by the giving of free water. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 940-N.S.

PROVIDING THAT THE CITY SHALL NO LONGER FURNISH FREE WATER TO MRS. COX ROBBINS AFTER JANUARY 1st. 1925, AND THAT SHE BE NOTIFIED OF THE SAME. Which resolution was duly seconded and

upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 275-N.S.:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 26th day of November, 1924, and having been published as required by the Charter, coming on for final adoption this 10th day of December, 1924, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Wells' Pop Corn Wagon:

Mrs. Maude Wells presented to the City Council a petition, signed by tenants and property owners on the West side of Tenth St., between I and J Streets, waiving their objections to the conducting of a peanut and pop-corn wagon stand at 919½ Tenth Street. In the discussion of this petition by the City Council it appeared that this was the first instance where they had been asked to grant permission for the conducting of a pop-corn wagon in the middle of the block. The Council were of the opinion that by granting this petition they would be establishing a precedent along that line which might not be to the best interest of the City but inasmuch as the property owners in this case made no objection and were agreeable to the arrangement, Councilman Oswald introduced a resolution being,

RESOLUTION NO. 941-N.S.

GRANTING THE PETITION OF MRS. WELLS TO CONDUCT A POP CORN AND PEANUT WAGON AT 919½ TENTH ST., but subject to revocation on thirty days notice by the City Council. Which resolution was duly seconded and regularly adopted by the following vote:

Ayes: Councilman Boundey, Brown, Oswald, Prewett

Noes: Councilman Mayor Elias

Absent: Councilmen None

In the Matter of Approving Contract and Bonds on Well:

Councilman Boundey introduced a resolution being,

RESOLUTION NO. 942-N.S.

APPROVING OF THE CONTRACT ENTERED INTO WITH THE OSTERBERG BROTHERS FOR THE DRILLING OF A WELL AND OF THE BONDS FURNISHED BY THEM FOR THE SATISFACTORY PERFORMANCE OF THE SAME. Which

resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Hearing Protests on Sixth Street:

This being the time set for hearing of protests on Sixth Street improvement under Resolution of Intention No. 175 a petition was filed, signed by property owners along said street, setting forth in their petition that certain misrepresentations had been made in connection with the signing up of the property owners for the above mentioned improvement and a communication was received from the G. P. Schafer Company stating that changes had been made in the petition since they signed it. After some discussion of this matter by the City Council it was thought best to postpone action on this protest until they could be more enlightened upon the petition. Whereupon Councilman Boundey introduced a resolution being,

RESOLUTION NO. 440-S.P.

POSTPONING ACTION ON THIS PETITION OF PROTEST UNTIL THE FIRST COUNCIL MEETING IN JANUARY, 1925. Which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Street Assessment Map for Achor Court:

The assessment map for the property to be assessed for the street improvement work performed under Resolution of Intention No. 174 was presented to the City Council for approval. Upon a close examination of the same, Councilman Boundey introduced a resolution being,

RESOLUTION NO. 441-S.P.

APPROVING OF THE ASSESSMENT DISTRICT AS OUTLINED IN THE ASSESSMENT MAP FOR THE IMPROVEMENT OF ACHOR COURT from Magnolia Avenue to McHenry Avenue. The foregoing resolution was duly

seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Amendment to Resolution No. 934-N.S.:

Councilman Boundey introduced a resolution being,

RESOLUTION NO. 943-N.S.

Resolved, that Resolution No. 934-N.S. be amended to read as follows:

Resolved, that the bid of the Stuart S. Smith Company for one Elgin Pick-up Motor Sweeper with gutter broom attachment at a price of \$7180.00 with a hubdometer for \$30.00 extra and a complete electric lighting system for \$180.00 extra, subject to a discount of 2% for cash, be accepted, and that a contract with said Stuart S. Smith Company for the purchase of said equipment in accordance with this resolution and the bid of the Stuart S. Smith Company be entered into by the Mayor and City Clerk on behalf of the City. Be it further resolved, that all other bids be rejected and certified checks or bidding bonds be returned to the unsuccessful bidders. Which resolution was duly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Incandescent Lamp Contract:

Each year the City is required to make a contract for incandescent lights for the ensuing year and it is the practice of the City to pass this contract around year after year to the different business concerns in the City of Modesto. This year the patronage falls to the Wille Electric Motor Works who presented to the City, at this time, a contract to be entered into by the City of Modesto and the Wille Electric Motor Works for the ensuing year. However, before acting upon this contract, it was the opinion of the City Council that the City Engineer should look into this matter and ascertain if the contract presented was in line with the needs of the City for the coming year and report at the next meeting of the Council.

In the Matter of Reports from the Departments:

The reports of the various departments for the month of November were postponed until the next regular meeting of the City Council.

