

Council, City of Modesto

January 14th, 1925.

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 December 24th, 1924, were read and ordered approved as read.

In the Matter of Claims:

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

General Fund.....	\$24086.01
Water Fund.....	4624.31
Library Fund.....	1265.03
Bond Red. & Int.....	4892.64
Miscellaneous.....	548.79
TOTAL.....	<u>\$35416.78</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 Closing Carlson Street:

Pursuant to the request of Mr. Courtney, asking that the City close Carlson Street, which was continued from the last meeting and at which time the Council promised Mr. Courtney to take the matter under advisement and investigate. It appears, upon investigation of the closing of Carlson Street, that there has been serious objections raised by some of the property owners whose property is affected by the closing of the same, and in view of that fact, the City Council informed Mr. Courtney that the matter of closing Carlson Street would be tabled indefinitely.

In the Matter of Tennis Courts:

Mr. Clyde Gill, on behalf of the tennis enthusiasts of the City of Modesto, appeared before the City Council asking that more tennis courts be paved in the various parks of the City of Modesto for the benefit of citizens who liked to play tennis. The Mayor informed Mr. Gill that the various improvements of the tennis courts in the City of Modesto had been anticipated in the budget for this year to the extent that more courts would be provided if the financial condition of the park budget would allow of the same.

In the Matter of Hearing Protest on Sixth Street:

Pursuant to the protest filed with the City Council at its last regular meeting protesting against the paving of Sixth Street which at that time, the protest was continued until the first regular meeting in January, 1925. The protest filed with the City Clerk at the meeting of December 24th, 1924, alleged that certain misrepresentations had been made in getting signatures to the original petition. In view of this fact, the Mayor authorized subpoenas to be issued and served, both upon the people signing the protest and upon those signing the petition. Whereupon, they appeared before the City Council in response to the summons served upon them and were questioned at length by the Mayor and Council relative to the signing of the protest and also the signing of the original petition for the paving of Sixth St.

After due consideration of the facts brought out relative to the protest filed, Coun-

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 443-S.P.

sustaining the protest as presented to the City Council which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett.

Noes: Councilmen Oswald, Mayor Elias

Absent: Councilmen None

In the Matter of Bill from the Railroad Commission:

City Attorney Carlson presented to the Council a bill in favor of the Railroad Commission of the State of California in the amount of \$26.90 for inspection of overhead electric facilities in the City of Modesto made by this Commission in compliance with the State Statutes of 1911 as amended by the State Statutes of 1915. This bill was supplemented by a letter to Mr. Carlson, City Attorney, setting forth the service that this commission renders to municipalities and asking their cooperation by allowing the bill inclosed. The above bill was O.K.d by the City Council and ordered paid.

In the Matter of Claim of the Borden Milk Company:

Pursuant to a letter written to the City Council some time ago notifying them that the loan that was made to the City of Modesto by the Borden Company on October 27th, 1921, and which was to be paid back to the Borden Company in three years without interest. Inasmuch as this loan had not been provided for in the making up of the budget this year, the City Clerk was instructed to write the Borden Company of California, asking them if it would be possible for them to carry this loan over another year.

In the Matter of Electric Contract of the Modesto Irrigation District:

The Modesto Irrigation District presented to the City Council a contract for the use of electricity in the City of Modesto for the present fiscal year. After some discussion in regard to this, the City Council, desiring to have more time in which to pursue this contract delayed action upon the same over until the next meeting.

In the Matter of Payment of the Pageol Motor Truck:

In view of the fact that the Pageol Motor Truck recently purchased from Fred. F. Webber of this City, has arrived and has been accepted by the City, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 945-N.S.

authorizing the City Clerk to draw a warrant to Fred F. Webber in the sum of \$4293.75 in payment of the above mentioned truck. Which resolution was adopted by the following vote:

Ayes: Councilmen Brown, Oswald, Mayor Elias

Noes: Councilmen Boundey, Prewett

Absent: Councilmen None

In the Matter of Returning Loan to the Septic Tank Fund:

On June 13th, 1923, the Council passed Resolution No. 788-N.S. providing for the transferring of \$29,000.00 from the Septic Tank Bond Fund to the General Fund. This resolution provided for the transferring back of this money at a later date and in view of that fact, the following resolution was introduced by Councilman Boundey, being,

RESOLUTION NO. 946-N.S.

directing the City Clerk to transfer from the General Fund of the City, the \$29,000.00 borrowed as stated above into the Sewer Septic Tank Bond Fund. The above resolution was re-

gularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Adjusting Water Rates:

The City Clerk notified the City Council that all the undertaking concerns in the City of Modesto were paying one rate whereas there were living quarters and a business being conducted in the same building, and there being no rate under the present ordinance applicable to the situation. After discussion of this matter it was the opinion of the City Council that the present water ordinance should be reconstructed and that the City Clerk, City Engineer, and City Attorney should go over this ordinance and make recommendations such as, in their judgment, should be made and present their report to the City Council.

In the Matter of Free Water for Mrs. Johnson:

In pursuance of the matter of furnishing free water to Mrs. A. Johnson, 431 Virginia Avenue, which matter was referred to Councilman Oswald at the last meeting to report upon the same at this meeting. Councilman Oswald reports that during his investigation, he brought this matter to the attention of Probation Officer, Mr. Ramont, and that he was informed that the County was extending aid to Mrs. Johnson, and that it was, in his opinion, inasmuch as the County was extending aid to Mrs. Johnson that the City should grant her free water. After proper discussion of this matter Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 947-N.S.

authorizing the City Clerk to remit the water bill of Mrs. Johnson until further orders from the Council. 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 Purchasing Autos for the City's use:

This matter was continued until the next meeting of the City Council.

In the Matter of Paving the Alley Through Block 96:

Proceedings were presented to the City Council by the City Engineer for the improvement of the alley through Block 96, from the Northerly gutter line of "F" street to the Southerly property line of "G" street, as more fully described in the Resolution pertaining to such work which is as follows:

RESOLUTION NO. 444-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 the alley through Block 96, from the Northerly gutter line of "F" street to the Southerly property line of "G" street, be graded, paved between the property lines with a pavement consisting of a Cement Concrete pavement five (5) inches in thickness, and curbed on both sides with Oregon Pine headers; 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 adopted by the City Council of the City of Modesto at a regular meeting thereof held the 14th day of January,

1925, by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, 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 of his estimate of the cost of the work.

RESOLUTION NO. 445-S.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarten, was introduced and upon roll call, adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 446-S.P.

RESOLUTION OF INTENTION NO. 176

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 the alley through Block 96, from the northerly gutter line of "F" street to the southerly property line of "G" street, be graded, paved between the property lines with a pavement consisting of a Cement Concrete pavement five (5) inches in thickness, and curbed on both sides with Oregon Pine headers; excepting therefrom any of said work already done to the official line and grade."

All as more fully and in detail appears and as shown by and described and specified 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.

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 32, both inclusive, Block 96; as per map of Record in the County Recorder's Office. Vol. 10 of Maps, Page 96, 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 11th day of February, 1925, 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 amendment 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 14th day of January, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Reports:

The monthly reports of the various departments were laid over until the next regular meeting of the Council.

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

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

Mayor

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

City Clerk

January 28th, 1925.

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 January 14th, 1925, were read and ordered approved as read.

In the Matter of Salary Raise for the Firemen and Patrolmen of the Police Department:

Pursuant to the many discussions had, from time to time, regarding the raise of the salaries of the firemen and patrolmen of the police department, Mayor Elias introduced the following resolution, being,

RESOLUTION NO. 948-N.S.

fixing the compensation of the regular firemen and patrolmen of the police department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Compensation for Teamsters:

Mayor Elias introduced the following resolution, being,

RESOLUTION NO. 949-N.S.

providing that the pay for teamsters in the employ of the City of Modesto shall be \$4.50 per day of 8 hours, only when employed as teamsters. Which resolution was duly 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 Chief of Police, Lee E. Smith:

A claim of \$75.00 in favor of Chief of Police, Lee E. Smith, for money advanced by him for the purchase of liquor and detective fee. The above expenses were incurred in the case of Otto C. Vollrath, arrested January 18th, 1925. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 950-N.S.

allowing the claim of Lee E. Smith for \$75.00. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Loan from the Borden Company:

Pursuant to instructions from the City Council, the City Clerk wrote a letter to the Borden Company, asking them that an extension of time be granted to the City of Modesto on this loan of \$1250.00 that the Borden Company loaned the City of Modesto some three years ago for the purpose of constructing a sewer to the plant of the Borden Company. The City

Clerk reports that he has had no official communication from the Borden Company in reply to the letter but that he had a personal talk with Mr. C. VanDerssen, the manager of the Borden Co. wherein he stated that it was perfectly agreeable to the Borden Company to extend this loan for another year.

**In the Matter of Old Delinquent Taxes:**

In pursuance of the matter of old delinquent taxes which were brought to the attention of the City Council on November 26th, 1924, by Mr. R. O. Bordner of the Central California Title Company, at which time, Mr. Bordner asked the City that certain delinquent taxes which he was interested in at that time, be cancelled. City Attorney advised that the City Clerk prepare a list of all such taxes of more than 20 years standing and present them to the Council at which time some action would be taken upon them. The City Clerk, at this time, presented to the Council the list of all such taxes whereupon Councilman Boundey introduced a resolution, being,

**RESOLUTION NO. 951-N.S.**

advising that the City Clerk have an abstract company go through this list of delinquent taxes and ascertain which ones the City has no equity in and when this is done present them to the City Council for further consideration. Which resolution was regularly adopted by the following vote:

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

**Noes:** Councilmen None

**Absent:** Councilmen None

**In the Matter of a Petition for Paving the Alley in Block 213:**

In pursuance of the petition presented by Mr. Courtney on January 14th, 1925, for the paving of the alley and sidewalk in Block 213, which was referred to the City Engineer for verification, who reported, at this time, that 72.92% of the frontage was signed up and also reported that Mr. Courtney desired to have this petition held up for the time being as he thought that he possibly would be able to extend the same over a wider area. In compliance with this request the City Council laid the petition over until the next regular meeting.

**In the Matter of Approving Assessment Map on Orange Avenue:**

City Engineer McCarton presented to the City Council a map of the district to be assessed for the paving of Orange Avenue whereupon Councilman Boundey introduced a resolution, being,

**RESOLUTION NO. 447-S.P.**

approving of the assessment map as presented by the City Engineer. Which resolution was regularly adopted by the following vote:

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

**Noes:** Councilmen None

**Absent:** Councilmen None

**In the Matter of Modesto Irrigation District Electric Contract:**

This matter was laid over until the next regular meeting of the Council in order that City Attorney Carlson may have an opportunity of reviewing the contract presented by the Modesto Irrigation District.

**In the Matter of Sale of Horses and Harness:**

The City of Modesto, at this time, having more horses on hand than is necessary to carry on the work of the City, it was decided to sell 6 horses and 2 sets of harness. Where-

upon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 952-N.S.

authorizing Commissioner Brown to sell 6 head of horses together with 2 sets of harness. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Lighting of Clock Tower:

Councilman Brown introduced a resolution, being,

RESOLUTION NO. 953-N.S.

authorizing the City Engineer to change the lighting of the clock tower from gas and connect it up with the street lights. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Renting Sewer Farm:

Commissioner Brown reported to the Council that Mr. T. Dye had offered the City \$25.00 for the use of the sewer farm for the pasturing of sheep. Whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 954-N.S.

authorizing Commissioner Brown to accept the proposition offered by Mr. Dye for the renting of the sewer farm. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of China Town Alley:

Councilman Oswald brought to the attention of the City Council the condition existing in the above named alley in the way of obstructions in the alley and the condition of the street. Mayor Elias informed Councilman Oswald that he would go with Councilman Oswald and investigate the condition of the above mentioned alley and report at the next meeting of the City Council.

In the Matter of Parking Small Piece of Ground on the Corner of H and Franklyn Streets:

Councilman Oswald reported to the City Council that the people living in the vicinity of the above mentioned place had informed him that they would be glad to park this particular piece of ground and take care of the same providing the City would extend its water lines to the ground. This matter was placed in the hands of City Engineer McCarton.

In the Matter of Reports:

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

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

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

Mayor

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

City Clerk

February 11th, 1926.

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 January 28th, 1926, were read and ordered approved as read.

In the Matter of Claims:

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

General Fund.....	\$19312.77
Water Fund.....	817.08
Library Fund.....	957.92
Bond Red. & Int.....	13706.68
Miscellaneous.....	11226.30
Total.....	\$46020.75

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 a Water Tap for W. E. Kewin:

W. E. Kewin made an application for a 1½" water tap on lots 27, 28, Block 72. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 955-N.S.

authorizing the City Engineer to install the above water tap for Mr. Kewin. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of J. Brashear's Delinquent Taxes:

A communication was received from Mr. J. E. Brashear inclosing a check of \$6.71 which he asked the City to accept in full payment of an old delinquent tax sale on lots 4, 5, 6, block 21, which property was sold December 27th, 1898. Whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 956-N.S.

authorizing the City Tax Collector to accept the amount of \$6.71 tendered by Mr. Brashear in full settlement of delinquent tax sale #227 on lots 4, 5, 6, block 21, City of Modesto. The foregoing resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of China Town Alley:

Commissioner Oswald, reported to the City Council that the above mentioned alley, as far as the street was concerned, had been taken care of by the public works department, by the placing of gravel and grading of the same. He also reported that there was a tree and small woodshed protruding into the alley which should be removed. Whereupon the City Clerk was instructed to write the owners of the property upon which the tree and woodshed were located and ask them to take out the tree and remove the small building back inside the property.

ty line.

In the Matter of a Bridge Over the Canal at the foot of Hackberry Avenue:

Mr. Richard Broughton appeared before the City Council on behalf of the Modesto Irrigation District and asked the City Council to construct a bridge over the canal at the foot of Hackberry Avenue. Mr. Broughton was informed by the City Council that it would be impossible to consider the construction of a bridge at this time, but it likewise informed him that the matter would be placed on file and given due consideration by the Council at some future date.

In the Matter of Electric Light Contract:

City Attorney Carlson reported to the City Council that the contract presented by the Irrigation District, at this time, was somewhat different from the original contract presented by the District and that it was his opinion that this matter of entering into a contract with the Modesto Irrigation District should be postponed until a more full and complete understanding regarding the rates for power could be arrived at by and between the Modesto Irrigation District and the City of Modesto.

In the Matter of Mr. Utter Speaking for the Park Commission:

Mr. R. E. Utter, one of the Park Commissioners of the City of Modesto, appeared before the City Council and made some remarks and asked some advice in regard to the City Park's Budget as budgeted by the City Council. He also asked the City Council to cooperate with the Park Commission relative to providing ways and means for the watering of Enslan Park. In response to this request, Mayor Elias appointed Commissioner Brown and City Engineer McCarton to confer with the Park Commission relative to the watering of Enslan Park and report at the next meeting of the Council.

In the Matter of a Communication from the Modesto Tallow Company:

A communication was received from the Modesto Tallow Company submitting a proposal to the City of Modesto relative to the leasing of a certain portion of the City Sewer Farm for the erection and maintenance of a reduction plant. The proposal also includes a proposition to install one unit, exclusively for the use of garbage for the City of Modesto. After due discussion and consideration of this matter, the City Council was of the opinion that the proposition had a great deal of merit and should be given due and careful consideration by the City Council. For further reference in regard to the above communication refer to the files of the City Clerk's Office.

In the Matter of Block 96 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. 176, coming up for consideration, and more than 15 days having expired after the last publication of the Resolution of Intention and 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. 176.

RESOLUTION NO. 448-S.P.

RESOLUTION ORDERING THE WORK NO. 176

In accordance with certain plans and specifications heretofore adopted on the 14th day of January, 1925, and pursuant to Resolution of Intention No. 176, was introduced by Councilman Boundey 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 Paving of the Alley in Block 213:

A petition being presented for the improvement of the alley in Block 213, between Pleasant Street and Fairview Avenue, also including the building of sidewalks and the installation of electroliers, City Engineer McCarton reported that he had verified the frontage upon this particular petition.

In the Matter of Improvement of Sixth Street, Morris Avenue, Lottie and Adam Streets:

Petitions being presented to the City Council for the improvement of the above named streets, they were referred to the City Engineer for verification of the signatures.

