

RESOLUTION ORDERING THE WORK

RESOLUTION NO. 684-H. S.

RESOLVED, that whereas the City Council of the City of Modesto did on the 24th day of November 1920, pass its resolution of Intention No. 110 to order the hereinafter described work to be done and improvement to be made in said City, as required by law, as appears from the affidavit of Modesto Morning Herald now on file in the office of the City Clerk of said City; and whereas, notice of the passage of said resolution of Intention No. 110 headed "Notice of Improvement" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, in time, form, manner and number as required by law, after the passage of said Resolution of Intention as appears from the affidavit of Hals Hansen who personally posted the same, and who upon the completion of the posting of said notice, forthwith filed said affidavit in the office of the City Clerk, making oath that he completed the posting of said notices, on the 4th day of December, 1920; and whereas, all protests or objections presented have been disposed of in time, form and manner as required by law, the City Council having found that said protests were made by owners of less than one-half of the area of the property to be assessed for said improvement, and said City Council having now acquired jurisdiction to order the proposed improvement, it is hereby

RESOLVED, that the public interest and convenience require the work hereinafter described and the City Council of the City of Modesto hereby orders the following work to be done and improvement to be made in said City, to-wit:

That the alley between Thirteenth Street and fourteenth Street from the northwest line of "X" Street to the southeast line of "L" Street except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting, however, from all of the aforesaid work such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon.

Be graded and thereupon paved to the official grade with a cement concrete base four (4) inches in thickness, and a bitulithic wearing surface one and one half (1½) inches in thickness, and curbed with redwood curbing or headers.

All of such grading, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and are on file in the office of the City Clerk.

Attention is called to the Bitulithic License Mixture Agreement of Warren Brothers Company of Boston, Mass., of date of January 14th 1920 and on file in the office of the City Clerk of the City of Modesto.

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

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish twice a notice inviting such proposals, and referring to the specifications posted or on file in the Modesto Morning Herald, a daily newspaper published and circulated in said City, and hereby designated for the purpose by the City Council.

I hereby certify that the foregoing Resolution was duly and regularly passed by the City Council of the City of Modesto, at a regular meeting of said Council held on the 12th day of January 1921, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love, City Clerk

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RESOLUTION ORDERING THE WORK.

Resolution No. 685-N. S.

RESOLVED, that whereas the City Council of the City of Modesto did on the 24th day of November 1920, pass its Resolution of Intention No. 111 to order there hereinafter described work to be done and improvement to be made in said City as required by law, as appears from the affidavit of Modesto Morning Herald now on file in the office of the City Clerk of said City; and whereas, notice of the passage of said Resolution of Intention No. 111 headed "Notice of Improvement were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, in time, form, manner and number as required by law, after the passage of said Resolution of Intention as appears from the affidavit of Nels Hansen who personally posted the same, and who, upon the completion of the posting of said notice, forthwith filed said affidavit in the office of the City Clerk making oath that he completed the posting of said notices, on the 3rd day of December 1920, and whereas, all protests or objections presented have been disposed of in time, form and manner as required by law, the City Council having found that said protests were made by owners of less than one-half of the area of the property to be assessed for said improvement, and said City Council having now acquired jurisdiction to order the proposed improvement, it is hereby

RESOLVED, that the public interest and convenience require the work herein described and the City Council of the City of Modesto hereby orders the following work to be done and improvement to be made in said City, to-wit:

That the alley between Ninth Street and Tenth Street from the northwest line of "K" Street to the southeast line of "L" Street, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, excepting therefrom any of said work already done to the the official grade, also excepting however, from all of the aforescribed work, such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon.

Be graded and thereupon paved to the official grade with a cement concrete base four (4) inches in thickness, and a Bitulithic wearing surface one and one-half (1½) inches in thickness, and curbed with redwood curbing or headers. All of such grading, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

Attention is hereby called to the Bitulithic License Mixture Agreement of Warren Brothers Company of Boston, Mass., of date of January 14, 1920, and on file in the office of the City Clerk of the City of Modesto.

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

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor conspicuously for five days on or near the Council Chamber door, inviting such proposals, and referring to the specification posted or on file in the Modesto Morning Herald, a daily newspaper published and circulated in said City and hereby designated for that purpose by the City Council.

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Modesto, at a regular meeting of said Council held on the 22nd day of December 1920, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: E. A. Love,  
City Clerk

RESOLUTION NO. 880-M. J.

WHEREAS, owing to the fact that the uncollected personal property assessments were placed on the assessment roll with the tax rate of \$1.00 against them and collected on this basis up to such a time as the rate was raised to \$1.90 and after making every reasonable effort to collect this difference from the tax payers there remains an uncollected balance in the amount of \$102.55 on the tax collector's tax roll.

NOW, THEREFORE, Be It Resolved that the Tax Collector be and he is hereby released from further responsibility and obligation to collect this unpaid balance, it appearing that such tax payers no longer reside in this City or that they no longer have property on which to levy. The City Auditor is hereby authorized to credit the City Tax Collector with this uncollected balance.

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

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

Noes: Councilmen None

Absent: Councilmen None

E. A. Love, City Clerk

RESOLUTION NO. 687-N. S.

A Resolution authorizing the Commissioner of Public Works to construct a portion of the storm sewer by "force Account".

WHEREAS, pursuant to certain proceedings heretofore had by the City Council relating to the issuance and sale of bonds in the sum of \$75,000.00 for the construction of storm sewers plans and specifications for the construction of said storm sewers were filed by the City Engineer with the Council and approved, and bids thereafter called for for the furnishing of the material and the performance of the labor and for the construction of said storm sewers, and

WHEREAS, said bids were opened and examined by the City Council at a regular meeting of said Council held on the 22nd day of December, 1920 and thereafter laid over to a regularly adjourned meeting held on the 23rd day of December, 1920 (being this meeting), and

WHEREAS, said bids are considered too high and the Council has rejected all of said bids.

NOW, THEREFORE, Be It Resolved that the work called for in said notice to bidders to-wit: the construction of a storm sewer on Meedham Avenue from Elmwood Avenue to Ninth Street in the City of Modesto according to the plans and specifications therefor and according to said notice to bidders, shall be done by the Department of Public Works of the City of Modesto .

BE IT FURTHER RESOLVED that the Commissioner of Public Works be, and he is hereby, authorized and instructed to purchase for the City of Modesto the necessary machinery for the manufacture of the sewer pipe and the laying of the same, and that he further authorized and directed to employ such labor as may be necessary for the purpose of manufacturing said pipe and the excavation of the trenches for the same, and the laying of the same and the refilling of the trenches, to the same extent in every particular as if said work were being done by contract and so that the said sewer may be constructed and finished in accordance with the plans and specifications aforesaid.

The foregoing resolution was introduced by Councilman Utter, who moved its adoption, which motion being duly seconded, it was, upon roll call, carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,  
City Clerk

A resolution calling a special municipal election in and for the City of Modesto and a special election in and for the Modesto City School District for the purpose of voting upon the question of the ratification of certain amendments to the charter of the City of Modesto.