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

Approved: _____
Mayor

Attest: *H. E. G. G.*
City Clerk

.....

Council, City of Modesto
December 24th, 1924.

The Council met in regular session this date and there were present Councilmen Boundey, Brown, Osvald, Prewett, Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of December 10th, 1924, were read and ordered approved as read.

In the Matter of Closing Carlson Street:

Mr. Courtney appeared before the City Council and presented a map to the Council, illustrating the manner in which he desired to have Carlson Street closed and Water Street opened. Mr. Courtney was informed by the City Council that this map would be referred to the City Engineer for his observation and that the City Council, as soon as time would permit them, go over this matter of closing Carlson Street and report at the next meeting of the Council.

In the Matter of Filing Assessment List and 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. 171, and no written objections being presented, the Council thereupon, under Resolution No. 442-S.P., determined the assessments which are unpaid and the aggregate amount of the same and the denominations of the bonds. The following is the resolution of the Council in the matter, duly passed and ordered entered upon its minutes.

RESOLUTION NO. 442-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS on February 27, 1924, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 171 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 Streets 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 December, 1924, 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 \$3966.28.

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 \$3966.28.

BE IT FURTHER RESOLVED, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915", and the acts supplementary to and amendatory thereof, issue in the sum of \$3966.28. 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 6th day of December, 1924 (the date of 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 December 6th, 1924, 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, 1926, 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 (December 6, 1924) to January 2nd, 1926; 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	\$270.28	July 2, 1926
No. 2	264.00	July 2, 1927
No. 3	264.00	July 2, 1928
No. 4	264.00	July 2, 1929
No. 5	264.00	July 2, 1930
No. 6	264.00	July 2, 1931
No. 7	264.00	July 2, 1932
No. 8	264.00	July 2, 1933
No. 9	264.00	July 2, 1934
No. 10	264.00	July 2, 1935
No. 11	264.00	July 2, 1936
No. 12	264.00	July 2, 1937
No. 13	264.00	July 2, 1938
No. 14	264.00	July 2, 1939
No. 15	264.00	July 2, 1940

It is further ordered that said bonds shall be in the form prescribed by said "Improvement Bond Act of 1916" and the acts amendatory of and supplementary thereto; shall have the proper and necessary coupons for the payment of interest attached thereto; which bonds shall be signed by the City Treasurer and City Clerk of the City of Modesto, with the corporate seal affixed, and which said coupons shall be signed by the City Treasurer 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 City Council of the City of Modesto held on the 24th day of December, 1924, by Councilman Boundey who moved its adoption and which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

In the Matter of a Petition for the Paving of the Alley in Block 96:

A petition was presented by property owners residing in Block 96 requesting that the alley in said block be paved. This petition was referred to the City Engineer to check up and report back to the Council at its next meeting.

In the Matter of Lamp Contract:

The City Engineer reported that the contract presented by the Wille Electric Company was in regular form and advised that it be signed by the proper City authorities. Whereupon Councilman Boundey introduced a resolution, being,

authorizing the Mayor and City Council to enter into and duly execute a lamp contract presented by the Wille Electric Motor Company, which resolution was upon roll call, regularly adopted by the following vote;

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Free Water for Mrs. Johnson;

In pursuance of this matter being continued from the meeting of December 10th, and which, at that time, was referred to Councilman Oswald, He reported, at this time, that his investigation had not been completed but from what he had found there was some doubt in his mind as to the advisability of granting free water to Mrs. Johnson and stated that he would make further investigations and report finally upon this matter at the next meeting of the City Council.

In the Matter of Claims of Chief of Police, Lee E. Smith, for Special Police and Detective Service;

Claims in the amount of \$180.00 were presented by Chief of Police, Lee E. Smith, for Special Police and Detective Service and found to be correct. Whereupon the City Clerk was directed to issue a warrant #7087 in payment of the above claim.

In the Matter of Acceptance of Street Sweeper from the Stuart S. Smith Company:

Inasmuch as the City Engineer reported to the City Council that the street sweeper purchased from the Stuart S. Smith Company had arrived and had been thoroughly tested and tried out to his satisfaction, he, at this time, recommended the acceptance of the sweeper of the Stuart S. Smith Company. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 944-N.S.

authorizing the acceptance of the motor street sweeper purchased from the Stuart S. Smith Co. and also approving of the agreement and contract entered into between the Stuart S. Smith Co. and the City of Modesto for the purchase and delivery of the above mentioned Elgin Motor Pickup Sweeper, and also authorizing the City Clerk to draw a warrant on behalf of the Stuart S. Smith Company for the purchasing price of the sweeper as set out in their contract less 2% discount. Which resolution was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The reports of the various departments for the month of November were reviewed by the Council and ordered placed on file in the office of the City Clerk.

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

Approved: _____
Mayor

Attest: W. E. Gray
City Clerk