In the Matter of Placing Name on City Automobiles:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 957-N.S.

requesting the City Engineer to see that the name "City of Modesto" be placed upon each and every automobile owned and operated by and for the City of Modesto. The foregoing resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Storage for City Automobiles:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 958-N.S.

requesting that all cars belonging to and operating for the City of Modesto, when not on duty and actual operation by and for the City of Modesto, be placed in the City's garage and left there until the following morning. The foregoing resolution was not adopted by the following vote:

Ayes: Councilmen Brown

Noes: Councilmen Boundey, Oswald, Prewett, Mayor Elias

Absent: Councilmen None

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

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 959-N.S.

authorizing the committee which he had appointed October 22nd, 1924, to proceed to acquire two automobiles to be used by the City of Modesto. The foregoing 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 Wireless Interference in the City of Modesto:

Commissioner Oswald reported that he had complaints concerning the operation of certain radio sets in the City of Modesto, inasmuch that their activities were in a measure, causing much interference to the operation of radios within the City of Modesto. The City Clerk was instructed to communicate, by letter, with the proper authorities and ascertain from them the

authority the City has in controlling the broadcasting and receiving of radio messages. Which resolution was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The monthly reports of the various departments were reviewed by the Council and ordered placed on file in the City Clerk's Office.

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

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

Attest: *H. E. Gugg*  
City Clerk

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Council, City of Modesto  
February 25th, 1925.

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 February 11th, 1925, were read and ordered approved as read.

In the Matter of Request for Use of Aviation Field:

Mr. Wentz representing the Turner Hardware & Implement Co., appeared before the City Council, asking permission to use the aviation field for a demonstration of rifle practice on March 23rd. Owing to the fact that the aviation field being, at the present time, planted with grain, it was thought advisable not to grant permission to use the field at this time. The City Council did, however, offer the Dry Creek Park for the above demonstration and the same being accepted by the Turner Hardware & Implement Co. It was understood, however, that this demonstration should be under the supervision of the Police Department.

In the Matter of Protest on the Paving of Morris Avenue:

Mr. A. O. Nash, residing on Morris Avenue, between Sycamore and Central Avenues, entered a personal protest to the City Council against the paving of Morris Avenue from the Wly. line of Sycamore to the Ely. line of Central Avenue. Inasmuch as there were only two property owners in this block it was their desire that this portion of Morris Avenue be not paved. Mr. Nash was informed by the City Council that, if the leaving out of Morris Avenue, did not effect the proceedings already started on this particular street, that they would be glad to comply with his request. The advice of the City Attorney was to the effect that, in his opinion, it would in no way effect the proceedings regarding the improvement of this street inasmuch as no plans and specifications had as yet been ordered by the City Council and in view of that fact the City Engineer be instructed to leave out that portion of Morris Avenue from the Wly. line of Sycamore to the Ely. line of Central Avenue in making up the plans and specifications on this particular improvement.

**In the Matter of Reduction Works:**

The Mayor filed with the City Council, the following report relative to the proposition made to the City Council on February 11th, regarding the leasing of the portion of the sewer farm for their reduction plant.

The application of the Modesto Reduction Works for a lease of five acres of city property located at the sewer farm for a site for said company, has, by unanimous agreement of the Council, been denied.

On last Wednesday night, the Council, in conference with the representatives of the Modesto Reduction Works, went thoroughly into the entire matter. Evidence was presented of the condition prevailing at the plant of the company which led to its abatement as a nuisance. The character of the machinery contemplated to be installed in the new location was also explained to the Council.

The Council is not convinced of the advisability or of the policy of leasing to the Reduction Works the land desired. We are not satisfied of the ability of the contemplated machinery to secure the results desired of it, this machinery still, according to reports presented, being in an experimental stage.

The Council, in pursuance of its duty to the public, is averse to the creation of a condition at the sewer farm which may in the future become troublesome to the city or which may produce a situation hard to handle.

In the exercise of official prudence, we therefore deem it our duty to refuse to lease the desired site to the Reduction Works. In coming to this conclusion we feel that we are not interfering with the legitimate business of the Reduction Works, as its representative assured us that he had other available sites in view and was not committed to the site at the sewer farm.

**In the Matter of Sign at the S.E. Corner of Tenth and I Streets:**

Mr. Dan J. Rice, a temporary resident of the City of Modesto, filed with the City Clerk a complaint regarding the above sign known as the Yosemite Guide Sign. In his opinion this sign was not in keeping with the signs which are used by the Automobile Association and that the sign was of no value to the City as a means of guiding tourists to the Yosemite Valley. The matter was referred to the public works department, for proper adjustment.

**In the Matter of Radio Regulation:**

In compliance with instructions from the City Council on February 11th, the City Clerk wrote to Colonel Dillon, United States Radio Director, 6th District, San Francisco, Calif., regarding certain phases of radio matters pertaining to the general public. The City Clerk received an answer from Colonel Dillon but as this letter did not cover the field as thoroughly as it was desired, the City Clerk was instructed to further communicate with Mr. Dillon in regard to the above matter.

**In the Matter of Conducting Card Room:**

Mr. M. D. Chronister of 815 7th St., made application to the City Council for the placing of two card tables in a room in which he expected to start a business of tobacco, cigars and soft drinks located in the building at 709 I Street in which there is, at the present time, being operated in the front part of the building, an employment office. The City Clerk was authorized to issue a license to the above applicant for the operation of card tables in the said building when he shall have fully complied with all the terms and conditions of the ordinance regulating the same.

In the Matter of Watering Eslen Park:

Pursuant to the watering of Eslen Park which was discussed at the Council meeting of February 11th, and on which Mr. Brown and City Engineer McCarton was to devise a way and means of taking water from the irrigation district to Eslen Park for the purpose of irrigating the same. The City Engineer reports that it will cost in the neighborhood of \$561.00 to lay a pipe line across Morris Avenue into the park for the purpose of watering the same. Mayor Elias introduced the following resolution, being,

RESOLUTION NO. 960-H.S.

authorizing the City Engineer to proceed with the work as outlined in his report for the watering of Eslen Park. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Alice Street Improvement:

A petition was presented to the City Council for the improvement of Alice Street from the Wly. line of McHenry Ave., to the Ely. line of Elmwood Avenue. Said petition was referred to the City Engineer for verification of the frontage signed.

In the Matter of 6th Street Improvement:

The City Engineer reported that the petition filed February 11th, 1925, for the improvement of 6th Street, between Sierra Drive and H Street, is signed by the owners 75.1% of the frontage thereon. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 449-S.P.

RESOLUTION ORDERING THE 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 North property line of Sierra Drive 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 (2½) inches in thickness and a Warrenite-Bitu-lithic wearing surface one and one-half (1½) 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, that Catch Basins be constructed at the following places:

One (1) on the South corner, one (1) on the East corner of the curb returns on Sixth and "G" Streets, one (1) on the North corner, one (1) on the East corner, one (1) on the South corner, and one on the West corner of Curb returns at Sixth and "E" Street. Also, one (1) Manhole in the Center line of Sixth and "E" Streets. Catch Basins shall be connected to the Manhole by eight (8) inch Vetrified pipe. A twelve (12) inch Vetrified pipe shall be extended from the Manhole to the Southerly property line of Sixth and "E" Streets.

That Cast Iron Electroliers, Modesto Type No. 5 with Wire, Cable, Globes, Lamp, Con-duit, 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 thereof held the 25th day of Febru-ary, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on February 25th, 1925.

Attest: H. E. Cragg  
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. 450-S.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

As submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call adopted by its outline in the Resolution of Intention No. 177 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

RESOLUTION NO. 451-S.P.

RESOLUTION OF INTENTION NO. 177

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 North property line of Sierra Drive 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, that Catch Basins be constructed at the following places:

One (1) on the South corner, one (1) on the East corner of the Curb Returns on Sixth and "G" streets, one (1) on the North corner, one (1) on the East corner, one (1) on the South corner, and one (1) on the West corner of Curb Returns at Sixth and "E" streets. Also, one (1) Manhole in the Center line of Sixth and "E" streets. Catch Basins shall be connected to the Manhole by eight (8) inch Vetrified Pipe. A twelve (12) inch Vetrified pipe shall be extended from the Manhole to the Southerly property line of Sixth and "E" streets.

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-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 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 26; Lots 1 to 16 both inclusive, Block 26; Lots 1 to 16 both inclusive, Block 27; Lots 1 to 11 both inclusive, Block W; Lots 17 to 32 both inclusive, Block 28; Lots 17 to 32 both inclusive, Block 29; 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. Vol. 10 of Maps, Pages 24, 25, 26, 27, W, 28, 29, 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 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 25th day of March, 1925, 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 25th day of February, 1925, by the following vote to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on February 25th, 1925.

Attest: H. E. GRAGG  
City Clerk

In the Matter of Improvement of Morris Avenue, Adam Avenue, and Lottie Avenue:  
In the report of the City Engineer on the above petitions, he reports that the petitions

In the Matter of Salary of Elmer Blum:

In compliance with the request of the City Clerk, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 962-N.S.

authorizing the City Clerk to pay Elmer Blum a salary of \$90.00 per month as clerk in the City Clerk's Office. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Salary of Mrs. Davis:

Upon the recommendation of the City Clerk, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 965-N.S.

authorizing the City Clerk to increase Mrs. Davis' salary to \$90.00 per month, to take effect March 1st, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Mayor

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

City Clerk

Reports have come to various members of the City Council that Mr. A. S. Deatsch, in the business of pruning trees and landscape gardening in the City of Modesto, had made the statement to various property owners of the City of Modesto that he had the authority to represent them in regard to pruning and the removal of the trees along their property. The City Council has no record of ever having given Mr. Deatsch any such authority and in view of this fact, the citizens so reporting on this matter were either misunderstood or Mr. Deatsch misrepresented the matter to them. In order that this matter may be thoroughly understood by all parties concerned, the City Clerk is instructed to write Mr. A. S. Deatsch and inform him to refrain from making any such declaration to the citizens of Modesto.

In the Matter of Public Utility Bill:

At the present session of the State Legislature, there is a bill before it for consideration providing for the enactment of a tax on all public utility enterprises. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 961-N.S.

a resolution protesting against the adoption of Assembly Constitutional Amendment #4. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Council, City of Modesto

March 11th, 1925.

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 February 25th, 1925, were read and ordered approved as read.

In the Matter of Claims:

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

General Fund.....	\$13541.48
Water Fund.....	1895.95
Library Fund.....	810.71
Bond Red. & Int.....	22202.51
TOTAL.....	\$38450.65

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 Communication from the D-V-O Products Company:

The D-V-O Products Company wrote a letter to the City Council asking that an arrangement be made, if possible, to connect them with the City Sewer System. This matter was referred to the City Engineer for investigation.

In the Matter of Communication from the Exchange Club:

A letter was read to the City Council advising the City Council of a resolution unanimously passed by the Exchange Club placing the Club on record as favoring the establishment of a municipal golf course. Which communication was placed on file in the City Clerk's Office.

In the Matter of Communication from Assemblyman Esto B. Broughton:

A communication was received from Assemblyman Esto B. Broughton in which she acknowledged the receipt of the resolution passed by the Modesto City Council opposed to Constitutional Amendment No. 4, and assuring the Council of her cooperation in the opposing of this amendment. The same being read was ordered filed in the City Clerk's Office.

In the Matter of a Bill Providing for an Investigation of Economical Treatment and Disposal of Sewerage and Industrial Wastes:

A copy of the above mentioned bill was received by the City Council and read to its members. The same was ordered placed in the files for future reference.

In the Matter of Communication from the City of Los Angeles:

A copy of a resolution passed by the City of Los Angeles was read to the City Council protesting against certain decisions of the State Railroad Commission in granting public utility corporations permission to advance their rates which were believed detrimental to the public at large. In this resolution, they invited other cities to join them in presenting to the Legislature such measures as will allow the people of the State, including Cities and Towns, to set the rates to be charged for gas, water, electricity and telephones. The

above letter, after being read to the City Council, was ordered placed on file in the City Clerk's Office for further consideration.

In the Matter of Communication from the City of Imperial, California:

A letter was received from the City of Imperial, inclosing a copy of the resolution which they had forwarded to the Governor and Legislature, asking that action be taken in regard to the compelling of the motor carriers of this state to pay their just portion of the upkeep of our highways. The above communication, being read to the City Council, was ordered placed on file in the City Clerk's Office. The City Council was also in receipt of the Senate Daily Journal with a copy of the resolution recently sent to Senator Dennett by the City Council protesting against the adoption of Assembly Constitutional Amendment No. 4, taxing municipally owned public utilities.

In the Matter of Deed of G. R. Stoddard:

G. R. Stoddard presented to the City a deed for lots 13 and 26, in block 553 in the City of Modesto reciting that said property is conveyed for street and alley purposes. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 964-N.S.

accepting the deed presented by G. R. Stoddard. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Paving the Alley in Block 213:

Proceedings were presented to the City Council by the City Engineer for the improvement of the alley through Block 213, between Pleasant Street and Fairview Avenue, as more fully described in the resolution pertaining to such work which is as follows:

RESOLUTION NO. 452-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 the alley through Block 213, between Pleasant Street and Fairview Avenue, be graded, paved between the property lines with a pavement consisting of a Cement Concrete pavement five (5) inches in thickness, and curbed on both sides with Oregon Pine headers; excepting therefrom any of said work already done to the official line and grade.

That a cement concrete sidewalk five (5) feet in width and four (4) inches in thickness, be laid on the East side of Pleasant street, the West side of Fairview Avenue, and on the North side of Jennie street, between the East Curb line of Pleasant street and the West curb line of Fairview Avenue;

That Cast Iron Electroliers, Modesto Type No. 5, with Wire, Cables, Globes, Lamps, Conduit, and necessary appliances for lighting be installed along each side of said streets."

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 11th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 11, 1925.

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. 453-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 the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 454-S.P.

RESOLUTION OF INTENTION

NO. 178

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 the alley through Block 213, between Pleasant Street and Fairview Avenue be graded, paved between the property lines with a pavement consisting of a cement concrete pavement five (5) inches in thickness, and curbed on both sides with Oregon Pine headers; excepting therefrom any of said work already done to the official line and grade.

That a Cement Concrete sidewalk five (5) feet in width and four (4) inches in thickness be laid on the East side of Pleasant street, the West side of Fairview Avenue, and on the North side of Jennie street, between the East curb line of Pleasant street, and the West curb line of Fairview Avenue;

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 streets."

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.

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 18 to 65, both inclusive, Block 213, formerly Block 215; as per map of Record

in the County Recorder's Office. Vol. 10 of Maps, Page 213, Stanislaus County Records, Recorded March 18, 1920.

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 April, 1925, 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 amendment 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 11th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 11th, 1925.

Attest: H. E. Gragg  
City Clerk

In the Matter of Alice Street Improvement:

City Engineer McCarton reported that the frontage signed up on Alice Street, between McHenry and Elmwood Avenue, represented 100% of the owners on the same. The City Engineer was then ordered to prepare plans and specifications for the improvement of Alice St.

In the Matter of Downey Avenue Improvement:

The City Engineer reported that 65.21% of the frontage was signed up by the owners and was ordered to prepare plans and specifications for said improvement.

In the Matter of Paving of Tennis Courts in Block 531, in the City Modesto:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 965-N.S.

adopting the plans and specifications for the paving of a tennis court in Block 531 in the City of Modesto and authorizing the City Clerk to advertise for bids for the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sidewalk on 5th Street:

The property owners residing on 5th Street appealed to the City Council to have the sidewalk laid in front of Lots 17, 18, Block 24, and Lots 27, 28, Block 24. This matter was referred to Councilman Osvald for his recommendation.

In the Matter of Paving of 5th Street and Sierra Drive:

A petition was presented to the City Council for the paving of 5th Street and Sierra Drive and was referred to the City Engineer for verification of the frontage.

In the Matter of Loan to the Borden Company:

In pursuance of a communication we had some few months ago from the Borden Company, relative to a loan the City has from the Borden Company. It was the desire of the Borden Company to have some definite date set when they might expect payment of this loan. The City Clerk was instructed to write to the Borden Company informing them that this matter would be taken care of in the budget made up for the next fiscal year, some time on or about July 1st, 1925.

In the Matter of Complaint by J. A. Johnson of Oil in the Water:

J. A. Johnson, 91b 5th Street, presented a complaint to the City Council of oil in the water at his residence. This matter was referred to City Engineer McCarton for adjustment.

In the Matter of Reports:

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

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

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

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

March 25th, 1926.

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 March 11th, 1926, were read and ordered approved as read.