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

That a special municipal election in and for the City of Modesto be, and the same is, hereby called to be held on Tuesday the first day of February, 1921 for the purpose of voting upon the question of the ratification or rejection of certain amendments to the Charter of the City of Modesto, and that a special election in and for the Modesto City School District is likewise called to be held on the same day, to-wit: Tuesday the first day of February, 1921, for the purpose of voting upon the question of the ratification or rejection of certain amendments to the Charter of the City of Modesto relating to the School District thereof; that the charter amendments to be submitted to the qualified electors of the City of Modesto at said special municipal election are those specifically set out in the Resolution of this Council adopted on the 8th day of December, 1920 known and described as Resolution No. 676-N. S., which said proposed charter amendments are numbered in said resolution from one to nineteen inclusive, and that the charter amendment to be submitted to the qualified electors of the Modesto City School District outside of the corporate limits of the City of Modesto is that designated and numbered No. 19 in Resolution No. 676-N. S. aforesaid; that all of said proposed charter amendments shall be submitted to the qualified electors of the City of Modesto at said special election but that charter amendment No. 19 only shall be submitted to the qualified electors of the Modesto City School District outside of the corporate limits of the said City of Modesto; that said special election shall be held as aforesaid on Tuesday the first day of February, 1921, and the polls for said special election shall be opened at six o'clock in the morning of said day and must be kept open until six o'clock in the evening of said day, when the polls shall be closed; that said special election shall be held in all particulars not recited in this resolution as provided by law and the other ordinances of the City of Modesto for holding municipal elections so far as the same are applicable, and that the foregoing provisions shall apply also to the special election in and for the Modesto City School District. The ballots to be used at said special election within the boundaries of the City of Modesto shall be in substantially the following form:

MUNICIPAL BALLOT.

Directions to Voters.

Each voter desiring to vote for the ratification of any of the amendments set forth on this ballot shall place a cross (X) in the voting square after the printed word "yes" after the proposition in favor of which he desires to vote. If an elector desires to vote against the adoption of any of said propositions he shall place a cross (X) in the voting square after the word "no" after any of the propositions against which he desires to vote. The marks shall be made with the rubber stamp and ink which will be found in each booth and the ballot shall not be marked in any other manner. Each proposition should be voted for or against separately. Each proposition should be voted for or against separately.

Proposed Charter Amendment No. 1			
(Amending Subdivision 11, Section 4, Article III.)	Yes	(	)
	No	(	)
Proposed Charter Amendment No. 2.	YES	(	)
(Amending Subdivision 14, Section 4, Article III).	NO	(	)
Proposed Charter Amendment No. 3	YES	(	)
(Amending Subdivision 20, Section 4, Article III)	No	(	)
Proposed Charter Amendment No. 4	YES	(	)
(Amending Subdivision 40, Section 4, Article III)	NO	(	)
Proposed Charter Amendment No. 5	YES	(	)
(Amending Subdivision 52, Section 4, Article III)	NO	(	)
Proposed Charter Amendment No. 6	YES	(	)
(Amending Subdivision 67, Section 4, Article III)	NO	(	)
Proposed Charter Amendment No. 7			
(Amending Subdivision 19, Section 6, Article IV) and repealing Sub-division 20, 21, and 22 of Section 6 Article IV.	YES	(	)
	NO	(	)
Proposed Charter Amendment No. 8.	YES	(	)
(Amending Subdivision 26, Section 6, Article IV)	NO	(	)
Proposed Charter Amendment No. 9.	YES	(	)
(Amending Section 10, Article V)	NO	(	)
Proposed Charter Amendment No. 10	YES	(	)
(Amending Subdivision 7, Section 30, Article VII)	NO	(	)
Proposed Charter Amendment No. 11	YES	(	)
(Amending Section 30, Article VIII)	NO	(	)
Proposed Charter Amendment No. 12	YES	(	)
(Amending Section 40, Article VIII)	NO	(	)
Proposed Charter Amendment No. 13	YES	(	)
(Amending Section 42, Article VIII)	No.	(	)
Proposed Charter Amendment No. 14	Yes	(	)
(Amending Section 51, Article IX)	NO	(	)
Proposed Charter Amendment No. 15	YES	(	)
(Amending Section 52, Article IX)	NO	(	)

Proposed Charter Amendment No. 16

(Amending Section 59, Article  
X)

Yes ( )

No ( )

Proposed Charter Amendment No. 17

(Amending Section 41, Article  
VIII)

Yes ( )

No ( )

Proposed Charter Amendment No. 18

(Amending Section 11, Article V)

Yes ( )

No ( )

Proposed Charter Amendment No. 19.

( Amending Article 16)

Yes ( )

No ( )

The ballot to be used at the election to be held outside of the corporate limits of the City of Modesto but within the Modesto City School District shall be in substantially the following form:

#### MUNICIPAL TICKET

##### Directions to Voters.

Each voter desiring to vote in favor of amending Article 16 of the charter of the City of Modesto shall stamp a cross (X) in the voting square after the printed word "yes" after the proposition. If any elector desires to vote against the said proposed charter amendment he shall stamp a cross (X) in the voting square after the word "no" after the proposition. The mark should be made with the rubber stamp and ink which will be found in each booth and the ballot shall not be marked in any other manner.

Proposed Charter Amendment No. 19.

(Amending Article 16 of the Charter  
of the City of Modesto.)

Yes ( )

No ( )

That for the purpose of holding said special election the City of Modesto and that portion of the Modesto City School District lying within the corporate limits of the City of Modesto shall be, and the same are, precincted and established into six special election or consolidated election precincts, which said special election or consolidated election precincts are established as hereinafter specified, and which said special election or consolidated election precincts shall be known, designated and numbered as follows:

Special Election or Consolidated Election Precinct No. 1

Special Election or Consolidated Election Precinct No. 2

Special Election or Consolidated Election Precinct No. 3

Special Election or Consolidated Election Precinct No. 4

Special Election or Consolidated Election Precinct No. 5

Special Election or Consolidated Election Precinct No. 6

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

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

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

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

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

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

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

The Territory included within the Modesto City School District but outside of the corporate limits of the City of Modesto and within which proposed charter amendment No. 19 only shall be voted upon is, for the purpose of said election, hereby divided and established into three election precincts, the designation and boundaries of which are hereby defined as follows:

Mensingher Precinct, which shall comprise all of the territory within the Modesto City School District heretofore described and outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

Maze Precinct, which shall comprise all of the territory within the Modesto City School District hereinbefore described and outside of the corporate limits of the City of Modesto which lies north of the Tuolumne River and west of the Central Pacific Railroad.

Tuolumne Precinct, which shall comprise all of the territory within the Modesto City School District and outside of the limits of the City of Modesto, which lies south of the Tuolumne River, and also that territory within said School District which lies between the Tuolumne River and Dry Creek.

The following places are hereby fixed and designated as and for polling places for the purpose of holding said election at and in said respective consolidated precincts and the following named persons are hereby designated and appointed to act as officers of said election at said special election at the respective special election or consolidated election precincts indicated, and will conduct the same, to-wit:

Special Election or Consolidated Election Precinct No. 1.

Polling Place: T. K. Beard's Garage, 102 Sycamore

Inspector J. I. Jones

Judges: Dora J. Russell and Francis Arnold

Clerks: Lula A. Henley and Kathrine Hunsucker and J. W. Stebbins

Special Election or Consolidated Election Precinct No. 2.

Polling Place: Mrs. H. A. Bates Garage, 1725 Downey Avenue.

Inspector: Verna McGee

Judges: Lillian H. Wead and Beryl L. Smith

Clerks: C. L. Buckman and Mrs. C. B. Buchanan and Mary Drouillard

Said Election or Consolidated Election Precinct No. 3.

Polling Place: F. M. Fellow's Garage 1201 11th St.

Inspector: A. M. Briggs

Judges: Eva Downer and Lillie Elliott

Clerks: Mayme Cotton and Laura Briggs and Minnie A. Glidden

Special Election or Consolidated Election Precinct No. 4.

Polling Place: City Hall 717- 10th Street

Inspector: Fern B. Brainard

Judges: Mrs. Mose Adams and Minnie E. Kline

Clerks: Veda G. Cross and Effie L. Curtis and Mary El Van Aken

Special Election or Consolidated Election Precinct No. 5:

Polling place: Voting Booth Corner Washington, Fifth and Stanislaus

Inspector: W. S. Mann

Judges: A. W. Turpen and Mrs. L. J. Reese

Clerks: Gladys A. Wilson and Grace Teeter and Minna I. Demrell

Special Election or Consolidated Election Precinct No. 6.

Polling Place: Garage facing H St. at 729 5th

Inspector: Geo. F. Boen

Judges: Lula A. Larabee and Pearl L. Nichols

Clerks: Robt. Miller and Ethel Wilhite and Chas. Fredennick

Mensinger Precinct:

Polling Place: Old Ranch house Mensinger Tract. on McHenry Road.

Inspector: Mrs. H. Gratz

Judges: R. O. Sparks and Adam Hill

Clerks: J. M. Cochrane and Jas. Arthur St. Clair and T. Lee Dagger

Maze Precinct:

Polling Place: Maze Ranch on Maze Road.

Inspector: W. O. Marriot

Judges: J. D. Vanderkar and H. M. Truelson

Clerks: Hester Griffith and Jay Anderson and Herbert Fellows

Tuolumne Precinct:

Polling Place: M. Hammett's Garage Waterford Road and Santa Rita Avenue

Inspector: M. Hammett

Judges: L. A. Swain and O. Hoover

Clerks: John Evans and Roy Lammiman and E. P. Lile

The City Clerk of the City of Modesto is hereby directed to provide the necessary election supplies, arrange for polling places as hereinabove specified, and to cause a copy of this resolution to be printed once in the official newspaper of the City of Modesto at least ten days before the date of said election, and to mail to each qualified voter whose name appears on the great register, at least three days prior to the election, a sample ballot, together with a copy of this resolution.

The foregoing resolution was introduced by Councilman Utter, who moved its adoption, which motion being duly seconded, it was adopted upon roll call by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk.

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RESOLUTION NO. 690-N. 3.

Whereas the Pacific Telephone and Telegraph Company has filed with the City Council its formal acceptance of the franchise awarded to said Pacific Telephone & Telegraph Company in accordance with the terms of Ordinance No. 188-N. S. which acceptance is executed by the President and Secretary of said Pacific Telephone and Telegraph Company and bears the seal of said Corporation.

Therefore Be It resolved that said acceptance be accepted and placed on file and that the Clerk of this Council be and he is hereby instructed to acknowledge receipt and filing of the same under the seal of the City and to transmit to said Pacific Telephone and Telegraph Company a certified copy of this resolution.

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

Ayes: Councilmen Cuneo, Parks, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

I, L. A. Love City Clerk of the City of Modesto and Clerk of its Council, do hereby certify that the foregoing is a full, true and correct copy of a resolution introduced and adopted at a regular meeting of the Council of the City of Modesto, duly and regularly called and held on January 26, 1921; that the same has never been cancelled, revoked or rescinded; that it is now and ever since has been in full force and effect and that it appears in full as above written on the official minutes of the said City Council.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City of Modesto this 27th day of January, 1921.

L. A. Love

City Clerk and Clerk of the  
City Council.

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RESOLUTION NO. 691-N. S.

WHEREAS, the vault of the Clerk's office is cluttered up with an accumulation of election returns extending over a period of many years last past, and

WHEREAS, the results of the election evidenced by said returns have been canvassed and made of record and no useful purpose is subserved by longer keeping said returns on file.

Therefore, Be It Resolved that the City Clerk be, and he is, hereby authorized and instructed to destroy all returns of elections held within the City of Modesto under the jurisdiction of the City Council prior to the 1st day of January, 1920.

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

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

Noes: Councilmen None

Absent: Councilmen None

Dated February 23, 1921.

L. A. Love

City Clerk  
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RESOLUTION NO. 692-N. S.

A Resolution adopting plans and specifications.

WHEREAS, by Ordinance No. 158-N. S. the City Engineer was required to prepare and submit to this Council plans and specifications for the construction of a well to be known as well No. 6 and plans and specifications for equipping the same with the necessary pumping machinery and equipment, and

WHEREAS, said well has been completed and the City Engineer has this day delivered/and filed with the Council plans and specifications for a pumping plant for said well consisting of a pump and the electrical motor and other equipment necessary to the operation of the same.

NOW, THEREFORE, Be It Resolved that said plans and specifications as submitted by said engineer be, and the same are, hereby adopted.

Be It Further Resolved that the City Clerk be instructed to advertise for bids for said equipment, such bids to be opened on the 25rd of March, 1921 at 7:30 o'clock P. M.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1921 by Councilman Cuneo, who moved its adoption, which motion being duly seconded it was carried by the following vote :

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 693-N. S.

WHEREAS, there has been recently circulated a petition requesting that an election be called for the recall of Mayor Ulrich in which it is charged that he has been incompetent and guilty of excessive expenditures of the City's funds, and

WHEREAS, the City Council has at all times acted as a unit in the authorization and expenditure of the City's funds and have used their honest and sincere judgment in all civic matters, we hereby invite any individual or committee representing any civic organization in the City of Modesto to make a thorough and complete investigation of any of the acts of the Council and request that their findings be published in the local daily newspapers for the information of the people of Modesto.

The above resolution adopted on roll call by unanimous vote of the Council present at its meeting Wednesday March 9th, 1921. Resolution introduced by Councilman Cuneo.

Attest: L. A. Love  
City Clerk

RESOLUTION NO. 694-N. S.

WHEREAS, the Hall Aeroplane Company is contemplating the construction of an Aeroplane factory in the City of Modesto which project has been endorsed by the Chamber of Commerce, and

WHEREAS, in the construction of said factory they may desire to acquire a portion of the land now held by the City of Modesto within the limits of the Aviation Field which said land so desired by said Hall Aeroplane Company is not necessary however for the maintenance of the Aviation Field

NOW, THEREFORE, Be It Resolved that the project of the Hall Aeroplane Company be endorsed.