In the Matter of Aviation Field for Ball Park:

Mr. Charles Schmidt and Mr. Wilson appeared before the City Council on behalf of the Knights of Columbus, asking permission to use the Aviation Field as a ball park. After due consideration, of this matter by the City Council, it was unanimously agreed by the Council that there would be no objections to using the Aviation Field for a ball ground. Mr. Schmidt mentioned the fact that possibly there should be someone given authority to arrange dates for the use of the field inasmuch as there were several baseball organizations in the City. Mayor Elias volunteered to assume this responsibility and the matter was placed in his charge.

In the Matter of A Free Dog License:

Mr. Joseph Poe, having applied for a free dog license the matter was brought before the City Council. After due consideration, the Council reported the case as deserving of consideration, whereupon the City License Collector was authorized to grant a free dog license to Mr. Poe's dog.

In the Matter of Downey Ave, Improvement:

Proceedings were presented to the City Council by the City Engineer for the improvement of Downey Avenue, from the East property line of James Street to the West property line of the Alley in Block 596 as more fully described in the resolution pertaining to such work which is as follows:

RESOLUTION NO. 455-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 Downey Avenue, from the East property line of James Street to the West property line of the Alley in Block 596, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a Warrenite-Bitolithic wearing surface one and one-half (1½) 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 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."

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 25th day of March, 1926, by the following vote to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

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. 456-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. 179, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 457-S.P.

RESOLUTION OF INTENTION NO. 179

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 Downey Avenue, from the East property line of James Street to the West property line of the Alley in Block 596, 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 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:

The South one hundred and forty (140) feet of

Lots 1 to 6 inclusive, Block 588;

The East seventeen and nine-tenths (17.9) feet of

Lot 7, Block 588;

Lots 14 to 28 inclusive, Block 589;

Lots 11 to 18 inclusive, Block 596;

Lots 1 to 12 inclusive, Block 202;

Lots 1 to 16 inclusive, Block 201; as per map of Record

in the County Recorder's Office. Vol. 10 of Maps, Pages 588, 589, 596, 202, and 201, 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 22nd day of April, 1925, 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 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 25th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

Attest: H. E. Gragg  
City Clerk

#### RESOLUTION NO. 458-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 Alice street, from the West property line of McHenry Avenue, to the East property line of Elmwood 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-Bituli-  
thic 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; and alley approaches; 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 adopted by the City Council of the City of Modesto at a regular meeting thereof held the 25th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

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. 459-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. 180, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 460-S.P.

RESOLUTION OF INTENTION NO. 180

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 Alice street, from the West property line of McHenry Ave., to the East property line of Elmwood 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 and alley approaches; excepting therefrom any of said work already done to the official line and grade."

All as more fully and in detail appears and as shown by and described and specified 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 9 to 25, inclusive, Block 551;

Lots 1 to 8 and 27 to 34, inclusive, Block 550; as per map of Record in the County Recorder's Office. Vol. 10 of Maps, Pages 551, and 550, 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 22nd day of April, 1925, 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 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 25th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

Attest: H. E. Cragg  
City Clerk

#### RESOLUTION NO. 461-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 Morris Avenue, from the East property line of Sycamore Ave. to the West property line of McHenry Ave., Lottie and Adam Avenues from the North property line of Morris Avenue to the South property line of Achor Court, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a Warrenite-Bitolithic wearing surface one and one-half (1½) inches in thickness, curbed on both sides to the official grade with Cement Concrete curbing and to further construct Cement Concrete gutters and alley approaches; excepting therefrom any of said work already done to the official line and grade.

That a Corrugated Iron Culvert be constructed across Lottie Ave. along the North gutter line of Morris Avenue.

That Concrete Electroliers of the kind known by the trade name "Marbelite" type 700, complete with Wire, Cable, Globes, Lamps, Conduit, and necessary appliances for lighting be installed along each side of said streets."

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 25th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

Attest: H. E. Cragg  
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. 462-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. 181, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

RESOLUTION NO. 463-S.P.

RESOLUTION OF INTENTION NO. 181

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 Morris Avenue, from the East property line of Sycamore Avenue to the West property line of McHenry Avenue, Lottie and Adam Avenues from the North property line of Morris Avenue to the South property line of Achor Court, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half (1½) inches in thickness, curbed on both sides to the official grade with Cement Concrete curbing and to further construct Cement Concrete gutters and alley approaches; excepting therefrom any of said work already done to the official line and grade.

That a Corrugated Iron Culvert be constructed across Lottie Avenue along the North gutter line of Morris Avenue.

That Concrete Electroliers of the kind known by the trade name "Marbelite" type 700, complete with Wire, Cable, Globes, Lamps, Conduit and necessary appliances for lighting be installed along each side of said streets."

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 42 of the Achor subdivision, filed July 19, 1920.

Vol. 10 of Maps, Page 39; being a re-subdivision of Lot 1, Block 556, Filed March 18, 1920. Volume 10 of Maps, Block 556;

Lots 2 to 17, inclusive, of the Morris Tract filed June 16, 1920, Volume 9 of Maps, Page 37 being a re-subdivision of Lot 2. Block 556, filed March 18, 1920. Volume 10 of Maps, Page 556;

Lots 1 to 41 inclusive, of the Morris Tract filed June 16, 1920, Volume 9 of Maps, Page 37, being a re-subdivision of Block 555, filed March 18, 1920; Lot 5, Block 543;

Lots 1 to 31 inclusive, Block 542;

Lots 37 to 48 inclusive, Block 544;

Lots 31 to 42 inclusive, Block 545;

Lots 1 to 9 inclusive, Block 546;

Lots 1 and 2, inclusive, Block 554; as per Maps of Record in the County Recorder's Office. Volume 9 of Maps, Pages 37 and 39, and Volume 10 of Maps, Pages 543, 542, 544, 545, 546, and 554, Stanislaus County Records.

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 April, 1925, 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 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 Legisla-

ture 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 25th day of March, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on March 25, 1925.

Attest: H. E. Cragg  
City Clerk

In the Matter of Petition on Sierra Drive and 5th Street:

City Engineer McCarton presented a report to the City Council showing that the frontage signed up on 5th St. would be 15.5%, on Sierra Drive 62.1%. It developed, at this time, that protests would be filed protesting against the paving of 5th St. and Sierra Drive. Inasmuch as the majority of the property owners had not signed the petition for the paving of 5th St. on a motion the City Council ordered the petition rejected and placed on file in the City Clerk's Office.

In the Matter of Awarding Contract on Block 96:

The Council having heretofore duly adopted 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. 176, and all due and legal proceedings having 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	@	\$.04 per sq. ft.
Paving	@	.19 per sq. ft.
Curb	@	.70 per lin. ft.
Gutter	@	.20 per sq. ft.
Headers	@	.10 per lin. ft.

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

RESOLUTION NO. 464-S.P.

awarding the contract to the Standard Paving Co. at the prices named in their proposal. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Paving of Tennis Court:

This being the time fixed by order of the Council and pursuant to published notice inviting sealed proposals for the paving of a tennis court in Block 531 in the City of Modesto, and there being one bid on file, the Council, upon motion, proceeded to open and examine said bid. The bid being duly considered, Councilman Boundey introduced

RESOLUTION NO. 966-N.S.

accepting the bid of the Standard Paving Co. for doing said work and at the prices mentioned therein. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sixth Street 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. 177, 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. 177

RESOLUTION NO. 465-S.P.

RESOLUTION ORDERING THE WORK 177.

In accordance with certain plans and specifications heretofore adopted on the 25th day of February, 1925, and pursuant to Resolution of Intention No. 177, was introduced 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 Opening Northern Portion of Elmwood Ave:

Mr. Ramont appeared before the City Council asking that steps be taken by the Council to extend Elmwood Ave. from it's present northern terminus on through to Morris Ave. It seemed, from Mr. Ramont's discussion, of this subject, that the City might encounter some obstacles in undertaking this piece of work. In this instance, Mayor Elias appealed to City Attorney Carlson for his views on the matter. City Attorney Carlson reported that the procedure in a case of this kind would be very elaborate and complicated. In view of this fact, the Mayor informed Mr. Ramont that this matter would be taken under consideration at the present time.

In the Matter of Ordinance for the Destruction of Noxious and Dangerous Wastes in the City:

A letter was read which was addressed to the Mayor by the City Attorney in which he set forth his opinion in reference to the above ordinance which is as follows:

Hon. S. P. Elias,  
Mayor of the City of Modesto,  
Modesto, California.

Dear Sir:

Referring to your request for an Ordinance providing for the destruction, in the City, of noxious and dangerous weeds growing upon streets or sidewalks, would say that after taking the matter up with Chief Wallace, we have concluded that the Legislative Act of 1915 is sufficient without passing another Ordinance.

This Act in brief makes weeds growing upon streets or sidewalks a public nuisance. Provides that the City Council may declare them to be a nuisance, and provides a method for the abatement of the same which briefly is as follows: A Resolution is passed described the streets or property upon which the weeds are growing. The Street Superintendent thereupon posts in front of the property a "Notice to destroy weeds" which among other things, gives the property owners an opportunity to attend before the Council not less than five days thereafter to state their objections. If the objections are overruled, the Street Superintendent cleans up the lots or the street in front of the lots described in the notice; keeps careful account of the cost of so doing, renders a report to the City Council which is heard after notice to the pro-

erty owners, and which may thereupon be amended, modified or confirmed. The cost of doing the work is thereupon assessed against the property and becomes a lien upon the same, payable in the same manner as the taxes and assessments.

The City of Visalia is following this procedure, and has furnished Mr. Wallace with the forms it uses. I believe this Act is all that is required for this purpose.

Yours truly,

A. J. Carlson  
City Attorney

AJC.NH

In the Matter of Lawn Mower for Use in the City Parks:

Commissioner Brown reported to the City Council that the Park Commissioners had arranged with the H. V. Carter Co. of San Francisco for the rental and hire of a power lawn mower to be used in the City Parks. Whereupon Councilman Brown introduced a resolution, being,

RESOLUTION NO. 967-N.S.

authorizing the Mayor and City Clerk to enter into an agreement with the H. V. Carter Co. of San Francisco, for the lease and hire of a lawn mower as arranged by the Park Commissioners.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Changing the Method of Collecting Taxes:

Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 968-N.S.

authorizing the City Attorney to investigate the feasibility of amending the Tax Ordinance in regard to the collection of taxes twice a year instead of once as is presently done. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Drawing Warrant for Mack Truck:

Councilman Brown introduced a resolution, being,

RESOLUTION NO. 969-N.S.

authorizing the City Clerk to draw a warrant for the payment of the Mack truck, purchased by the City of Modesto as per contract dated December 22nd, 1924. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Setting Date of General Municipal Election:

In conformity with the rules of the Charter of the City of Modesto a resolution was introduced by Councilman Boundey, setting the date for the General Municipal Election for the City of Modesto as Tuesday, the 14th day of April, 1925, being,

RESOLUTION NO. 970-N.S.

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

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

That under and pursuant to the Charter of the City of Modesto, a general municipal election in and for the City of Modesto be and the same is hereby called to be held on Tues-

day, the 14th day of April, 1925, for the purpose of electing the following officers for the City of Modesto, to-wit: Two Councilmen, and voting upon the question of the adoption of an ordinance submitted in accordance with Section 89 of the Charter of the City of Modesto, entitled: "An Ordinance providing for the appointment of a Recreation Commission and a Superintendent of Recreation; fixing their powers and duties, and providing for the payment of their salaries and the expenses connected with the exercise of their powers and duties;" 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 14th day of April, 1925, for the purpose of electing certain officers of the 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 is hereby precincted and established into eight 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.

Special Election or Consolidated Election Precinct No. 7.

Special Election or Consolidated Election Precinct No. 8.

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 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, (which 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, Modesto No. 3, and Modesto No. 4, 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. 5, Modesto No. 6, and Modesto No. 7 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. 8, Modesto No. 9, Modesto No. 10 and Modesto No. 11, 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. 14, Modesto No. 16, and Modesto No. 17 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. 12, Modesto No. 13 and Modesto No. 15, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 5;"

Said General Election Precinct so designated by said Board of Supervisors as Modesto

No. 18, Modesto No. 19 and Modesto No. 20, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 6;"

Said General Election Precinct so designated by said Board of Supervisors as Modesto No. 21, Modesto No. 24, and Modesto No. 25, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 7;"

Said General Election Precinct so designated by said Board of Supervisors as Modesto No. 22 and Modesto No. 23, are hereby consolidated and established into "Special Election or Consolidated Election Precinct No. 8."

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

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

**SPECIAL ELECTION PRECINCT NO. 9.**

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

**SPECIAL ELECTION PRECINCT NO. 10**

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

**SPECIAL ELECTION PRECINCT NO. 11**

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

**SPECIAL ELECTION PRECINCT NO. 12**

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

**SPECIAL ELECTION PRECINCT NO. 13**

which shall comprise all of the territory within the said Modesto City School District hereinbefore described and embraced within the exterior boundary lines of the following elementary

School districts, to-wit: Cole, Garner and New Hope.

SPECIAL ELECTION PRECINCT NO. 14

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

SPECIAL ELECTION PRECINCT NO. 15

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

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

Special Election or Consolidated election Precinct No. 1:

Polling Place: McPheeter's Garage 153 Poplar Ave.

Inspector: James I. Jones

Judges: S. D. Clopine, J. W. Stebbins.

Clerks: Mrs. Maude L. Gragg, Mrs. Catherine Simpson, Mrs. Disia Russell.

Special Election or Consolidated election Precinct No. 2:

Polling Place: Mrs. Bate's Garage 1705 Downey Ave.

Inspector: Mrs. Verna McGee

Judges: Mrs. Lillian Bundy, Mrs. Minnie A. Glidden.

Clerks: Mrs. Mary E. Estes, Mrs. Jessie B. Howard, Mrs. Mary E. Drouillard.

Special Election or Consolidated election Precinct No. 3:

Polling Place: Hotel Covell Store Room. Eleventh & J Streets.

Inspector: Abraham M. Briggs.

Judges: Mrs. Ida E. Thwing, Mrs. Marjorie Briggs.

Clerks: Mrs. Ethel R. Squires, Mrs. Lillie M. Elliott, Miss Helen Oviatt.

Special Election or Consolidated election Precinct No. 4:

Polling Place: Garage at 1628 H Street.

Inspector: Mrs. Fern B. Brainard.

Judges: Mrs. Matilda L. Taylor, Mrs. Florence S. Sweeney.

Clerks: Miss Minnie E. Kline, Mrs. Jessie I. Knieriem, George A. Gunderson.

Special Election or Consolidated election Precinct No. 5:

Polling Place: City Hall 717 Tenth Street.

Inspector: George W. Utterback.

Judges: Mrs. Effa L. Curtis, Jacob H. Walrath.

Clerks: Mrs. Alma M. Wallace, Mrs. Emma E. Clapham, Mrs. Margaret E. Wheeler.

Special Election or Consolidated election Precinct No. 6:

Polling Place: Garage at 1126 Fifth Street.

Inspector: Ernest L. Huls.

Judges: Mrs. Gertrude M. Robbins, Mrs. Grace W. Tester.

Clerks: James W. Hudson, Mrs. Susan M. Rinehart, Mrs. Edyth Girling.

Special Election or Consolidated election Precinct No. 7:

Polling Place: Fire Station 2nd Street.

Inspector: Aaron W. Turpen.

Judges: Mrs. Lillie M. Turpen, Henry W. Atwood.

Clerks: Mrs. Ann E. Ecker, Wilbur J. Nichols, Mrs. Lena Browder.

Special Election or Consolidated election Precinct No. 8:

Polling Place: Vacant Store Room 502 I Street.

Inspector: Mrs. Minnie H. Damrell.

Judges: Mrs. Ethel Wilhite, Mrs. Mary J. Bowman.

Clerks: Mrs. Jennie Algar, Mrs. Anna Walsh, Mrs. Ethel Mae Butts.

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

SPECIAL ELECTION PRECINCT NO. 9

Polling Place: Paradise School

Inspector: Mary E. Cullen

Judges: W. C. Chumlea, C. W. Kidd

Clerks: Gena Hansen, Laura Sharp, Lucille Benoit

SPECIAL ELECTION PRECINCT NO. 10

Polling Place: Ransom School

Inspector: Sam Montgomery

Judges: Louis Calais, R. W. Ewing

Clerks: Fern L. Kelley, Lizzie Hayworth, Ella Van Buren

SPECIAL ELECTION PRECINCT NO. 11

Polling Place: Maple Hall Salida, Calif.