Be It Further Resolved that in event they shall desire to acquire a piece of property owned by the City of Modesto but outside of the limits of the said City and not necessary for the use of the Aviation Field that this Council go on record as being in favor of selling such piece of property to the Hall Aviation Company.

The above resolution was introduced by Councilman Cuneo March 12, 1921 who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Parks, Wtter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Turner.

L. A. Love

City Clerk

RESOLUTION NO. 695-N. S.

A resolution provided for a general municipal election in and for the City of Modesto and a general election in and for the Modesto City School District.

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

That under and pursuant to the Charter of the City of Modesto a general municipal election in and for the City of Modesto be, and the same is hereby, called to be held on Tuesday the 12th day of April, 1921 for the purpose of electing the following officers of the City of Modesto, to-wit: Two Councilmen.

And a general election in and for the Modesto City School District is likewise called to be held on the same day, to-wit: on Tuesday the 12th day of April, 1921, for the purpose of electing certain officers of said Modesto City School District, to-wit: Two members of the Board of Education of the Modesto City School District.

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

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

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

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

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

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

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

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

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

That for the purpose of holding said election the territory included within the Modesto City School District but outside of the corporate limits of the City of Modesto is, for the purpose of said election, hereby divided and established into three election precincts, the designation and boundaries of which are hereby defined as follows:

Mensingher Precinct, which shall comprise all of the territory within the Modesto City School District heretofore described but outside of the corporate limits of the City of Modesto which lies north of Dry Creek and east of the Central Pacific Railroad.

Maze Precinct, which shall comprise all of the territory within the Modesto City School District hereinbefore described but outside of the corporate limits of the City of Modesto which lies north of the Tuolumne river and west of the Central Pacific Railroad.

Tuolumne Precinct, which shall comprise all of the territory within the Modesto City School District but outside of the corporate limits of the City of Modesto which lies south of the Tuolumne river, and also that territory within said school district which lies between the Tuolumne river and Dry Creek.

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

Special Election or Consolidated Election Precinct No. 1.

Polling Place: T. K. Beard's Garage, 102 Sycamore

Inspector: J. I. Jones

Judges: Disa J. Russell and Lulu R. Henley

Clerks: Joseph R. Tucker and W. G. Proper and Kathrine Hunsucker

Special Election or Consolidated Election Precinct No. 2.

Polling Place: Mrs. H. A. Bates Garage - 1725 Downey Avenue

Inspector: Verna Mc Gee

Judges: Lillian H. Wead and Beryl L. Smith

Clerks: Mrs. G. B. Buchanan and Mertie T. Ellis and Mary T. Drouillard

Special Election or Consolidated Election Precinct No. 3.

Polling Place: F. L. Fellows Garage - 1201-11th Street.

Inspector: A. M. Briggs

Judges: Mary E. Estes and Alice Dozier

Clerks: Maymie Cotton and Minnie A. Glidden and Eva Downer

Special Election or Consolidated Election Precinct No. 4.

Polling Place: City Hall - 717- 10th St.

Inspector: Fern B. Brainard

Judges: Mrs. Mose Adams and Mary E. Van Aken

Clerks: Veda Cross and Effie L. Curtis and Minnie S. Kline

Special Election or Consolidated Election Precinct No. 5.

Polling Place: Meat Market - 227 Stanislaus St.

Inspector: Chas. Kinter

Judges: J. D. Ford and A. W. Turpen

Clerks: Grace Teeter and Josephine Wood and Minnie E. Darrrell

Special Election or Consolidated Election Precinct No. 6.

Polling Place: Garage facing H Street at 729 - 5th Street

Inspector: Geo. F. Boen

Judges: Jas. Harris and Lula A. Larabee

Clerks: Florence M. Turpen and Mrs. Anna Walsh and Pearl L. Nichols

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

Mensingers Precinct:

Polling Place: Old Ranch House, Mensinger Tract

Inspector: E. Gratz

Judges: A. O. Sparks and Adam Hill

Clerks: J. A. St. Clair and Sadie E. Dagger and Emma H. Cochran

Maze Precinct:

Polling Place: Maze Ranch on Maze Road

Inspector: W. O. Harriott

Judges: H. Truelson and S. D. Vanderkar

Clerks: Hester K. Griffith and Jay Anderson and Mrs. W. E. Vanderkar.

Tuolumne Precinct:

Polling Place: L. B. Rose Garage. - cor Waterford Road and Santa Rita Avenue

Inspector: O. Hoover

Judges: L. R. Swain and John Evans

Clerks: R. V. Lammiman and Edgar H. Gum and Jas. Lewis

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

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

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

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 23rd day of March, 1921, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Approved March 24, 1921.

George J. Ulrich

Mayor

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 695 A -N. S.

WHEREAS, M. Bodem is the owner of the following described real property lying within the exterior boundaries of the municipal aviation field and Fair Grounds, which property is necessary for the public use and development of said field, and

WHEREAS, there is now money in the public fund for the purchase of said property,

NOW, THEREFORE, Be It Resolved that the City of Modesto purchase from said M. Bodem the following described real property lying, situate and being in the City of Modesto, County of Stanislaus, State of California, to-wit: Lots 9-10-11-18 of Block 514 and 19 and 20 in Block 515 in the City of Modesto according to the map or plat thereof on file in the Recorder's Office of Stanislaus County, in vol. 10 of Maps, for the sum of Six Hundred Sixty (\$660.00) Dollars.

Be It Further Resolved that a warrant be drawn in favor of said M. Bodem and delivered in escrow to the Stanislaus Land & Abstract Company to be delivered to said Bodem when he shall deliver to said abstract company for the City a Deed conveying title to said property to the City of Modesto free and clear of incumbrances, except the taxes for the current fiscal year and the fiscal year beginning July 1st, 1921 and the apparent cloud to the title on said property caused by the recordation of contracts of previous vendees of said property, which contracts have heretofore been forfeited by reason of non-compliance with the terms thereof, said Bodem, however, to execute to the City of Modesto a guarantee against any liability by reason of said contracts.

The foregoing resolution was introduced by Councilman Turner who moved its adoption at a regular meeting of the Council March 30, 1921 which motion being duly seconded, it was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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Resolution No. 696-N. S.

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:

The construction of three comfort stations, one each in Enslin Park, Graceada Park and Maze and Wren Park in the City of Modesto as prepared by the City Engineer of said City and submitted this 15th day of April 1921 be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 15th day of April 1921, by the following vote:

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

Noes: Councilman None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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Resolution No. 697-N. S.

A resolution providing for the payment of the expenses of the recall election held on the 5th day of April, 1921.

WHEREAS, a special election was held in the City of Modesto on the 5th day of April, 1921 to vote upon the question of the recall of George J. Ulrich as mayor, and

WHEREAS, under the terms of the Charter said election was called, polling places provided and election officers designated by the Clerk without any previous authorization of the Council.

NOW, THEREFORE, Be It Resolved that the acts of the Clerk in calling said election, providing polling places and designating election officers be, and the same is, hereby ratified.

Be It further Resolved that the Clerk be, and he is hereby, authorized to draw his warrant in favor of the lessors of the polling places for the rental of the polling places and in favor of the election officers serving at said election for their per diem as follows: For each lessor of a polling place the sum of \$5.00 Dollars, and to each officer of the election the sum of \$5.00.