Inspector: J. L. Curtis

Judges: J. G. Elmore, Bessie M. Capps

Clerks: Edna M. Craig, Dorah Traek, Marie Cox Brown

SPECIAL ELECTION PRECINCT NO. 12

Polling Place: Sylvan Club House McHenry Road

Inspector: W. R. Mensinger

Judges: Nester Ann Drake, J. P. Melrose

Clerks: Carrie B. Brady, Margeret M. Standiford, Ethel M. Ouderkirk

SPECIAL ELECTION PRECINCT NO. 13

Polling Place: Empire School

Inspector: J. D. Bonsack

Judges: Chas. C. Swanger, Mrs. L. L. Long

Clerks: Myrtle H. Moody, Grace L. Reager, Christina Bonsack

SPECIAL ELECTION PRECINCT NO. 14

Polling Place: Garage at Corner Waterford Road & Santa Rita Ave.

Inspector: Carlana A. Morris

Judges: Clara Dean, Ethel Bovee

Clerks: Z. J. Needham, Emma Fulton, G. S. Fulton

SPECIAL ELECTION PRECINCT NO. 15

Polling Place: Fairview School

Inspector: Clara Rowe

Judges: Hattie A. Clay, Ila M. Rutherford

Clerks: Estella F. Jones, Rilla K. Hoatson, Mattie A. Fellows

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

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

The City Clerk is hereby ordered to publish an election proclamation as required by

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

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 25th day of March, 1925, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Approved March 25th, 1925.

Sol. P. Elias  
Mayor

Attest: H. E. Gragg  
City Clerk

In the Matter of Ordinance:

RESOLUTION NO. 971-N.S.

A Resolution submitting a proposed Ordinance to the General Election.

Whereas, a Petition has been presented to the City Clerk asking that there be submitted to the qualified electors of the City at the general election to be held on April 14, 1925, for adoption or rejection, an Ordinance entitled: "An Ordinance providing for the appointment of a Recreation Commission and a Superintendent of Recreation, fixing their powers and duties, and providing for the payment of their salaries and expenses connected with the exercise of their powers and duties", and it appears from the Certificate of Sufficiency filed with this Council by the City Clerk that said Petition is signed by qualified electors equal in number to fifteen per cent of the entire vote cast at the last preceding general municipal election, and that said Petition was so filed, and the Clerk's Certificate of Sufficiency was dated, at least twenty days prior to the 14th day of April, 1925.

NOW THEREFORE, BE IT RESOLVED: That said Ordinance be submitted to the electorate of the City of Modesto at the next general municipal election, to-wit: April 14, 1925, in accordance with the provisions of Section 89 of the Charter of the City of Modesto.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1925, by Councilman Brown who moved its adoption which motion being duly seconded, was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

"Initiative Ordinance No. 276-N.S.

"AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A RECREATION COMMISSION AND A SUPERINTENDENT OF RECREATION, FIXING THEIR POWERS AND DUTIES AND PROVIDING FOR THE PAYMENT OF THEIR SALARIES AND THE EXPENSES CONNECTED WITH THE EXERCISE OF THEIR POWERS AND DUTIES.

"The people of the City of Modesto do ordain as follows:

"Section 1. A Recreation Commission consisting of five members shall be appointed by the City Council and shall hold office for the term of one year and shall have and exercise the powers and duties hereinafter prescribed. The members of said commission shall serve

without compensation.

"Section 2. Said Recreation Commission with the approval of the City Council shall employ a Superintendent of Recreation, and such playground directors as shall be required to assist in the supervision of the recreational activities hereinafter mentioned. Said Superintendent of Recreation shall act as Secretary of said Commission.

"Section 3. The said Superintendent of Recreation shall organize and direct the use of all playgrounds and recreation centers owned, operated or maintained by the City of Modesto, and shall make and enforce all such rules and regulations consistent with the ordinances of the City of Modesto, as may be necessary for the purpose of organizing and directing the use of said playgrounds and recreation centers, and may cause any person violating any of said rules or regulations to be removed from any playground or recreation center wherein such violation occurs.

"Section 4. Said Recreation Commission shall recommend to the Council from time to time such improvements of playgrounds and recreation centers as the said Commission may deem advisable, and the limitation of expenditures to be made hereunder as hereinafter set forth shall not apply to any permanent improvements of said playgrounds or recreation centers made by said Council.

"Section 5. The expenses of carrying on the activities hereby placed under the direction of said Recreation Commission and said Superintendent of Recreation, including the salaries of said Superintendent of Recreation and said playground directors, together with office expenses and moveable equipment, shall be paid out of the city treasury; provided that such expenses in the aggregate shall not exceed the sum of \$4500.00 in any one fiscal year. The City Council shall have the power, however, to amend this ordinance so as to increase the amount that may be expended annually for the purposes herein specified. All demands on the City Treasury for liabilities incurred by authority of this ordinance shall be approved by the said Recreation Commission and presented and paid in the same manner provided for the presentation and payment of other demands upon the City Treasury.

"Section 6. The Recreation Commission with the approval of the Council shall fix the compensation of said Superintendent of Recreation and of said playground directors, and the City Council shall appropriate the requisite funds to pay the said salaries and such other expenses as may be incurred under the authority of this ordinance, provided that such salaries and expenses shall not in any one fiscal year exceed the sum of \$4500.00, unless this ordinance be amended as above provided.

"Section 7. This ordinance shall take effect immediately after its passage."

No further business appearing the Council upon motion adjourned.

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

Attest: H. E. Gray  
City Clerk

April 8th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of March 25th, 1926, 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.....	\$17299.23
Water Fund.....	2803.08
Library Fund.....	1257.38
Bond Redemption & Interest.	261.64
TOTAL.....	\$21621.33

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 Revising Map:

Mr. A. A. Fields, representing the real estate board of the City of Modesto, appeared before the City Council and asked that certain portions of the map of the City of Modesto be revised. After due consideration of this matter, the same was referred to the City Engineer and City Attorney for adjustment.

In the Matter of Compensation for the Dog Catcher:

The manner of compensating the Dog Catcher for his services was discussed at some length by the City Council and was finally referred to the Chief of Police and City Clerk for adjustment.

In the Matter of Bill of Dr. Morgan:

A bill was presented to the Council for services to Mrs. Robert Becker. This matter was discussed at some length by the City Council but in the absence of circumstances pertaining to the contracting of this bill, the City Council ordered the same laid over until the next meeting when more information could be had concerning the bill.

In the Matter of Sidewalk on 5th Street:

Mr. Osvald reported that he had not been able to get into communication with all the parties concerned in this matter and the same was continued until the next regular meeting.

In the Matter of Street Work in Block 215:

The work heretofore authorized to be done by the City Council of the City of Modesto under the Street Improvement Act of 1911, in pursuance of Resolution of Intention No. 178, 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 the Resolution of Intention No. 178

Resolution Ordering the Work No. 178

In accordance with certain plans and specifications heretofore adopted on the 11th day of March, 1926, and pursuant to Resolution of Intention No. 178 was introduced and upon roll call adopted by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of Sixth 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. 177 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 one bid which opened read as follows:

BID OF THE STANDARD PAVING COMPANY:

Grading	@	\$ .05 per sq. ft.
Paving	@	.17 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. ft.
Headers	@	.10 " " "
Corrugated Iron Culvert in place		
5 5/8" X 25 1/2"	@	2.50 " " "
5 5/8" X 24"	@	2.50 " " "
Manhole	@	85.00 Each
Catch Basins	@	25.00 "
12" Vitrified Pipe in place	@	1.45 per lin. ft.
8" Vitrified Pipe in place	@	1.05 " " "
Modesto Standards Type #5 and foundations	@	62.60 Each
Westinghouse Paragon Senior Tops	@	36.00 Each
Connection Boxes	@	6.50 "
1" Galv. Conduit	@	.25 per lin. ft.
#8 Band S. lead Cable	@	.165 " " "

The bid being duly considered, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 467-S.P.

Resolution of Award No. 177.

Said resolution awards the contract to the Standard Paving Company at the prices named in their proposal. Which resolution upon roll call was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Streets Along the Tidewater Tracks:

Councilman Brown reported that there were several very bad ruts and places that needed repairs in the City Streets adjacent to and along the Tidewater Railroad Track. He also reported that a sidewalk should be put in at 10th and N and 9th and N Streets which property is owned by the Tidewater Railroad Company.

During the discussion of this matter it was brought to the attention of the Council that some year and one-half ago this question of sidewalks had been up before the Council at that time, that the Tidewater Railroad Co. had been officially notified by the City of Modesto to take steps to construct the above mentioned sidewalk. In view of this fact, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 972-N.S.

instructing the City Attorney to write to the proper officials of the Tidewater Railroad Co. and inform them of the action that had been taken in regard to the sidewalks some year and one-half ago and to impress upon them that it is the desire of the City that this work go forward to completion. Also that he call their attention to the condition of the streets and to make such repairs as are needed upon the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of High School Tract Map:

The above map was presented to the City Council for ratification and approval whereupon Councilman Brown introduced a resolution, being,

RESOLUTION NO. 973-N.S.

approving the said map and instructing the City Clerk to deliver map and resolution pertaining to the same to the Clerk of the Board of Supervisors. Which resolution was regularly 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 March were reviewed by the Council and placed on file in the City Clerk's Office.

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

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

Attest: HE Gray  
City Clerk

.....

Council, City of Modesto.  
April 15th, 1925.

The Council met in special session at the call of the Mayor, written notices having been delivered or mailed to each of the Council as required by Ordinance No. 2-N.S. of the City of Modesto and there were present Councilmen Boundey, Prewett, Oswald, Mayor Elias

Absent: Councilman Brown

The meeting was called for the purpose of canvassing the election returns.

In the Matter of Canvassing the Returns of the General Municipal Election held on April 14th, 1925, in the City of Modesto:

The returns of the General Municipal Election of the City of Modesto held April 14th, 1925, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open, and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the General Municipal Election held

April 14th, 1925, for the purpose of electing two Councilmen, two Members of the Board of Education, and voting upon an Ordinance providing for the appointment of a Recreation Commission and Superintendent of Recreation, fixing their powers and duties and providing for the payment of their salaries and the expenses connected with the exercise of their powers and duties.

RESOLUTION NO. 974-N.S.

RESOLUTION DETERMINING RESULT OF ELECTION

WHEREAS, a General Municipal Election was held in and for the City of Modesto, and a General School Election in and for the Modesto City School District, on the 14th day of April, 1925, 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 finds 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 2539;

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

E. J. Boundey....	1310
R. L. Ustiek.....	1301
T. H. Prewett....	1198
W. E. Davis.....	1182

That the number of votes received by the following, to-wit: E. J. Boundey and R. L. Ustiek, is a majority of the votes cast for such office, and that said E. J. Boundey and R. L. Ustiek are elected to the office of Councilmen of the City of Modesto, and that a Certificate of election to the office of Councilmen of the City of Modesto be issued to said E. J. Boundey and R. L. Ustiek under the hand and seal of the City Clerk.

That said Council sitting as such canvassing board as aforesaid, further finds and declares that at said General School Election in and for the Modesto City School District, the total number of votes cast was 3098; that the number of votes received by each of the candidates for election to the office of member of the Board of Education of said Modesto City School District was as follows:

Charlotte C. Griswold...	1699
Carl A. Hansen.....	382
G. B. Husted.....	1296
Myrtle B. James.....	793
D. D. Manross.....	766
Mrs. C. E. Whitmore.....	993

That the number of votes received by Charlotte C. Griswold is a majority of the votes cast for such office, and that said Charlotte C. Griswold is elected to the office of Member of the Board of Education of the Modesto City School District, and that a certificate of election to the office of member of Board of Education be issued to the said Charlotte C. Griswold under the hand and seal of the City Clerk. That none of the other candidates for the office of member of the Board of Education received the required number of votes for election to-wit: More than one-half of the votes cast, and that G. B. Husted and Mrs. C. E. Whitmore received the highest number of votes for said election next after the said Charlotte

G. Griswold and are entitled to be placed on the ballot for a second election.

That from the returns so canvassed that 2115 votes were cast on the Initiative Ordinance "An Ordinance Providing for the Appointment of a Recreation Commission and a Superintendent of Recreation, Fixing their Powers and Duties and Providing for the Payment of their Salaries and the Expenses Connected with the Exercise of their Powers and Duties." That the votes cast on said Ordinance were as follows:

For..... 418  
Against.....1697

That the number of votes for the Ordinance being less than one-half of the total votes cast, said Ordinance is hereby rejected.

It is ordered by the Council that a second election be called in and for the Modesto City School District to be held on the 28th day of April, 1925, to fill the remaining office of member of Board of Education, and that the names of G. B. Husted and Mrs. C. E. Whitmore be placed on the ballot to be voted on at such election.

It is further ordered that the Clerk give notice of the holding of said election by issuing a proclamation thereof as required by law, and that the provisions of previous ordinances and resolution of this Council and Statutes of the State of California with reference to the holding and conduct of said election be complied with by the proper officers; that the election precincts and polling places and election officers of said second election shall be the same as they were at the general municipal election held on April 14th, 1925.

The foregoing resolution was introduced by Mayor Elias, who moved its adoption, which motion being duly seconded, the resolution was, upon roll call, adopted by the following votes:

Ayes: Councilmen Boundey, Osvald, Frewett, Mayor Elias

Noes: Councilman None

Absent: Councilman Brown

No further business appearing the Council upon motion adjourned.

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

Attest: H. E. Gray  
City Clerk

April 22nd, 1925.

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 April 8th, and the minutes of the special meeting of April 15th, were read and approved as read.

In the Matter of Communications:

A communication was received from the State Compensation Insurance Fund explaining the proposition of furnishing additional accident insurance to the firemen at a nominal cost. After discussion of this matter by the City Council, the opinion of the Council was that the firemen should have that additional accident insurance and referred the matter to the Commissioner of Finance Boundey. Whereupon the Commissioner of Finance Boundey directed and ordered the City Clerk to arrange with the State Compensation Insurance Fund for the coverage outlined in their letter.

A letter from the Chamber of Commerce was read to the City Council calling their attention to the un-safe conditions of some of our railroad crossings in the City of Modesto, especially at the crossing on College Avenue and the Tidewater Southern, and asking that this matter be taken up with the officials of the Railroad with the view of correcting the same. This communication was referred to City Attorney Carlson for adjustment.

A communication was read from Mr. R. E. Tilden, claiming the advantages of the Kirkpatrick Incinerator with the view of interesting the City in the purchase of the same. This letter was read to the City Council and ordered placed in the City Clerk's files.

A communication was read to the City Council from Mr. Rand in connection with the Municipal Golf Course. The same was ordered filed in the City Clerk's office.

In the Matter of Telephone in the Park:

The attention of the City Council was called to the need of a telephone in Graceland Park for the convenience of the Park Superintendent. The discussion of this matter by the City Council resulted in referring the same to Commissioner Brown to have the same installed.

In the Matter of Bill of Dr. Morgan:

In the absence of more information regarding this bill the claim was laid over until the next regular meeting of the Council.

In the Matter of Sidewalk on 5th Street:

Commissioner Osvald reported that he thought the sidewalk must be in by this time and he would endeavor to furnish a final report at the next meeting of the Council.

In the Matter of Installing Electroliers for the Presbyterian Church at the Corner of 14th and I Sts. and for Mr. Ramont at the Corner of J and 17th Sts:

The officials of the Presbyterian Church asked the City of Modesto to install two (2) electroliers adjacent to their property at the corner of 14th and I Sts. at the expense of the Church. Also Mr. Ramont asked the City of Modesto to install one (1) electrolier at the corner of J and 17th Sts. at his expense. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 975-N.S.

authorizing the City Engineer to install two (2) electroliers for the Presbyterian Church at the expense of \$80.00 each. Also to install one (1) electrolier for Mr. W. F. Ramont at the expense of \$80.00. The expense of which to be paid by the Presbyterian Church and Mr. Ramont.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Renting the Concrete Tools Owned by the City of Modesto:

The firm of Elliott & McKenna of Los Angeles wished to rent from the City of Modesto for a period of five months the following cement tools: two jackets, one core, one rimmer and sixty bottom rings and three top rings, and agreed to pay rental fee of \$250.00 which was done by the inclosure of their check in the amount of \$250.00 payable to the City of Modesto to cover the rental on the above mentioned tools. It is also understood and agreed that these tools will be returned to the City of Modesto in as good as condition as they were received. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 976-N.S.

authorizing the City Engineer to loan to the firm of Elliott and McKenna the above mentioned tools at the rental price of \$250.00 for a period of 5 months dating from the 15th day of April, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of an Easement across the land owned by Helen E. Noonan:

This easement pertains to a right-of-way across the land of Helen E. Noonan situated in Block 522 in the City of Modesto, from Lateral #4 of the Modesto Irrigation District to Enalen Park for the purpose of installing and operating a water pipe line from Lateral #4 to Enalen Park for the irrigation of the same. Whereupon Councilman Prewett introduced a resolution, being,

RESOLUTION NO. 977-N.S.

authorizing the City's acceptance of the above mentioned instrument. Also authorizing the City Clerk to have a copy of this Resolution, accompanying the instrument, recorded in the County Recorder's office and also authorizing the City Clerk to reimburse the said Helen E. Noonan for such actual expenses as she may have been to in executing this instrument to the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Downey Avenue Improvement:

The work heretofore authorized to be done by the Council of the City of Modesto under the State Improvement Act of 1911, in pursuance of Resolution of Intention No. 179, 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. 179.

RESOLUTION NO. 468-S.P.

RESOLUTION ORDERING THE WORK NO. 179

In accordance with certain plans and specifications heretofore adopted on the 25th day of March, 1925, was introduced 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 Alice Street Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the State Improvement Act of 1911, in pursuance of Resolution of Intention No. 180, 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. 180.

RESOLUTION NO. 469-S.P.

RESOLUTION ORDERING THE WORK NO. 180

In accordance with certain plans and specifications heretofore adopted on the 25th day of March, 1925, was introduced 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 Morris, Lottie and Adam Avenue Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the State Improvement Act of 1911, in pursuance of Resolution of Intention No. 181, 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. 181.

RESOLUTION NO. 470-S.P.

RESOLUTION ORDERING THE WORK NO. 181

In accordance with certain plans and specifications heretofore adopted on the 26th day of March, 1925, was introduced 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 Awarding Contract for the Improvement of Block 213:

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. 178 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 thereof having

been made and this being the time fixed by said resolution and notices, for receiving, opening and 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:

Grade Alley	@	\$ .05 per sq. ft.
Paving	@	.19 " " "
Headers	@	.10 " lin "
Grade Sidewalk	@	.07 " sq. "
Sidewalks	@	.16 " " "
Cutting and replacing pavement	@	.25 " " "
Modesto #5 Standard & Foundations	@	62.50 Each
Westinghouse Paragon Senior		
Tops with lamps	@	36.00 "
Connection Boxes	@	6.50
1" Galv. Conduit	@	.25 per lin ft.
#8 B. & S. lead covered Cable	@	.165 " " "

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

**RESOLUTION NO. 471-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 Approving of Assessment Maps:**

The assessment maps for the property to be assessed for the street improvement work performed under Resolution of Intention Nos. 176, 177, 178, were presented to the Council for approval. Upon a close scrutiny of these assessment maps, resolutions were introduced approving of them, being,

**RESOLUTION NO. 472-S.P.**

approving of the assessment district as outlined in the assessment map for the improvement of the Alley in Block 96, from the Northerly gutter line of "F" Street to the Southerly property line of "G" Street. Resolution of Intention No. 176.

**RESOLUTION NO. 473-S.P.**

approving of the assessment district as outlined in the assessment map for the improvement of Sixth Street, from the North property line of Sierra Drive to the Southerly property line of "H" Street. Resolution of Intention No. 177.

**RESOLUTION NO. 474-S.P.**

approving of the assessment district as outlined in the assessment map for the improvement of the alley in Block 215, between Pleasant Street and Fairview Avenue. Resolution of Intention No. 178.

The foregoing resolutions were regularly 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 Auction Sale Held by the City Some Months Ago:**

City Engineer McCarton was asked to bring in a report at the next meeting of the Council relative to the auction sale held by the City some months ago.

**In the Matter of Report on Up-keep of Sweeper:**

City Engineer McCarton filed with the City Council a report relative to the up-keep of the street sweeper for the month of March. Which report is upon file in the City Clerk's

office.

In the Matter of Sidewalk Adjacent to the Property of the Tidewater Railroad:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 978-N.S.

authorizing the City Clerk to write to the Tidewater Southern Railroad requesting them to put in sidewalks at 9th & N, and 10th & N Streets. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

No further business appearing, the Council, upon motion, adjourned, until April 30th, 1925.

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

Attest: H. E. Gragg  
City Clerk

.....

Council, City of Modesto  
April 30th, 1925.

The Council met pursuant to the adjournment of their regular meeting of April 22nd, 1925, and there were present Councilmen Brown, Prewett, Oswald, Boundey, Mayor Elias

Absent: Councilmen None

In the Matter of Canvassing Election Returns of the Election held on April 28th for the Election of One (1) Member to the School Board of the Modesto City School District:

The returns of the Modesto City School District Election of the City of Modesto held April 28th, 1925, being now on file with the Clerk of the Council, it is ordered that the Council proceed to open and canvass the said election returns. The following resolution is the findings of the Council in the canvassing of the returns of the Modesto City School District held April 28th, 1925, for the purpose of electing one (1) Member of the Board of Education.

RESOLUTION NO. 979-N.S.

RESOLUTION DETERMINING RESULT OF ELECTION

Whereas, a General School Election was held in and for the Modesto City School District, on the 28th day of April, 1925, 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 finds 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 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 School Election in and for the Modesto City School District the total number of

votes cast was 722;

That the number of votes received by the respective candidates for the office of member of the Board of Education of said Modesto City School District was as follows:

Mrs. C. E. Whitmore.....490  
G. B. Husted.....232

That the number of votes received by Mrs. C. E. Whitmore is a majority of the votes cast for such office, and that said Mrs. C. E. Whitmore is elected to the office of member of the Board of Education of the Modesto City School District, and that a Certificate of election to the office of member of Board of Education be issued to the said Mrs. C. E. Whitmore under the hand and seal of the City Clerk.

The foregoing resolution was introduced by Mayor Elias, who moved its adoption, which motion being duly seconded, the resolution 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 Sewer for the D.V.O. Products Company:

Mr. Gillman, Superintendent of the D.V.O. Products Company located just outside the City limits of the City of Modesto, appeared before the City Council on behalf of his Company and asked if it be possible to make arrangements with the City of Modesto to use the City's sewer in connection with the disposal of sewerage from their plant for the next few months or until such time that they could make arrangements which they contemplated doing for the disposal of their own sewerage. After a thorough discussion by the City Council it was the wish of the Council to cooperate with the D.V.O. Products Company in allowing them to connect on to the City Sewer System under the superintendent of the City Engineering Department. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 980-N.S.

authorizing that an agreement be entered into between the D.V.O. Products Company and the City of Modesto relative to the use of the City Sewer System by the D.V.O. Products Company.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Declaring Weeds upon Vacant Lots to be a Public Nuisance:

Councilman Oswald introduced a resolution being,

RESOLUTION NO. 981-N.S.

declaring weeds upon City streets, sidewalks and private property in the City of Modesto to be a public nuisance. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: H. E. G.  
City Clerk

May 15th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 22nd, 1925, and of the special meeting of April 30th, 1925, were read and approved as read.

In the Matter of the Organizing of the New Board and the Assigning of the Commissions to the Several Councilmen:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 982-H.S.

appointing Councilman Boundey Commissioner of Public Works and appointing Councilman Ustick Commissioner of Finance and Revenue. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claims:

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

General Fund.....	\$18185.69
Water Fund.....	7481.58
Library Fund.....	1655.50
Bond Red & Int.....	283.82
Total.....	<u>27606.59</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 Telephone in Park:

Pursuant to the matter of installing a telephone in Graciosa Park which was brought to the attention of the City Council at their last regular meeting and which was, at that time, left to Commissioner Brown to have the same installed, there was some discussion as to the method of installing this telephone in the park and the same was finally left to Mr. Phillis to have the telephone installed where it would be most convenient.

In the Matter of Communication from Mr. E. L. Bates:

A communication was received from Mr. E. L. Bates relative to the moving of poles and buildings in the alley from the Jones and Johnson addition which has been before the Council on several previous occasions and which had been referred to the City Attorney for adjustment. The City Attorney reports that progress is being made in the above matter. He also stated that at the next meeting he would undoubtedly have something more definite to report in regard to the above matter.

In the Matter of Communication from the Tidewater Railroad Co:

A communication was received from the Tidewater Railroad Co. regarding the paving and repairing of the City streets upon which they operate and also regarding signals at crossings. In the Matter of the repairing of the streets the railroad Company, through this letter, in-

formed the City Council that this matter would be taken care of at a very early date. Relative to the signals at the various crossings, the Railroad people signified a willingness to cooperate with the City in so far as the Railroad Commission would instruct them to do.

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 983-H.S.

authorizing the City Attorney to communicate with the Railroad Commission regarding the above matter, which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from the Chamber of Commerce:

A communication was received from the Chamber of Commerce inclosing a report from Dr. Essig, relative to the condition of the various shade trees in the City of Modesto. This report, with the recommendation from the Chamber of Commerce that the City act in accordance with the intention of the report, was reviewed by the City Council and taken under consideration. The above report is filed in the City Clerk's Office.

In the Matter of Communication from the County Horticultural Commissioner:

The above communication was received from L. A. Rutherford, County Horticultural Commissioner, recites that before the City goes to any great expense in controlling the European Elm Scale he would like to talk the matter over with the Council which communication was filed in the office of the City Clerk for further consideration.

In the Matter of Communication from Baker & Co. Inc:

The above communication was received from Baker & Co. and recommended certain sprays and equipment for use in the spraying of the shade trees in the City of Modesto. Which communication was duly considered by the City Council and ordered placed in the City Clerk's files.

In the Matter of Spraying of the Trees in the City of Modesto:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 984-H.S.

authorizing Commissioner Ustick to make a complete investigation of the various methods and sprays used and machines and equipment necessary and also a complete statement of the cost of each and every expense involved in the spraying of the trees in the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from the W. A. Smith, 425 Sycamore Ave., Modesto, California:

A communication was received from W. A. Smith relative to a claim for an unjust water bill which he claims he was compelled to pay in the office of the City Clerk. Which communication was read to the City Council and placed in the files of the City Clerk's office for further reference.

In the Matter of a Bill from Dr. Morgan:

Pursuant to a bill presented by Dr. Morgan at a regular meeting of the Council of April 8th, 1925, City Attorney Carlson explained to the Council the reason for the contract-

ing of this bill with Dr. Morgan and in his opinion the bill was justified and advised the Council to pay the same. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 985-N.S.

authorizing the City Clerk to draw a warrant in favor of Dr. Morgan for the amount of his bill as presented. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Hearing of Protests on the Removal of Weeds from Vacant Property:

This being the time set for hearing of protests on the removal of weeds from vacant property and no protests having been filed, Commissioner Oswald introduced a resolution, being,

RESOLUTION NO. 986-N.S.

ordering the Street Superintendent to abate said nuisance by having the weeds referred to removed from the several lots and blocks set out in Resolution No. 981-N.S. which have not already been removed by the property owners, all to be done according to an act authorizing municipalities to declare noxious and dangerous weeds growing upon streets or sidewalks a nuisance and provides a method for the abatement of the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition for the Paving of the Alley in Block 550;

A petition was presented to the City Council, for the pavement of the alley in Block 550. Said petition was referred to the City Engineer for verification of the frontage.

In the Matter of Awarding Contracts for the Improvement of Downey Avenue from James St. to the Alley in Block 596, Alice Street from McHenry Ave. to Elmwood Ave., and Morris Avenue from Sycamore Ave. to McHenry Ave., Lottie and Adam Avenues from Morris Ave. to Achor Court:

The Council, having heretofore duly adopted and passed Resolutions of Intention to do certain street work therein described, which Resolutions were entered in the minutes of said Council and are numbered and referred to as Resolutions of Intention No. 179, 180, and 181, and all due and legal proceedings having been thereafter had under and pursuant to said Resolutions and notices having been posted as required by law and this being the time affixed by said resolutions 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 one bid for each piece of work which opened, read as follows including the action of the Council in said matter:

BID OF THE STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF DOWNEY AVE:

Grading	@	\$.05 per sq. ft.
Paving	@	.17 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. "
Headers	@	.10 " " "
#5 Modesto Standards & Foundations	@	62.50
Westinghouse Paragon Senior Tops	@	36.00
Connection Boxes	@	6.00
One inch Galv. iron Conduit	@	.25 per lin. ft.
#8 B. & S. lead cable	@	.165 " " "

The bid being duly considered, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 475-S.P.

Resolution of Award No. 179.

Which resolution awards the contract to the Standard Paving Company at the prices named in their proposal. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

BID OF THE STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF ALICE STREET:

Grading	@	\$.05 per sq. ft.
Paving	@	.17 " " "
Concrete approaches	@	.185 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. "
Headers	@	.10 " " "

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

RESOLUTION NO. 476-S.P.

Resolution of Award No. 180.

Which resolution awards the contract to the Standard Paving Company at the prices named in their proposal. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent : Councilmen None

BID OF THE STANDARD PAVING COMPANY FOR THE IMPROVEMENT OF MORRIS AVE:

Grading	@	\$.05 per sq. ft.
Paving	@	.17 " " "
Concrete approaches	@	.185 " " "
Gutter	@	.20 " " "
Curb	@	.70 " lin. "
Headers	@	.10 " " "
Culverts	@	2.50 " " "
#700 Marbelite Standards & Foundations	@	70.00
G. E. Novalux Units # 12	@	36.00 Each
Connection Boxes	@	6.50 "
One inch galv. iron conduit	@	.25 per lin ft.
# 8 B.&S. lead cable	@	.165 " " "

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

RESOLUTION NO. 477-S.P.

Resolution of Award No. 181.

Which resolution awards the contract to the Standard Paving Company at the prices named in their proposal. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Paving the Driveway to Garage on the Downey Street Firehouse:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 987-N.S.

authorizing the City Engineer to have the driveway from the street to the garage paved at the Downey Street Firehouse. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids for Deep Well Pump and Motor in the City of Modesto at Station # 8:

Councilmen Boundey introduced a resolution, being,

RESOLUTION NO. 988-N.S.

authorizing the plans and specifications submitted by the City Engineer for the pump and motor be adopted and that the City Clerk be authorized and directed to advertise for bids on the same to be opened at the next meeting of the Council all pursuant to Ordinance No. 270 which resolution was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from W. R. Harmon & Company:

Which communication proposed to install intersection markers for the City of Modesto at a cost of \$81.00 per intersection. After consideration of this matter, the City Council instructed the City Engineer to inform Harmon & Company that the City was not interested at this time in the above mentioned markers.

In the Matter of Electric Current Contract:

At this time, the Modesto Irrigation District Board of Directors approached the City Council and laid before the City Council a new contract providing for the lighting of streets and the use of power for the City of Modesto for the ensuing year. This contract was read to the City Council and after due consideration, the above contract was taken under consideration and the Modesto Irrigation District Board was informed that a conference should be arranged between the two Boards wherein certain features of this contract should be discussed before the contract was finally consummated.

In the Matter of Field Pieces for the City Park:

Mr. Leet appeared before the City Council and explained to the City Council the method whereby certain trophies of the World War might be secured for the City Park of the City of Modesto. He also explained that the cost of procuring the above mentioned field pieces would be borne by the City of Modesto. After consideration of this matter by the City Council, it was thought that the City, at this time, was not in a position to accept the proposition as outlined by Mr. Leet.

In the Matter of Transferal of Funds:

The City Auditor reported that the General Fund of the City of Modesto was over-drawn to quite an extent and recommended the transferal of funds. Whereupon Councilman Ustick offered the following resolution, being,

RESOLUTION NO. 989-N.S.

authorizing the City Auditor to transfer Fifty Thousand Dollars (\$50,000.00) from the Water Fund to the General Fund. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of City Electrician Evans' Salary:

Inasmuch as Mr. Evans left the employ of the City on the 13th day of April, there appeared to be some controversy as to the salary that should be paid him. Whereupon Commissioner Osvald introduced a resolution, being,

RESOLUTION NO. 990-N.S.

proposing that the City Electrician, Mr. Evans, be paid for the entire month of April. Which resolution was not adopted by the following vote:

Ayes: Councilmen Osvald and Ustick

Noes: Councilmen Boundey, Brown, Mayor Elias

Absent: Councilmen None

In the Matter of Reports:

The reports of the various departments for the month of April were reviewed by the City Council and ordered placed on file in the City Clerk's office.