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

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

Noes: Councilmen None

Absent: Councilmen None

I hereby certify that the foregoing resolution was passed at a regular meeting of the City Council of the City of Modesto held on the 13th day of April, 1921.

Attest: L. A. Love,

City Clerk

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RESOLUTION NO. 698-N. S.

WHEREAS, the City of Modesto makes use of the County Jail of the County of Stanislaus for the keep of city prisoners but has not heretofore furnished any regular assistance to the Sheriff in the keeping of said prisoners.

NOW, THEREFORE, Be It Resolved that one extra man be added to the police force of the City of Modesto, to be designated by the Commissioner of Public Health and Safety, whose duty it shall be to act as jailer for the city prisoners in the County Jail under the supervision of the Chief of Police.

Be It Further Resolved that the salary of said extra policeman shall be the sum of One Hundred Fifteen (\$115.00) Dollars beginning March 1st, 1921.

The foregoing Resolution was introduced by Councilman Cuneo who moved its adoption at a regular meeting of the City Council April 13, 1921 which motion, being duly seconded, it was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 699-N. S.

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:

The improvement of double concrete tennis court in Graceada Park in Block 532 between Sycamore and Park Avenues and Alice and Wright Streets within the City of Modesto, Stanislaus County, California as prepared by the City Engineer of said City and submitted this 13th day of April 1921 be and the same are hereby adopted as and for the plans and specifications for doing said work.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized to advertise for bids for doing the work as outlined in said plans and specifications.

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Council of the City of Modesto the 13th day of April 1921, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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ORDER DETERMINING RESULT OF ELECTION.

Resolution No. 700-N. S.

WHEREAS, a General Municipal Election was held in and for the City of Modesto, and a General School Election in and for the Modesto City School District, on the 12th day of April, 1921, and

WHEREAS, the City Council of the City of Modesto is now sitting as a canvassing board to canvass the results of said election, and has received all the returns from said election and find the same in proper form, and having opened and canvassed the same and ascertained the results of said election;

NOW, THEREFORE, be It Resolved, Certified and Declared by the Council of the City of Modesto that the said General Municipal Election in and for the City of Modesto, and said General School Election in and for said Modesto City School District, was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears that at said General Municipal election in and for the City of Modesto the total number of votes cast was 1208;

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

For Jno. C. Cuneo	788 votes;
For E. R. Utter	830 votes;
For D. J. Gerard	454 votes
For F. A. Weast	280 votes

That the number of votes received by each of the following, to-wit: Jno. C. Cuneo and E. R. Utter, is greater than one half of the number of ballots cast at such election, and that said Jno. C. Cuneo and E. R. Utter are, and each of them is elected to the office of Councilman of the City of Modesto, and that a certificate of election to the office of Councilman of the City of Modesto be issued to said Jno. C. Cuneo and E. R. Utter, respectively, under the hand and seal of the City Clerk.

The said Council sitting as such canvassing board, as aforesaid, further find and declare that at said General School Election in and for said Modesto City School District the total number of votes cast was 1241; that the number of votes received by each of the candidates for election to the office of member of Board of Education of said Modesto City School District was as follows:

Mamie R. Surryhne                      913 votes;  
Carl A. Hansen                              902 votes;

That the number of votes received by Mamie R. Surryhne and Carl A. Hansen, and each of them, is greater than one half of the number of ballots cast at such election, and that said Mamie R. Surryhne and said Carl A. Hansen were, and each of them was elected to the office of Member of Board of Education of the Modesto City School District, and that certificates of election be issued to them as such under the hand and seal of the City Clerk.

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Council of the City of Modesto the 13th day of April 1921 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love,  
City Clerk

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RESOLUTION NO. 701-N. S.

A Resolution Authorizing the Tidewater Southern Railroad Company to Substitute Concrete Construction for Basalt Blocks.

WHEREAS, under Ordinance No. 166 of the City of Modesto the Tidewater Southern Railroad Company was granted a franchise to construct, maintain and operate in the City of Modesto an electric railroad, which said ordinance required among other things (Subdivision F, Section 2) that in laying its tracks on the streets in Modesto where the said streets are paved with asphalt, a footing of basalt blocks shall be laid on each side of the rails, and

WHEREAS, said Tidewater Southern Railroad Company has made application to the Council for permission to substitute concrete of the said basalt blocks, and

WHEREAS, in the opinion of the Council it appears that a substantial and durable construction will be obtained thereby.

NOW, THEREFORE, Be It Resolved that the said Tidewater Southern Railroad Company in lieu of laying basalt blocks on each side of its rails on the streets of the City of Modesto that are paved with asphalt may construct its rails in cement concrete of proper mixtures and proportions, well and substantially laid and tamped, and that the use of cement concrete in lieu of basalt blocks, provided the construction thereof is substantial, shall not be construed to be a violation of the terms of the ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of April, 1921 by Councilman Cuneo, who moved its adoption, which motion being duly seconded, it was carried and the resolution adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love, City Clerk

RESOLUTION NO. 702-H. S.

WHEREAS it appears that the epidemic of rabbies has now subsided to the point where it is no longer necessary to keep the dogs in the City limits of the City of Modesto muzzled

WHEREFOR BE IT RESOLVED that that portion of Section 1 of Ordinance No 1 208-H. S. providing for the muzzling of dogs be considered inactive and not in effect until such time as this board see fit to reinstate the provisions set forth.

The foregoing resolution was introduced by Councilman Cuneo on the 27th day of April, 1921 and adopted by the following vote:

Ayes: Councilmen Cuneo, Parks, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Utter.

Attest: L. A. Love

City Clerk

RESOLUTION NO. 703-H.S.

A resolution Granting Permission to the Tidewater Southern railroad Company to construct and maintain a Spur Track.

WHEREAS, the Tidewater Southern railroad Company on May 11th, 1921 filed with the City Clerk its application for permission to construct and maintain a spur track in the City of Modesto across a public street therein commencing at a point on its present railroad on Ninth Street in said City at a point about one hundred fifty-six (156) feet southeasterly from the northern boundary line of Lot Thirty-two (32) in Block Sixty (60), extending in a southwesterly direction on Ninth Street across the present track of said railroad; thence on a curve in a northwesterly, northerly and northeasterly direction to and upon Lot Thirty-three (33) as shown by the map marked Exhibit "A" attached to the written application filed herein, and

WHEREAS, said spur track is proposed to be used for the purpose of connecting warehouses, manufactories, and other business industries and enterprises with a railroad, to-wit: the Tidewater Southern Railroad, which now enters the City of Modesto.

NOW, THEREFORE, be It Resolved that permission be, and the same is hereby, granted to said Tidewater Southern Railroad Company to lay down a spur track and to run cars thereon for the purpose of connecting warehouses, manufactories, or other business industries and enterprises with the line of the Tidewater Southern Railroad Company in the City of Modesto, as asked for in the application hereinabove referred to, and on the route shown and designated on the blue print attached to said application. This permit is granted subject to the conditions and restrictions contained in Subdivision 60 of Section 4 of Article 3 of the Charter of the City of Modesto, to-wit: that the tracks must be laid level with the street and operated in such a manner as not to interfere with the use of the streets by the public, and that the permit granted hereby shall be revocable at the pleasure of the Council.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1921 by Councilman Cuneo, who moved its adoption, which motion being duly seconded, was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 704-N. S.