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

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

Attest: HE Gugg  
City Clerk

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Council, City of Modesto

May 27th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of May 15th, 1925, were read and approved as read.

In the Matter of Petition Presented to the Council from the Various Labor Unions in the City of Modesto:

A petition was presented to the City Council signed by the presidents of the Electrical Workers, the Carpenter's Union, the Lathers, and Metal Workers' Union, asking for the discharge and removal from office of the City Engineer, F. W. McCarton and City Electrical Inspector, R. P. Rothgeb. The above petition was referred to E. J. Boundey, Commissioner of Public Works for his investigation.

In the Matter of Communication from the Tidewater Railroad Co.:

A communication was read from the Tidewater Railroad Company informing the City of Modesto that they would immediately comply with their request for the construction of a sidewalk at 9th and N Streets.

In the Matter of City Sewer Connection Outside the City Limits:

Mr. J. S. McCabe, living just outside the City limits across Franklin Street, made application to the City Council asking permission to connect up with the City Sewer System. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 991-H.S.

referring the petition to City Engineer McCarton with the request that the petition be granted when Mr. McCabe shall have complied with all the rules and regulations governing the connecting to the City Sewer System by outside residents.

In the Matter of City Attorney's Report on the Removal of Obstructions in the Jones-Johnson Addition:

The City Attorney reported that no further action had been taken in this matter and the same was continued until the next regular meeting of the Council.

In the Matter of Commissioner Ustick's Report on the Spraying of Trees:

Commissioner Ustick reported progress in this matter and advised the Council that it would need further time for a complete investigation.

In the Matter of Approving Map of the Subdivision of Block 554 presented by Geo. H. Freitas:

After consideration of this matter, the Council was of the opinion that there should be provisions made for an alley along the south boundary of the lots laid out in this plat and recommended that the approval of the map be deferred until the next regular meeting of the Council.

In the Matter of Report on Auction Sale Held on Personal Property Unnecessary for Use of the City:

City Engineer McCarten filed a report of the result of the auction held under Resolution No. 916-N.S. which report is on file in the City Clerk's Office.

In the Matter of Bids on Motor:

The City, having heretofore advertised for bids on a motor and this being the time fixed in accordance with published notices for receiving and considering said bids and there being five bids on file, the Council proceeded to open and canvass the bids as follows:

Wille Electric Motor Works:

1 General Electric, type KT, frame 356, 100 HP, 900 R.P.M., 440 volt, 3 phase, 60 cycle, vertical motor.  
Price.....\$848.00

Westinghouse Electric & Manufacturing Company:

1 100 HP motor, frame #856, constant speed, continuous duty at 40 deg. C. Rise, type CS, squirrel cage rotor, 440 volts, 60 cycles, 3 phase, 8 poles, 850 RPM at full load.  
Price.....\$791.00

General Electric Company:

1 type Kt, 356, 100 HP, 900 synchronous speed, 875 RPM full load speed, 440 volts, 3 phase, 60 cycle, squirrel cage vertical motor.  
Price.....\$792.00

Fairbanks, Morse & Company:

100 HP, 3 phase, 60 cycle, 440 volts, 900 RPM, Fairbanks, Morse type "UH" Ball Bearing motor.  
Price.....\$846.00

U. S. Motor Company:

40 U. S. Vertical motor only alternats.  
Price.....\$565.00

40 U. S. Vertical motor with hand compinsator, providing over-load and low voltage protection.  
Price.....\$685.00

In the Matter of Pump:

There were four bids submitted on a pump as follows:

Byron-Jackson Pump Manufacturing Company:

1 #6, 17- $\frac{1}{2}$ " outside diameter "Byron Jackson", multi-stage deepwell turbine pump, fitted with runners of the enclosed type and provided with removable bronze wearing rings.  
Price.....\$1866.00

American Well Works:

Pump will be 17" Type H. 10 stage new style, American Deep Well Turbine Centrifugal Pump furnished with bronze enclosed impellers equipped with removal wearing rings of bronze and without diffusers.  
Price.....\$5191.00

Layne & Bowler Pump Company:

One 16", Type DHC pump.  
Price.....\$1840.00

Sterling Pump Works:

1 #4--14 stage Sterling Turbine Pump  
Price.....\$2247.00

1 #3--8 stage Sterling Turbine Pump  
Price.....\$1625.00

After due and careful consideration by the City Council on the bids received for a

motor and pump, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 992-N.S.

placing the bids received by the Council for a motor and pump under consideration by the City Council 7:30 P.M. Wednesday, June 3rd, 1925.

No further Business appearing, the Council adjourned until 7:30 P.M. Wednesday June 3rd, 1925.

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

Attest: H. E. Gragg  
City Clerk

.....

Council, City of Modesto  
June 3rd, 1925.

The Council met in pursuance to the adjourned meeting of May 27th, 1925, at which time the Council postponed action upon certain bids upon a motor and pump, upon which bids were opened May 27th, 1925, and there were present Councilmen Boundey, Brown, Ustick, Mayor Elias  
Absent: Councilman Osvald

In the Matter of a Motor:

The Council, after due consideration of the various bids submitted for one motor and pump as advertised for on May 19th, 1925, finally decided upon the following equipment.  
Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 993-N.S.

accepting the bid of the Wille Electric Company for one motor at a price of \$848.00 as per bid accompanying plans and specifications and authorizing the Mayor and City Clerk to enter into and execute a contract with the Wille Electric Company for the purchase of the above mentioned motor and authorizing that all other bids be rejected and the City Clerk be instructed to return to the unsuccessful bidders their certified checks which accompanied their bids. The foregoing resolution was introduced by Councilman Boundey, who moved its adoption and which was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of a Pump:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 994-N.S.

accepting the bid of the Byron-Jackson Pump Mfg. Co. for the pump submitted in their bid at a price of \$1866.00 and authorizing the Mayor and City Clerk to enter into and execute a contract with the Byron-Jackson Pump Mfg. Co. for the above mentioned pump and rejecting all other bids and authorizing the City Clerk to return to the unsuccessful bidders their certified checks which accompanied their bids. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

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

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

Attest: H E Gragg  
City Clerk

.....

Council, City of Modesto  
Wednesday, June 8th, 1925.

The Council met in special meeting at the City Hall, 717 10th Street, at 2:30 P.M. on Monday June 8th, 1925, 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.S. of the City of Modesto, said written notices, with the acknowledgement 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, Brown, Oswald, Ustick, Mayor Elias

Absent: Councilmen None

In the Matter of Approving a Map Entitled "Homesite Tract."

Mr. J. H. Kendall presented to the City Council for its approval, a certain map entitled "Homesite Tract" being a subdivision of Lot 10 and the S. 25" of Lot 7, of the Spencer Colony according to the map of Spencer Colony filed for record in the office of the Recorder of Stanislaus County, Page 3 of Volume 2 of Maps.

After due consideration of this matter, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 995-N.S.

approving of the above mentioned map. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: H E Gragg  
City Clerk

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Council, City of Modesto  
June 10th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of May 27th, the adjourned meeting of June 3rd, and the special meeting of June 8th, 1925, were read and approved as read.

In the Matter of Claims:

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

General Fund.....	\$12492.88
Water Fund.....	4758.55
Library Fund.....	1541.85
Bond Red. & Int.....	2055.20
Total.....	\$20848.28

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

In the Matter of Report of City Attorney on the Obstructions in the Alley of the Jones-Johnson Addition:

The City Attorney reported that no further action had been taken in this matter and the same was continued until the next regular meeting of the Council.

In the Matter of Approving Subdivision Map of Block 554:

In view of conditions existing which were not yet adjusted satisfactory to the Council the same was continued until the next meeting of the Council.

In the Matter of Water Tap:

The Modesto Empire Traction Company made an application for a 2" water tap. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 996-N.S.

authorizing the City Engineer to install the above water tap for the Empire Traction Company.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sidewalk Petition on Seventh Street:

A petition was presented to the City Council by residents and property owners of the City of Modesto asking that sidewalks be laid on both sides of Seventh Street, beginning at M. St. and extending to the intersection of Seventh and Washington Street. This matter was referred to Commissioner Boundey for his recommendation.

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of the alley through Block 550, from the Northerly property line of Needham street to the Southerly property line of Alice street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 478-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 the alley through Block 550, from the Northerly property line of Needham street to the Southerly property line of Alice street, be graded, paved between the property lines and gutter with a pavement consisting of an Asphaltic Concrete base two and one-half (2½)

inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half (1½) inches in thickness, curbed on both sides to the official grade with Oregon Pine headers and to further construct along and parallel to the center line a Cement Concrete gutter two (2) feet wide and five (5) inches in thickness.

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 10th day of June, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on June 10, 1925.

Attest: H. E. Cragg  
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. 479-S.P.

Resolution Adopting Plans and Specifications

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call declared adopted as outlined in the Resolution of Intention No. 182, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

RESOLUTION NO. 480-S.P.

Resolution of Intention No. 182

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 the alley through Block 550, from the Northerly property line of Needham street to the Southerly property line of Alice street, be graded, paved between the property lines and gutter with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a Warrenite-Bitulithic wearing surface one and one-half (1½) inches in thickness, curbed on both sides to the official grade with Oregon Pine headers and to further construct along and parallel to the center line a Cement Concrete gutter two (2) feet wide and five (5) inches in thickness.

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 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.

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 34 inclusive, Block 550; as per map of Record in the County Recorder's Office. Vol. 10 of Maps, Page 550, 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 8th day of July, 1925, 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 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 10th day of June, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on June 10, 1925.

Attest: H. E. Gragg  
City Clerk

In the Matter of Communication from James Evans:

Mr. James Evans, former City Electrician, addressed a communication to the City Council in which he stated that he had been led to believe that, if he would remain and perform certain work in his department, that he would be paid for the entire month of April but inasmuch as Mr. Evans left the employ of the City and accepted another position on the 15th day of April, the Council was of the opinion that no further compensation was due Mr. Evans. The communication was therefore ordered placed on file in the City Clerk's office.

In the Matter of Communication from the Board of Directors of the Boy's Band:

The Board of Directors of the Modesto Boy's Band presented a petition to the City Council

oil signed by several citizens asking that the Boy's Band be engaged to give a series of 12 concerts or more during the summer months of 1925 in the Courthouse Park and asking that a sum of \$1500.00 be paid to the Boy's Band for this service. This communication, after being read to the City Council, was ordered placed on file.

In the Matter of Spraying Trees:

Commissioner Ustick reported that it would require several weeks in which to complete his investigation upon the matter of spraying the shade trees in the City of Modesto.

In the Matter of Reports:

The reports of the various departments for the month of May, 1925, were reviewed by the Council and ordered placed on file.

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

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

Attest: *H. E. Gregg*  
City Clerk

.....

Council, City of Modesto  
June 24th, 1925.

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

Absent: Councilmen None

In the Matter of Approving of Assessment Maps:

The assessment maps for the property to be assessed for the street improvement work performed under Resolution of Intention No. 179, 180, 181, 182, were presented to the Council for approval. Upon a close scrutiny of these assessment maps, resolutions were introduced approving of them, being,

RESOLUTION NO. 481-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Downey Avenue, from the East property line of James Street to the West property line of the alley in Block 596. Resolution of Intention No. 179.

RESOLUTION NO. 482-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Alice Street, from the West property line of McHenry Avenue, to the East property line of Elmwood Avenue. Resolution of Intention No. 180.

RESOLUTION NO. 483-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Morris Avenue, from the East property line of Sycamore Avenue to the West property line of McHenry Avenue, Lottie and Adam Avenues from the North property line of Morris Avenue to the South property line of Achor Court. Resolution of Intention No. 181.

RESOLUTION NO. 484-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of the Alley through Block 550, from the Northerly property line of Needham street to the Southerly property line of Alice Street. Resolution of Intention No. 182.

The foregoing resolutions were regularly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Employing Auditors:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 997-N.S.

authorizing the City Clerk to write to the auditing firm of Brotherton-Thomas Company of Oakland, engaging their services for the auditing of the City's books for the fiscal year ending June 30, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Plumbing License to D. R. Hoffman:

Mr. D. R. Hoffman of the firm of Ream & Hoffman presented a formal application to the City Council, asking that a plumber's license be issued to him under the provisions of Ordinance No. 276. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 998-N.S.

authorizing the issuance of a plumber's license to Mr. D. R. Hoffman when all requirements of Ordinance No. 276 have been complied with. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The annual report of the Park Commission of the City of Modesto and the monthly report of the Salvation Army were received and read to the Council and adopted as read and ordered filed in the City Clerk's Office.

In the Matter of Official Advertising for the Ensuing Fiscal Year:

In pursuance of published notice under date of June 19, 1925, inviting sealed proposals for the official printing and advertising for the fiscal year ending June 30, 1926, there being one bid on file from the Modesto News-Herald which was opened and read as follows:

"We herewith agree to publish all Official Printing and Advertising of the City of Modesto, for the Fiscal Year Ending June 30th, 1926, as particularly described in the "Notice Inviting Bids", dated June 19th, 1925, and published June 19th to 24th inclusive, for \$1.00 per square for the first insertions and 50¢ per square for each subsequent insertion.

Attached you will find our certified check in the sum of \$50.00, as a guarantee that we will enter into a satisfactory contract with the City of Modesto, for the Official Printing and Advertising in accordance with the above bid."

After due consideration of the bid, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 999-N.S.

awarding the contract to the Modesto News-Herald for the official printing and advertising for the fiscal year ending June 30th, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Complaints Regarding the Noises and Disturbances in Graceada Park at Night:

Residents in the immediate vicinity of Graceada Park entered a complaint that the light left burning until the late hours of the night at the tennis and horseshoe courts and playgrounds in Graceada Park caused a number of boys to form a habit of gathering in the Park at a late hour and indulging in the use of loud and profane language and making an unnecessary amount of noise, thereby disturbing the peace and quiet of the residents in the adjoining neighborhood. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1000-N.S.

authorizing the City Engineer to install, at the tennis and horseshoe courts and playgrounds in Graceada Park, an automatic switch which would extinguish the lights at 10:00 O'clock at night. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Payment of the Mack Truck;

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1001-N.S.

authorizing the City Clerk to draw a warrant in favor of the Mack International Motor Truck Corporation as a final payment on one Mack truck and flusher purchased from them as per contract dated December 22nd, 1924. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Re-payment of Loan of Borden Company:

In pursuance of a certain loan in the amount of \$1250.00 granted to the City under date of October 27th, 1921, and which the City desires to pay at this time under resolution, being,

RESOLUTION NO. 1002-N.S.

authorizing the City Clerk to draw a warrant in favor of the Borden Company in re-payment of of the above mentioned loan. Which resolution was introduced by Councilman Boundey and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Tax Rate for the Year of 1925:

The tax rate for the year of 1925 was brought up and discussed at some length by the Council and inasmuch as the Ordinance No. 12-N.S. does not provide for the setting of the tax rate until after the Board of Equalization has met, this matter was deferred until that time.

In the Matter of Approving Action Taken by the Modesto Irrigation District regarding the sale of Electric Power by the City of San Francisco:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1003-N.S.

RESOLVED, by the Council of the City of Modesto that it approves the action taken by the Modesto Irrigation District in protesting against the sale of any electricity by the City & County of San Francisco to the Pacific Gas & Electric Company or to any private corporation or person.

RESOLVED, that the City Clerk telegraph a copy of this resolution to the Secretary of Interior, and the Attorney General of the United States and to the Board of Supervisors of the City & County of San Francisco.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of a Petition Presented for the Extension of Elmwood Ave:

A petition was presented to the City Council asking that Elmwood Ave. be extended from Stoddard to Morris Ave. This petition was duly considered by the City Council and upon recommendation of Mayor Elias, was laid over until more complete investigations might be made regarding the same.