Being a Resolution to stimulate petitions to the Congress of the United States requesting their re-consideration of the Transportation Act of 1920; and to provide the representatives in Washington of Pacific Coast States with facts and figures relative to the effect that the present rate structure has upon the industries of the West in order that they may bring the true conditions to the attention of Congress.

WHEREAS, the prosperity of California and the entire Pacific Coast is dependent upon the success or failure of the great agricultural industries of the West and

WHEREAS, by Section 422 of the Transportation Act of 1920, amending the Interstate Commerce Commission Act by adding Section 15 A thereto, the Congress of the United States prescribes a rule of rate making whereby the Interstate Commerce Commission shall fix rates so that carriers as a whole will earn an aggregate net income of 6% upon the aggregate value of the railway property, and

WHEREAS, such rule of rate making imposes upon shippers and the public an excessive transportation burden and has in its operations wholly failed to accomplish any beneficial results for the carriers, but on the contrary, has been detrimental to the interests of producers and the public at large, and

WHEREAS, in determining the value of such railway property, there is included without limitation all property of railway companies, regardless of whether it has ever earned or would ever be able to earn a profit and regardless of the amount of tonnage which it might reasonable expect to transport, and

WHEREAS, such valuation results in an amount wholly fictitious and unwarranted and far greater than the market value of railway properties, and

WHEREAS, there is no method prescribed of determining whether the carriers are operating under an honest, efficient and economical management, and

WHEREAS, the excessive transportation burden is more than most of the industries of the West can bear, and

WHEREAS, producers cannot long ship at a loss, and under existing circumstances industries producing a high tonnage per acre face positive ruin, and vast fertile acreage are in danger of becoming waste, and

WHEREAS, in the interests of the State of California, and of the entire Pacific Coast, the producers transportation committee appointed by State Market Director Daniels at the request of Governor Stephens, has inaugurated a "Save the West" campaign, and

WHEREAS, the purpose of this campaign is to awaken the public generally to the seriousness of the present situation; and secure the combined support of all factors interested in the protection and development of these industries, and in the prosperity of California and the entire Pacific Coast, and stimulate petitions to the Congress of the United States requesting their re-consideration of the Transportation Act of 1920; and to provide the representatives in Washington of Pacific Coast states with facts and figures relative to the effect that the present rate structure has upon the industries

of the west in order that they may bring the true conditions to the attention of Congress.

THEREFORE, BE IT RESOLVED, that this body heartily endorses the "Save the West" campaign, and actively enlists in the support of this movement, and

BE IT FURTHER RESOLVED, that this body petition the congress of the United States to reconsider the Transportation Act of 1920 so as to eliminate the objectionable features herein pointed out, and to create a rate structure that will not place a false earning power on a large fictitious railroad capital, the payment of which is stifling industries of the Pacific Coast, and

BE IT FURTHER RESOLVED, that the fullest publicity be given all activity on the part of this body in connection with the present railroad rate situation, and also full publicity be given all facts and figures which may come into the possession of this body, relative to these matters.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1921 by Councilman Cuneo who moved its adoption, which motion being duly seconded, was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks.

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 705-N. S.

A Resolution Relating to the Pay of Laborers Employed by the City.

BE IT RESOLVED by the Council of the City of Modesto that beginning Monday, May 16th, 1921, the pay or wage of the casual or transient labor employed by the City of Modesto in its various departments shall be the sum of Four (\$4.00) Dollars per day. This wage scale shall apply to all unskilled labor employed casually or transiently in all city departments and shall not apply to skilled labor nor to the unskilled laborers, teamsters, street cleaners, etc. regularly employed in permanent positions.

The pay or wage of all unskilled labor, including teamsters, street cleaners and truck drivers, regularly employed in permanent positions shall continue at the rate of wage of Five (\$5.00) Dollars per day until the 1st of July, 1921, at which time it shall be reduced to the sum of Four (\$4.00) Dollars per day, and the auditor of the City of Modesto is instructed to draw his warrant in favor of such laborers upon certification of the time-keeper or head of the department at the rate of Four (\$4.00) Dollars per day after July 1st, 1921. By the term "Day" as used in this Resolution shall be meant eight (8) hours of labor.

The foregoing resolution was introduced by Councilman Cuneo, who moved its adoption, which motion being duly seconded it was carried by the following vote, all at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1921.

The foregoing Resolution was introduced by Councilman Cuneo, who moved its adoption, which motion being duly seconded it was carried by the following vote, all at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1921.

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

Noes: Councilmen None Absent: Councilmen None

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 706-N.S.

WHEREAS, certain plans and specifications for pumping and electrical equipment have been submitted to the Council for installation at Well No. 7 and the said plans and specifications appear to meet all requirements

BE IT RESOLVED that plans and specifications submitted be and they are hereby approved.

The foregoing resolution was introduced by Councilman Cuneo at a regular meeting of the Council held on the 11th day of May, 1921 and was adopted by the following vote:

Ayes: Councilmen Cuneo, Turner and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Parks and Utter

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 707-N. S.

BE IT RESOLVED that the plans and specifications prepared by the City Engineer and this day filed with the City Council for the construction of a storm sewer on Ninth Street from the Tuolumne River to the north side of "I" Street be, and they are, hereby accepted and adopted as the plans for doing said work.

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 707 A-N. S.

WHEREAS on June 8th, 1921 bids were opened for the construction of three Comfort Stations to be built in the parks of the City of Modesto, and

WHEREAS, bids as submitted are deemed to be excessive

THEREFORE BE IT RESOLVED that the bids as submitted be rejected and that the work shall be done under the direction of Park Commissioner and Commissioner of Public Works.

The foregoing resolution was introduced by Councilman Utter on the 15th day of June and was adopted by the following vote:

Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Cunso

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 708-N. S.

A Resolution authorizing the City Clerk to advertise for proposals for the construction of a storm sewer.

BE IT RESOLVED that the City Clerk is hereby instructed to advertise for bids for the construction and installation of a storm sewer on Ninth Street from the north line of "I" Street southerly to the Tuolumne River in accordance with the plans and specifications therefor heretofore adopted by the Council and now on file with the City Clerk, bids to be opened at the regular meeting of the Council to be held on the 1st day of June, 1921 at the hour of seven thirty o'clock P. M., all bids to be accompanied by a certified check on some solvent bank in the State of California or a bidding bond for 10% of the amount bid as a guarantee that the contractor will enter into a contract for the furnishing of the materials for the construction of the work let to him, the contracts to be accompanied by bonds for construction and for the payment of the claims of labor and material specified by the general laws of the State and to comply with the statutes of the State of California with reference to hours of labor the bids to be called to be on separate or alternative propositions as follows:

First: The construction of a storm sewer on 9th Street from the North line of "I" Street southerly to the Tuolumne River as shown on the plans and specifications therefor heretofore adopted and now on file in the office of the City Clerk of the City of Modesto.