In the Matter of Approving Map of Subdivision of Block 554:

In pursuance of a map being filed with the City Council under date of May 27th, 1925, by George O'Connor, subdividing Block 554 and upon which action was postponed by the Council at that time in order that they might acquaint themselves more fully with certain conditions represented by this map. At this time, Mr. O'Connor appeared before the Council and explained to them, his reasons for making this subdivision as this map showed, which explanation was addressed to the Council. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1004-N.S.

approving of the map presented by Mr. George O'Connor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Supplying Electroliers Around the Elks Building:

Mr. McCarton, City Engineer, informed the Council that he had been requested by the Davis-Heller-Pierce Company, contractors for the Elks Building, to install 3 electroliers around the Elks Building. He also reported that he had been requested by the property owners to install one electrolier at the corner of 9th and E Streets. He asked permission of the City Council to make the above installations which was so granted by the following resolution, being,

RESOLUTION NO. 1005-N.S.

authorizing the City Engineer to install 3 electroliers around the Elks Building at a cost of \$80.00 each, to be paid for by the contractors, Davis-Heller-Pierce Company. Also authorizing him to install one electrolier at the corner of 9th and E Streets to be paid for by Mr. J. Gilligan, owner of the Europa Hotel. Which resolution was introduced by Councilman Ustick and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sewer for Mr. Beard in Block 76:

Mr. Walter Beard appeared before the City Council and asked that the City extend sewer service to his property in Block 76. He asked for an extension of about 500 feet of 6 ft. sewer for the convenience of the 2 warehouses in that district. Whereupon Councilman Ustick

introduced a resolution, being,

RESOLUTION NO. 1006-N.S.

granting the above mentioned sewer to Mr. Walter Beard, and authorizing the City Engineer to proceed with the installation of the same, as outlined by Mr. Beard in Block 76. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Lighting District in the Business Section of the City:

Mayor Elias called the attention of the City Council to the fact that there had been some talk indulged in by the Engineer's Club of the City of Modesto regarding the formation of a new lighting district. This matter was referred to the City Attorney, asking him to enlighten them on the necessary steps required for the formation of the necessary district.

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

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

Attest: H. E. Gragg  
City Clerk

.....

Council, City of Modesto  
July 8th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

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

In the Matter of Claims:

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

General Fund.....	\$16975.61
Water Fund.....	5101.77
Library Fund.....	1073.35
Bond Red. & Int.....	2132.13
Miscellaneous.....	
Total.....	<u>\$25282.86</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 Lunch Stand:

Mr. A. A. Fern made a formal application to the City Council of the City of Modesto, asking that he be permitted to operate a lunch counter upon an automobile chassis to be known as the "Sanitary Lunch." He asked permission to operate this lunch counter on 9th Street opposite the Pratt-Lowe Cannery. After consideration of this matter, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 1007-N.S.

granting permission to Mr. A. A. Fern to operate a lunch stand as set out in his application to the City Council when he shall have paid the necessary license and complied with all the rules and regulations and sanitary measures governing the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Claim of M. V. Wilson:

A claim was presented by M. V. Wilson for writing tax statements and the assessment roll for the City of Modesto for the year of 1925. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1008-N.S.

allowing Mr. Wilson's claim of \$200.00 for the above mentioned services. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Granting Sewer Service Outside the City Limits:

Mr. Albert Davies presented a formal petition to the City Council of the City of Modesto asking permission to connect with the City Sewer, his premises being just outside the City adjoining the South of Block 357 of the City of Modesto. The necessary fee of \$25.00 as a service charge and a rental fee of \$6.00 accompanied the petition. After due consideration of this matter by the City Council and upon the recommendation of the City Engineer, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1009-N.S.

granting the petitioner, Mr. Albert Davies, permission to connect to the City Sewer System. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Adjusting Salaries in the City Clerk's Office:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1010-N.S.

authorizing the City Clerk to pay the following salaries to the four employees in the City Office for the following year:

Miss Loving.....	\$150.00	per month.
Mrs. Davis.....	100.00	" " "
Miss Whitcomb.....	100.00	" " "
Mr. Blum.....	100.00	" " "

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Block 550 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. 182, 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. 182.

RESOLUTION NO. 485-S.P.

RESOLUTION ORDERING THE WORK NO. 182.

In accordance with certain plans and specifications heretofore adopted on the 10th day of June, 1925, was introduced and upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Granting Sewer Service to Mr. Grat Hogin:

Councilman Oswald brought up the question of furnishing sewer service to Mr. Hogin's property in Block 324, City of Modesto but inasmuch as the expense of laying sewer to this property is so great and Mr. Hogin's property being the only property that would be benefited at the present time, the Council was of the opinion that this matter should be deferred until a later date.

In the Matter of Lighting the Courthouse Park:

City Engineer McCarton reported that there was a movement on foot whereby the Courthouse and the Courthouse grounds would be connected with the City's street lighting system. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1011-N.S.

authorizing City Engineer McCarton to represent the City of Modesto in any conferences that might be had by and between the Modesto Irrigation District and the County Supervisors in regard to the above lighting proposition and report his findings at the next regular meeting of the Council. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of an Ordinance for the purchase of Cast Iron Pipe:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 277-N.S.

providing for the purchase of cast iron pipe by the City of Modesto in the amount of \$7500.00.

Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communications:

Letters were received from the Secretary of the Interior and from the Attorney General which were as follows:

Mr. H. E. Gragg  
City Clerk  
Modesto, California

My dear Mr. Gragg:

I have your telegram of the 24th, relative to a proposed contract between San Francisco

and the Pacific Gas and Electric Company, and have to advise you that up to the present time no contract or other proposition has been presented to the Department.

Very truly yours,

E. E. Finney  
Acting Secretary.

Mr. H. E. Gragg  
City Clerk  
Modesto, California

Sir:

Referring to your telegram of today, I can only say that the protest of the City Council, along with others of similar character will be duly considered in case the matter of the sale of electricity by the City of San Francisco to the Pacific Gas and Electric Co. shall come before this Department for consideration or action.

Respectfully,

For the Attorney General  
.....  
Assistant Attorney General

The same being read to the City Council, they were ordered placed on file in the City Clerk's Office.

In the Matter of Reports:

The reports of the various departments for the month of June, 1925, and for the year of 1925, were reviewed by the Council and ordered placed on file in the City Clerk's Office.

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

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

Attest: H E Gragg  
City Clerk

July 22nd, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of July 8th, 1925, were read and approved as read.

In the Matter of Location for the Stanislaus County Fair:

Mr. Sherman and Mr. Stanley appeared before the City Council on behalf of the Stanislaus County Fair Board and asked permission to hold the said Fair on the ground of the aviation field. After consideration of this matter by the City Council, it was decided that the City had no objections to holding the Fair upon the grounds of the aviation field. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1012-N.3.

granting permission to the Stanislaus County Fair Board to hold the above mentioned Fair on the grounds of the aviation field. Also that all the work pertaining to the putting of the grounds in shape for the Fair to be done to the satisfaction of the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Protests Against the Smoke from the Modesto Gas Co:

A communication was received from the Peppers Fruit Company protesting against the nuisance of gas fumes and smoke maintained by the Modesto Gas Co. in the vicinity of their warehouse. Mr. Cressey, President of the Modesto Gas Co. communicated with the City Council and stated that, owing to the absence of the Superintendent from the plant for some little time, this condition had arisen through the inexperience of certain operators at the plant. He, however, assured the Council that this matter would be properly corrected.

In the Matter of Petition from the Modesto Interurban Railroad Co:

Mr. W. H. Murray, Engineer of the Modesto Interurban Railroad Company presented a petition to the City Council asking permission to construct spur and side tracks as might be found necessary in the alley of Block 72 and 73 in the City of Modesto and to construct said spur track across D and E Streets. Mr. Murray was informed by the City Council that it would be necessary for him to secure the signed consent of all the property owners fronting on the alley of Blocks 72 and 73 in which he desired to construct said spur tracks, and present the same to the Council whereupon action would be taken upon the petition.

In the Matter of Final Adoption of Ordinance No. 277-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 8th day of July, 1925, and having been published as required by the Charter, coming on for final adoption this 22nd day of July, 1925, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of the Alley through Block 550:

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. 182 and all due and legal proceedings having heretofore had under and pursuant to said Resolution as appears by the record 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	@	\$0.05	per	sq.	ft.
Paving	@	.17	"	"	"
Gutter	@	.20	"	"	"
Headers	@	.10	"	lin.	"

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

RESOLUTION NO. 486-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, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Granting Plumber's License to McMullen & Young of the City of Turlock:

Messrs. McMullen & Young, City of Turlock, County of Stanislaus, State of California, presented a formal application to the City Council for a plumber's license, the same being accompanied by a bond of \$2500.00, properly executed which was accepted by the Council and the license granted by a resolution introduced by Commissioner Ustick, being,

RESOLUTION NO. 1013-N.S.

authorizing the issuance of a license to the firm of McMullen & Young and accepting the bond of \$2500.00 presented by the above mentioned firm. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petitions for the Improvement of Roselawn Ave. and Fourth St:

Petitions for the paving of Roselawn Avenue and Fourth Street were presented to the City Council and were referred to the City Engineer for verification of the frontage that had been signed up by the property owners on the above petition.

In the Matter of Petition for the Extension of Elmwood Ave:

In pursuance to the filing of a petition with the City Council on June 24th, 1925, at which time it was postponed until the City Council had had time in which to investigate, the same was again brought to the attention of the City Council at this time. Whereupon they declared their intention of reviewing the proposed extension of Elmwood Ave. at an early date and report at the next meeting of the Council.

In the Matter of The Termination of the Licenses for Pool Rooms and Card Rooms of K. Nakashima:  
It appearing to the Council, and the Council so finding the fact to be upon sworn testi-

mony, that on July 20, 1925, and at least two days prior to the time fixed for this hearing, to-wit: 8 o'clock P.M., Wednesday, July 22, 1925, a written notice was personally served upon K. Nakashima by the Chief of Police requiring him to appear before the City Council at this time and place to show cause why the licenses heretofore issued to K. Nakashima, to-wit: License #279, dated July 7th, 1925, for two card tables, and License #32, dated July 3, 1925, for one pool table in connection with the pool and billiard or card rooms operated by said K. Nakashima at 623 Seventh Street, Modesto, California, should not be terminated and cancelled. Lee E. Smith, Chief of Police of the said City of Modesto appearing in support of said notice to show cause, and no appearance being made by said K. Nakashima or any one on his behalf, and the time set for hearing the same having expired, and the Council proceeding to the hearing of the same and having taken sworn testimony relating to the alleged violation of Ordinance 196-N.S. and the terms of the application of said K. Nakashima for a license, and finding therefrom that said K. Nakashima has violated the terms of said Ordinance #196-N.S., and the terms of his applications for licenses pursuant thereto, and has violated the terms and provisions of other ordinances of the City of Modesto, particularly in that gambling has been permitted to be carried on at the rooms so licensed, and that the rooms in which said pool and billiard or card rooms are maintained and operated are not constructed and maintained in compliance with Section 7 of said Ordinance #196-N.S. Thereupon, said licenses, and each of them, were ordered cancelled and terminated pursuant to

RESOLUTION NO. 1014-N.S.

which was introduced by Councilman Oswald who moved its adoption, which motion being duly seconded, said Resolution was carried and adopted by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

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

In the Matter of Reports:

The monthly report of the Police Court and the Salvation Army for the month of June, 1925, were reviewed by the City Council and ordered filed.

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

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

Attest: H. E. Gruff  
City Clerk

Board of Equalization, City of Modesto  
Monday, August 3rd, 1925.

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 3rd day of August, 1925, to meet as a Board of Equalization to equalize any assessments which may appear erroneous upon the tax roll, and there were present Councilmen Boundey, Oswald, Ustick, Mayor Elias

Absent: Councilman Brown

A complaint was filed as follows:

Mr. Geo. Sovern appeared in the interest of W. M. Welch, asking that Mr. Welch's assessment on Block 95, Lots 17 to 30 inc., be reviewed with a view of lowering the assessment. Investigation of this matter by the Board of Equalization was to the effect that the assessment as appeared upon the assessment was just and equitable and therefore ordered the same to stand as assessed.

No further business appearing, the meeting upon motion, adjourned until Tuesday morning, August 4th, 1925, at 10 o'clock A.M.

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

Attest: HE Gregg  
City Clerk

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Board of Equalization, City of Modesto  
Tuesday, August 4th, 1925.

The Board of Equalization met pursuant to adjournment of August 3rd, 1925, and there were present Councilmen Boundey, Brown, Oswald, Mayor Elias

Absent: Councilman Ustick

No business appearing, the meeting was adjourned until Wednesday morning, August 5th, 1925, at 10 o'clock A.M.

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

Attest: HE Gregg  
City Clerk

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Board of Equalization, City of Modesto  
Wednesday, August 5th, 1925.

The Board of Equalization met pursuant to adjournment of August 4th, 1925, and there were present Councilmen Boundey, Brown, Oswald, Mayor Elias

Absent: Councilman Ustick

No business appearing, the meeting was adjourned until Thursday morning, August 6th, 1925, at 10 o'clock A.M.

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

Attest: HE Gregg

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Board of Equalization, City of Modesto

Thursday, August 6th, 1925.

The Board of Equalization met pursuant to adjournment of August 5th, 1925, and there were present Councilmen Brown, Oswald, Mayor Elias

Absent: Councilmen Boundey, Ustick

No business appearing, the meeting was adjourned until Friday morning August 7th, 1925, at 10 o'clock A.M.

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

Attest: H. E. G. Gass  
City Clerk

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Board of Equalization, City of Modesto

Friday, August 7th, 1925.

The Board of Equalization met pursuant to adjournment of August 6th, 1925, and there was present Councilmen Brown, Oswald, Boundey, Ustick.

Absent: Councilmen Mayor Elias

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

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

Attest: H. E. G. Gass  
City Clerk

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Council, City of Modesto

August 12th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of July 22nd, 1925, and the Board of Equalization meetings of August 3rd, 4th, 5th, 6th, and 7th, 1925, were read and approved as read.

In the Matter of Claims:

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

General Fund.....	\$15665.92
Water Fund.....	5335.58
Library Fund.....	839.56
Bond Red. & Int.....	11400.00
St. Bond Fund.....	44310.67
Total.....	\$77551.73

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 Licenses for K. Nakashima:

Mr. Roy Maxey presented a communication to the City Council asking that the Council reconsider its' action of July 22, in passing a resolution revoking the licenses of the above named Nakashima at his place of business, 623 7th St. Mr. Maxey set out, in his request,

for reconsidering the above mentioned resolution that the said Nakashima had remodeled his place to conform with the Ordinance of the City and that he had promised, in every way, to conduct his place in accordance with the Ordinance regulating pool halls and card tables. Upon the questioning of Chief of Police, Lee E. Smith in regard to this matter, it was the opinion of the Chief that these licenses should not be renewed and as no resolution was offered for the reconsidering of this revocation of licenses, Resolution No. 1014-N.S. as passed by the Council on July 22nd, 1925, in which the licenses of Mr. Nakashima were revoked, still stands as a matter of record in the City Clerk's Office.

In the Matter of Spur Track Petitioned for by the Modesto Interurban Railroad Co:

Mr. William Murray, representative of the Modesto Interurban Railroad Co. appeared before the City Council in pursuance of a request made by the City Council on July 22nd, providing that Mr. Murray obtain the written consent of all the property owners fronting upon the alley of Blocks 72 and 73, for the Modesto Interurban to lay a track down the alley providing the City Council should see fit to grant the petition. At this time, Mr. Murray presented an instrument offering no objections to the laying of the spur track in the alley as above mentioned and was signed by Mrs. S. D. Hobron, W. E. Kewin, and the Kewin Lumber Company by T. H. Kewin, President. The above represent all the property in Blocks 72 and 73 except 6 lots in Block 72 owned by the Wallace family who were unwilling to sign. After some discussion regarding this matter, Mayor Elias informed Mr. Murray that the City Council would take this matter under advisement and would go upon the property and make a thorough investigation of all points to be considered and report at the next meeting of the Council.

In the Matter of Water Bill Charged to the Property Owned by Mr. James Search:

A water bill of \$13.50 had accumulated against the property at 249 Rue De Yoe before Mr. James Search had come into possession of the same. Mr. Search felt that he should not pay the full amount as he had had no benefit from the use of the water but would offer a compromise in the matter by paying one month's water bill plus a fine of \$2.50 for turning the water off and turning it on again, which offer the Council accepted by the following resolution introduced by Councilman Oswald, being,

RESOLUTION NO. 1015-N.S.

authorizing the City Clerk to settle the above mentioned water bill with Mr. Search in full to the date of December 4th, 1923, this being the time the water was shut off from the above premises by the City water department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Plumber's License of Mr. Geo. A. Schuster:

Mr. Geo. A. Schuster of the City of Oakland, California, presented in regular form, an application accompanied by a bond for a plumber's license in the City of Modesto as provided in Ordinance No. 204. After the proper examination of the application and bond by the City Council, Councilman Oswald, introduced a resolution, being,

RESOLUTION NO. 1016-N.S.

authorizing the acceptance of the bond and issuing of a license as a Master Plumber to Mr. George A. Schuster of 916 Franklyn Street, Oakland, California. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None



RESOLUTION NO. 1017-N.S.

providing that the several bids presented for cast iron pipe be laid over until the next regular meeting of the Council, during which time the Council would select the best bid and report the same at the next meeting. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Issuing Building Permits to the following: Harry Ayers, Joe Freeman, and Mary Adams:

Inasmuch as some difference of opinion had arisen over certain building permits which the City Engineer was not willing to O.K. inasmuch as they did not conform strictly to the letter of the Building Ordinance in force in this City, the City Council was called in consultation with reference to the issuing of these permits. Whereupon Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 1018-N.S.

instructing the City Clerk to issue building permits to the following named persons: Joe Freeman, Harry Ayers, Mary Adams. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Petition on "F" Street:

A petition for the paving of "F" Street was read by the City Council and referred to the City Engineer for verification of the frontage signed upon said petition. The Engineer reported that there was a majority of the frontage signed up whereupon he was ordered to prepare plans and specifications.