Second: The furnishing of the pipe for said sewer in accordance with said plans and specifications.

Third: For the laying of the pipe in the trenches according to plans and specifications therefor, the pipe to be furnished by the City of Modesto.

Fourth: The furnishing of the pipe and the laying of the same in the trenches therefor to be provided by the City of Modesto the said pipe and the laying thereof to conform with the plans and specifications aforesaid.

Fifth: The construction of the trenches for the laying of the pipe and the refilling of the same according to the plans and specifications aforesaid.

It is further ordered that notice to the bidders asking for sealed proposals for the work contemplated or the supplies or materials for the same shall be given by the Clerk by advertising in five successive issues of the official newspaper of the City of Modesto.

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 708 A-N. S.

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

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

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

NOW, THEREFORE, Be It Resolved that the City Treasurer be, and he is hereby, authorized and directed to borrow from the said Sewer Septic Fund the sum of Twenty-nine Thousand Dollars, (\$29,000.00) and to place the same to the credit of the general fund.

BE IT FURTHER RESOLVED that the amount so borrowed from said Sewer Septic Fund be repaid to said fund out of the General Fund not later than six months from the date hereof, and that to secure the repayment of said loan the taxes to be collected under the levy for general fund purposes for the fiscal year beginning July 1st, 1921 be pledged to said sewer Septic Fund, and that as rapidly as said taxes shall be collected and received by the Treasurer they shall by him be charged against the General Fund and credited to the Sewer Septic Fund until said loan shall have been repaid in full, all without any further order of this Council.

The foregoing Resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto held on the 15th day of June, 1921 by Councilman Turner who moved its adoption, which motion being duly seconded, it was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk

RESOLUTION NO. 709-N. S.

A resolution providing for the execution of an agreement with the Southern Pacific Company for permit to cross their right of way with the storm sewer.

WHEREAS, in the construction of the main on 9th Street Line of Storm Sewer of the City of Modesto it is necessary to cross the right of way of the Southern Pacific Railroad at or near the northwesterly line of D Street, and

WHEREAS, the Southern Pacific Company has submitted to this Council a form of agreement for a permit or license for the construction, maintenance and operation of said sewer.

NOW, THEREFORE, Be It Resolved that an agreement be entered into between the City of Modesto by its Mayor and City Clerk and Southern Pacific Company whereby said City of Modesto obtains the right or permit to construct, reconstruct, maintain and operate a 42 inch brick lined storm sewer for conveying drainage water from a point in the southwesterly right of way line of the Railroad Company near the northerly line of D Street; thence northeasterly at right angles to said right of way line, passing under the center line of the main line of said company at Engineer Station 1077 plus 12.5 to a point in the northeasterly right of way line, also passing under two spur tracks of the southern Pacific Company as shown in red ink on the blue print map attached to the agreement.

Be It Further Resolved that this Council approve the form of contract submitted by Southern Pacific Company and that the Mayor and City Clerk of the City of Modesto be authorized to execute said contract and to affix the seal of the City of Modesto thereto, on behalf of the City of Modesto.

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

Ayes: Councilmen Cuneo, Turner, Mayor Ulrich

Noes: Councilmen None

Absent: Councilmen Utter and Parks.

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 710-N. S.

A Resolution Creating the Office of the Clerk of the Police Court and Providing for the Making of the Appointment and the Fixing of the Salary.

WHEREAS, the work in the Police Court has accumulated to such an extent that clerical assistance for the Police Judge is necessary, and

WHEREAS, the Police Judge is also Justice of the Peace of Modesto Township in Stanislaus County, California, and

WHEREAS, under the authorization of the State Legislature the Board of Supervisors of Stanislaus County has created the office of Clerk of the Justice Court and agreed to pay one-half of the salary thereof.

NOW, THEREFORE, Be It Resolved by the Council of the City of Modesto under and by virtue of the provisions of Section 37, Article VIII, of the City Charter that the office of Clerk of the Police Court be, and the same is hereby, created and established. The Clerk of the Police Court shall be appointed by the Police Judge and shall have such powers as are authorized by the Charter of the City of Modesto and shall perform such duties and functions as are prescribed by the Judge of the

Police Court within the limits of the Charter of the City of Modesto. The compensation of the Clerk of the Police Court shall be the sum of Fifty (\$50.00) Dollars per month, payable out of the general funds of the City of Modesto in like manner as the other subordinate officers and employees of the City are paid.

Be It Further Resolved that this Resolution shall be effective from and after the date of its adoption.

Be it Further Resolved that the sum of Six Hundred (\$600.00) Dollars be, and the same is hereby appropriated for the payment of the salary of the Clerk of the Police Court for the fiscal year beginning July 1st, 1921.

The foregoing Resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto held on the 3rd day of August, 1921 by Councilman Turner, who moved its adoption, which motion being duly seconded, it was carried and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 711-N. S.

WHEREAS, heretofore under and pursuant to Resolution No. 709-N. S. of the Council of the City of Modesto a contract was entered into between the Southern Pacific Company and the City of Modesto dated July 15th, 1921 whereby a license was granted to the City of Modesto to construct a 42 inch brick-lined sewer across the right of way of said Southern Pacific Company near the northerly line of D Street in the City of Modesto, and

WHEREAS, in the construction of said sewer it is necessary to excavate an open trench approximately fifteen feet deep in places underneath the tracks of the Southern Pacific Company, and

WHEREAS, it is necessary for the Southern Pacific Company to protect its traffic during the construction and completion of this sewer, and

WHEREAS, the Southern Pacific Company has agreed to take such steps as may be necessary to protect its tracks and traffic during the construction of said sewer at the actual cost of the labor and material therefor to the Southern Pacific Company,

Now, THEREFORE, Be It Resolved that the City of Modesto will honor and pay upon presentation the bill of the Southern Pacific Company for such incidental expense in the protection of its tracks and traffic as herein specified.

The foregoing Resolution was introduced by Councilman Turner at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1921. The adoption of Resolution was moved, seconded and carried by the unanimous vote of the Council as follows:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love  
City Clerk

RESOLUTION NO. 712-N. S.

A Resolution Authorizing an Extension of the Storm Sewer to Connect with the Plant of the Borden Company.

WHEREAS, the present sewer facilities furnished by the City of Modesto to the Borden Company at their plant within the City limits is inadequate, and

WHEREAS, it is feasible to care for said sewage through the newly constructed line of storm sewer at Needham Avenue and Ninth Street, and

WHEREAS, the Borden Company has offered to advance the cost of the labor for the construction and extension of the city sewer from Ninth Street at Needham Avenue to its plant, provided the City will furnish the material and install said sewer.

NOW, THEREFORE, Be It Resolved that the offer of the Borden Company be accepted; that the Commissioner of Public Works be authorized to enter into a contract with said Borden Company for the furnishing of said money, and thereupon the Commissioner of Public Works shall construct and install such extension according to plans to be prepared by and under the supervision of the City Engineer.

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

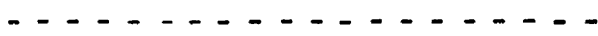
Ayes: Councilmen Parks, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Cuneo.

Attest: L. A. Love

City Clerk



RESOLUTION NO. 713-N. S.

A Resolution Relating to the Transfer of Certain Funds to the General Fund from the Sewer Septic Fund.

WHEREAS, the Council heretofore, by Resolution No. 708-N. S. transferred the sum of twenty-nine thousand dollars (\$29,000.00) from the Sewer Septic Fund to the General Fund, as a temporary loan, and provided that immediately upon the collection of sufficient city taxes in the autumn of 1921, the amount of \$28,000 should immediately and automatically be retransferred to the General Fund; and,

WHEREAS, since said time, an emergency has arisen necessitating the construction of certain storm sewers for which no other money is available, and the moneys to the credit of said Sewer Septic Fund will not be used until at least another tax collection has occurred;

NOW, THEREFORE, Be It Resolved that there be retained in the general fund out of the moneys heretofore ordered to be repaid into said Sewer Septic Fund the sum of Fourteen Thousand Dollars, (which moneys are subject to transfer to a fund set aside for the construction and completion of certain storm sewers in accordance with Ordinance No. 185-N. S.); and that said sum of fourteen thousand dollars so retained at this time be paid back into the Sewer Septic Fund out of the first taxes collected for general City purposes in the year 1922.

The foregoing resolution was introduced at a regular meeting of City Council October 26th, 1921 by Councilman Utter, who moved its adoption, which motion being duly seconded it was carried by the following vote:

- Ayes: Councilmen Cuneo, Parks, Turner, Utter and Mayor Ulrich
- Noes: Councilmen None
- Absent: Councilmen None

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 714-N. S.

Be It Resolved that the portion of the Storm Sewer extending from "I" Street to the River the work on which was done by R. A. Carson Company according to a contract entered into be said R. A. Carson Company and the City of Modesto on June 11th 1921 be accepted in line with Engineer Freitas's recommendation which stipulates that the work has been satisfactorily completed and that the date of the acceptance be October 25th, 1921.

The foregoing Resolution was introduced at a regular meeting of the City Council on November 23rd by Councilman Cuneo who moved its adoption which motion being duly seconded, it was carried and adopted by the following vote:

- Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich
- Noes: Councilmen None
- Absent: Councilman Parks

Attest: L. A. Love  
City Clerk

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RESOLUTION NO. 715-M. S.

BE IT RESOLVED that the plans and specifications prepared by the City Engineer and this day filed with the City Council for the construction of a portion of the storm sewer on 9th Street from "K" Street to "P" Street be and they are hereby accepted and adopted as per the plans for doing the said work.

Be It Further Resolved that the City Clerk is hereby instructed to advertise for bids for the completion and installation of a storm sewer on 9th Street from "I" Street to "P" Street in accordance with the plans and specifications therefor, which plans and specifications are now on file with the City Clerk, bids to be opened at the regular meeting of the Council on the 14th day of December 1921 at the hour of 7:30 o'clock P. M., all bids to be accompanied by a certified check on some solvent bank in the State of California or a bidding bond for 10% of the amount bid as a guarantee that the contractor will enter into a contract for the furnishing of the materials for the construction of the work let to him, the contract to be accompanied by bonds for construction and for the payment of the claims of labor and material specified by the general laws of the State and to comply with the statutes of the State of California with reference to hours and labor, the bids to be called to be on separate or alternative propositions as follows:

First: The construction of a storm sewer on 9th Street from the center line of "K" Street northwesterly to the center line of "P" Street.

Second: For the furnishing of the pipe along

Third: For the laying of the pipe when furnished

Fourth: For the furnishing and laying of the pipe in the trenches.

Fifth: For the excavation of the trenches for the laying of the pipe and the refilling of the same according to the plans and specifications aforesaid.

The foregoing resolution was introduced at a regular meeting of the City Council on November 23rd, 1921 by Councilman Cuneo who moved its adoption which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Cuneo, Turner, Utter and Mayor Ulrich

Noes: Councilmen None

Absent: Councilman Parks

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 716-N.S.

A Resolution authorizing the Tidewater Southern Railroad Company to install A Spur Track.

WHEREAS, the Tidewater Southern Railroad Company on December 5th, 1921 filed with the City Clerk its application for permission to extend a distance of two hundred (200) feet a spur track now existing on Ninth Street and extending from B Street northwesterly along the side of Block Sixty-four (64) of the City of Modesto, the extension to be accomplished by moving the present switch northwesterly along Ninth Street a distance of two hundred (200) feet, as indicated upon the plat attached to said application, which said application or petition is now on file in the office of the City Clerk of the City of Modesto, and

WHEREAS, the construction of said spur or side track is for the purpose of connecting warehouses, manufactories, or other public industries and enterprises with a line of railroad, to-wit: The Tidewater Southern Railroad Company, which now enters the City of Modesto.

NOW, THEREFORE, Be It Resolved that the permit asked for in said petition be, and the same is, hereby granted in accordance with the terms and prayer of said petition, which said petition is on file in the Clerk's Office and is hereby referred to for greater certainty. This permit is granted upon the express conditions, however,

First: That the grantee shall at its own cost and expense take care of a meter box now situated in the street at or near the point where said extension is to be made and that it shall either properly protect said meter box from injury or cause the same to be removed to some safe and suitable place, all at its own cost and expense.

Second: That the grantee shall pave between the rails of said extension and for two (2) feet on each side thereof in the same manner and with the same material and under the same specifications as the balance of the street may hereafter be paved.

Third: That the track must be made level with the street and must be operated in such a manner as not to interfere with the use of the streets by the public.

Fourth: This permit is granted in accordance with the provisions of Subdivision 60 of Section 4, Article III of the Charter of the City of Modesto and shall be revocable at the pleasure of the Council.

The foregoing Resolution was introduced at an adjourned meeting of the Council of the City of Modesto held on the 7th day of December, 1921 by Councilman Utter, who moved its adoption, which motion, being duly seconded, the resolution was carried and declared adopted by the following vote:

Ayes: Councilmen Cuneo, Parks and Utter

Noes: Councilmen None

Absent: Councilmen Turner and Mayor Ulrich

Attest: L. A. Love

City Clerk

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RESOLUTION NO. 717-N1 S.

A Resolution Setting Aside a Certain Portion of the Tract of Land Known as the Industrial Exposition Park and Aviation Field for Athletic Purposes.

WHEREAS, the City of Modesto has heretofore acquired a tract of land within the City limits embracing approximately forty (40) acres, a portion of which will be devoted to Fair Grounds and an Industrial Exposition Park, and a portion of which will be devoted to an Aviation Field, and a portion of which is available to be set aside for an Athletic Field.

NOW, THEREFORE, Be It Resolved that that portion of said tract of land lying at the northerly end thereof and westerly of the portion heretofore designated as the Aviation Field, and which is more fully shown on the map thereof submitted to this Council by the Board of Education on this 9th day of December, 1921, be, and the same is hereby set aside as the site for the Athletic Field.

The foregoing Resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto held on the 9th day of December, 1921, by Councilman Parks, who moved its adoption, which motion being duly seconded, it was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love

City Clerk