In the Matter of Petition for the Extension of Elmwood Ave:

In pursuance of the petition presented to the City Council on June 24th, 1925, for the extension of Elmwood Avenue from Stoddard Avenue to Morris Avenue, the Council advised the petitioners at the time said petition was presented, that they would go upon the property and view the same and report their findings at the next meeting of the Council. The Council, at this time, reports that they have looked into the matter of opening Elmwood Avenue from Stoddard to Morris very carefully and it is their opinion that this street should be opened to Morris and that the property owners should accept the proposition made to them by Mr. George O'Connor, owner of the property facing on Morris Avenue at the extension of Elmwood Avenue or create an improvement district or to bring condemnation proceedings. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1019-N.S.

authorizing the City Clerk to write to the petitioners on said petition presented for the opening of Elmwood Avenue that the Council was agreeable to the opening of Elmwood Ave. from Stoddard to Morris but that the expense should be borne by the property owners in the following manner: either by accepting the proposition made to them by Mr. O'Connor or by the formation of an improvement district assessing the property owners for the opening of said street. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of a Petition for the Paving of Linden and M Sts:

A petition was presented to the City Council signed by the property owners for the paving of Linden and M Sts. Said petition was referred to the City Engineer for verification of the frontage signed.

In the Matter of the Paving of Fourth St. and Roselawn Ave:

Petitions were filed with the City Council at its meeting of July 22nd and placed in the hands of the City Engineer for verification as to frontage. The report of the City Engineer was to the effect that the majority of the property was signed upon both petitions but due to the fact that a great many of the petitioners who had signed these petitions made a statement to the City Council that the matter had been misrepresented to them at the time they signed these petitions and that they therefore, wished to withdraw their names. After listening to what the several property owners had to say in regard to the paving of the above named streets, the Council was of the opinion that the same should be laid upon the table indefinitely and they were so ordered.

In the Matter of Renovating the Firehouse and City Hall:

Mayor Elias reported to the City Council that there was some \$650.00 left in the Fire Bond Fund and that the Firehouse and City Hall were badly in need of renovation and repair. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1020-N.S.

appointing the following committee of Chief Wallace, Commissioner Ustick, and City Engineer McCarton to supervise the remodeling and cleaning of the Firehouse and City Hall. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Purchasing an Automobile for the Police Department:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1021-N.S.

appointing a committee of Commissioner Oswald, Boundey, Brown, and Chief of Police, Lee E. Smith to investigate the purchase of an automobile for the police department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leave-of-Absence for Marvin Crews:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1022-N.S.

granting a leave-of-absence to Marvin Crews from the City's employ beginning September 1st, 1925, and running for a period of 4 months from that date. Said resolution also provides that the first two weeks or the first 15 days of this leave-of-absence shall be considered a vacation period and that Mr. Crews shall draw his regular salary during this 15 days and that the City Clerk is hereby authorized to pay his regular salary in advance for the 15 days allowed him as a vacation. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Paying Expenses of the Fire Chief to the Fire Chief's Convention at Seattle:  
Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1023-N.S.

appropriating \$150.00 to defray the expenses of the Fire Chief in attending the convention of Fire Chiefs in Seattle. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Filing Assessment Lists 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 said list as filed by the Street Superintendent for work done under Resolutions of Intention No. 173, 174, 176, and No. 180, and no written objections being presented, the Council thereupon, under Resolutions No. 487-S.P., 488-S.P., 489-S.P., 490-S.P., determined the assessments which are unpaid and the aggregate amount of the same and the denominations of the bonds. The following are the resolutions of the Council in the matter, duly presented and ordered entered upon its minutes.

RESOLUTION NO. 487-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on September 10, 1924, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 173 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 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 12th day of August, 1925, 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 \$14487.97.

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 is 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 \$14487.97.

Be It Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915", and the acts supplementary to and amendatory thereof, issue in the sum of \$14487.97 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 two bonds in each series; they shall each and all be dated the 13th day of June, 1925, (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 June 13th, 1925, 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 Superintendents' list of unpaid assessments (June 13th, 1925) 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	\$465.93	July 2, 1926
No. 2	500.00	July 2, 1926
No. 3	465.86	July 2, 1927
No. 4	500.00	July 2, 1927
No. 5	465.86	July 2, 1928
No. 6	500.00	July 2, 1928
No. 7	465.86	July 2, 1929
No. 8	500.00	July 2, 1929
No. 9	465.86	July 2, 1930

No. 10	500.00	July 2, 1930
No. 11	465.86	July 2, 1931
No. 12	500.00	July 2, 1931
No. 13	465.86	July 2, 1932
No. 14	500.00	July 2, 1932
No. 15	465.86	July 2, 1933
No. 16	500.00	July 2, 1933
No. 17	465.86	July 2, 1934
No. 18	500.00	July 2, 1934
No. 19	465.86	July 2, 1935
No. 20	500.00	July 2, 1935
No. 21	465.86	July 2, 1936
No. 22	500.00	July 2, 1936
No. 23	465.86	July 2, 1937
No. 24	500.00	July 2, 1937
No. 25	465.86	July 2, 1938
No. 26	500.00	July 2, 1938
No. 27	465.86	July 2, 1939
No. 28	500.00	July 2, 1939
No. 29	465.86	July 2, 1940
No. 30	500.00	July 2, 1940

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 the 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 12th day of August, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 488-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on September 24, 1924, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 174 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 12th day of August, 1925, 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 \$4323.60.

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 is 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 \$4323.60.

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 \$4323.60 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 July, 1925, (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 July 6th, 1925, 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 day 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 (July 6th, 1925,) 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	263.60	July 2, 1926
No. 2	290.00	July 2, 1927
No. 3	290.00	July 2, 1928
No. 4	290.00	July 2, 1929
No. 5	290.00	July 2, 1930
No. 6	290.00	July 2, 1931
No. 7	290.00	July 2, 1932
No. 8	290.00	July 2, 1933
No. 9	290.00	July 2, 1934
No. 10	290.00	July 2, 1935
No. 11	290.00	July 2, 1936
No. 12	290.00	July 2, 1937
No. 13	290.00	July 2, 1938
No. 14	290.00	July 2, 1939
No. 15	290.00	July 2, 1940

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 the 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 12th day of August, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 489-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on January 14, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 176 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 12th day of August, 1925, 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 \$1029.48.

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 is 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 \$1029.48.

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 \$1029.48 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 27th day of

June, 1925 (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 June 27th, 1925, 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 day 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 (June 27th, 1925) 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	\$63.48	July 2, 1926
No. 2	69.00	July 2, 1927
No. 3	69.00	July 2, 1928
No. 4	69.00	July 2, 1929
No. 5	69.00	July 2, 1930
No. 6	69.00	July 2, 1931
No. 7	69.00	July 2, 1932
No. 8	69.00	July 2, 1933
No. 9	69.00	July 2, 1934
No. 10	69.00	July 2, 1935
No. 11	69.00	July 2, 1936
No. 12	69.00	July 2, 1937
No. 13	69.00	July 2, 1938
No. 14	69.00	July 2, 1939
No. 15	69.00	July 2, 1940

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 the 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 12th day of August, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Ustick, Mayor Elias  
 Noes: Councilmen None  
 Absent: Councilmen None

Attest: H. E. Gragg  
 City Clerk

RESOLUTION NO. 490-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on March 25th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 180 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 12th day of August, 1925, 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 \$744.39.

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 is 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 \$744.39.

Be It Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915", and the acts supplementary to and amendatory thereof, issue in the sum of \$744.39 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 15th day of July, 1925, (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 July 15th, 1925, 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 day 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 2, 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 (July 15th, 1925) 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	\$44.39	July 2, 1926
No. 2	50.00	July 2, 1927
No. 3	50.00	July 2, 1928
No. 4	50.00	July 2, 1929
No. 5	50.00	July 2, 1930
No. 6	50.00	July 2, 1931
No. 7	50.00	July 2, 1932
No. 8	50.00	July 2, 1933
No. 9	50.00	July 2, 1934
No. 10	50.00	July 2, 1935
No. 11	50.00	July 2, 1936
No. 12	50.00	July 2, 1937
No. 13	50.00	July 2, 1938
No. 14	50.00	July 2, 1939
No. 15	50.00	July 2, 1940

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 the 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 12th day of August, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Reports:

The monthly reports of the various departments for the month of July, 1925, were laid over until the next regular meeting of the Council.

The annual reports of the Mayor and the Fire Department were reviewed by the Council and ordered filed.

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

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

Attest: H. E. Gragg  
City Clerk

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Council, City of Modesto  
August 26th, 1925

The Council met in regular session this date and there were present Councilmen Boundey, Brown, Oswald, Ustick, Mayer Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of August 12th, 1925, were read and approved as read.

In the Matter of Spur Railroad Track:

Mr. W. E. Kewin appeared before the Council relative to the granting of a permit by the City of Modesto to the Modesto Empire Interurban R. R. for the laying of a spur track in the alley of blocks 72 and 73. He stated to the Council that this section of the City was rapidly developing into an industrial section. He also stated that the absence of railroad side trackage retarded the development of that section of the City for industrial purposes, reciting that in this case, there was, at the present time, a business deal being negotiated upon his own property which was contingent upon a side track through this property. He urged that the Council should not curtail the expansion of the City by refusing to grant this permit to the Modesto Empire Interurban Railroad.

In the Matter of Sixth Street Assessment:

Mr. Gant appeared before the City Council for information relative to the cost of the Sixth Street improvement and the manner and method of making the assessments upon the property assessed for the paving which, when explained to him, satisfied him as to any objections he may have had concerning the costs of paving this street and the method of making the assessment thereon.

In the Matter of Communication from the State Board of Health:

A communication was read from the Secretary of the State Board of Health, urging that the City Council send their Health Officer to the convention which is to be held at Long Beach, California, from September 28th, to October 3rd, 1925. Which communication was continued until the next regular meeting of the Council.

In the Matter of Bids on Cast Iron Pipe:

A communication was read from B. Nicoll & Company in connection with their bid for furnishing the City of Modesto cast iron pipe and was ordered placed on file.

In pursuance of the opening of the bids for cast iron pipe on August 12th, 1925, and this being the time fixed for the awarding of the contract, the City Council, after having carefully reviewed all bids submitted did by a resolution offered by Councilman Boundey, being,

RESOLUTION NO. 1024-N.S.

accept the bid of the Stephen Smith & Company at a price of \$7347.50 and authorized the Mayor and City Clerk to enter into a contract with the Stephen Smith & Company as per price and specifications submitted in their bid of August 12th, 1925. The Council also rejected all other bids submitted and authorized the City Clerk to return to all other bidders their certified checks which accompanied their bids. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Report of Council on Permit for Spur Track:

In pursuance of the granting of a permit to the Modesto Empire Interurban R. R. for the laying of a spur track in the alley of blocks 72 and 73 which was continued from the meeting of August 12th, 1925. After careful and deliberate consideration of this matter by the City Council, the sense of the Council was that this permit should be granted. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1025-N.S.

granting permission to the Modesto Empire Interurban R. R. to lay a spur track in the alley of blocks 72 and 73. The sense of the Council was that this spur track should be granted under certain conditions to be set out in a permit issued to the Modesto Empire Traction R.R. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of a Communication from the Tidewater R. R. Co:

City Attorney Carlson read a communication from the Tidewater Railroad Company stating that they had done certain work on the streets asked of them but as it appeared, from the reading of this communication, that they had not complied with the request of the City in doing the work upon the streets which they were requested to do, the City Attorney was instructed to continue this matter with them until a final conclusion had been reached.

In the Matter of Horseshoe Club:

A communication was recently received and read from the Modesto Horseshoe Club asking that more lights be installed at their courts in Graceada Park. This matter was referred to City Engineer McCarton for adjustment.

In the Matter of Byron-Jackson Pump Company:

A communication was received and read from the Byron-Jackson Pump Company stating that they were ready and willing to make a final test upon the pump recently purchased from them by the City. The City Engineer was of the opinion that this test should not be made until the pump had been installed at the City's well and so ordered.

In the Matter of Setting Tax Rate for 1925:

This being the time established by Ordinance when the tax rate for the fiscal year shall be established, Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 278-N.S.

Entitled: "AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR, 1925-26," and establishing the tax rate for the City of Modesto for the current fiscal year at \$1.50. Which ordinance was introduced by Mayor Elias at a regular meeting of the City Council on the 26th day of August, 1925, who moved its adoption and passage to print, which motion being duly seconded, the Ordinance was adopted and passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Protest on Sixth Street Assessment:

No written protests having been filed relative to making the assessment on the Sixth Street paving, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 491-S.P.

authorizing the warrant delivered to the contractor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Paying for the Baling of Hay:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1026-N.S.

authorizing the City Clerk to audit and pay the bills when they shall have been O.K.'d by the Street Superintendent and Commissioner of Public Supplies for the baling of hay now being done for the City. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bills for the Standard Paving Company:

The Standard Paving Company presented several bills for work done in and for the City of Modesto in the amount of \$1194.75. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1027-N.S.

authorizing the City Clerk to pay the bills presented by the Standard Paving Company in the above mentioned amount. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Adopting Budget for the Fiscal Year 1925-26:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1028-N.S.

adopting the budget as planned by the Council of the City of Modesto for the fiscal year of 1925-26. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports from the Departments:

The monthly reports for the month of July, 1925, of the various departments of the City of Modesto, were reviewed by the Council and ordered placed on file.

In the Matter of Transferal of Funds:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1029-N.S.

authorizing the transferal of \$25,000.00 from the Water Fund to replenish the depleted condition of the General Fund as reported by the City Auditor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Repairing Firehouse and City Hall:

In pursuance of a committee appointed by Mayor Elias on August 12th to report on the estimated cost of doing certain alterations and repairs in the Firehouse and City Hall, Commissioner Ustick reported that the necessary repairs and alterations required in the Firehouse and City Hall which they had carefully estimated would be in the neighborhood of \$1100.00 or \$1200.00. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1030-N.S.

authorizing the committee as appointed to proceed with the work of remodeling and renovating the Firehouse and City Hall. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Appointing Fire Supervisor at the Fair Grounds:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1031-N.S.

appointing Fire Chief Wallace supervisor of fire prevention at the Fair Grounds during the progress of the Fair. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Installing Sewer and Water, Fire Alarm and Phone Connections at the Fair Grounds:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1032-N.S.

authorizing the City Engineer to install sewer, water, fire alarm, and phone service at the Fair Grounds. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: HE Gregg  
City Clerk

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Council, City of Modesto  
September 10th, 1925.

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

Absent: Councilman Brown

In the Matter of Minutes:

The minutes of the regular meeting of August 26th, 1925, were read and 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.....	\$15260.78
Water Fund.....	6281.64
Library Fund.....	774.20
Bond Red. & Int.....	587.50
St. Bond Fund.....	752.70
Fire Bond Fund.....	170.26
Total.....	\$23827.08

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 Paving Linden Street:

Mr. Wilson and several other residents on Linden Street appeared before the Council regarding the proposed paving of Linden Street. They requested the Council to make a center-parking strip in the proposed paving of Linden. They stated that about a year ago, proceedings were under way for the paving of Linden Street and that they were assured, at that time, that a center-parking strip would be included in the proceedings. After considerable discussion of this matter by the Council, Commissioner Ustick suggested that the matter be deferred until another meeting during which time all parties concerned could reach a decision relative to the center-parking in the proposed paving of Linden Street. Commissioner Ustick's suggestion was concurred with by all members of the Council and the matter deferred until the next meeting of the Council.

In the Matter of Petition for Paving of I & Washington Sts:

A petition was presented to the City Council for the paving of I & Washington Streets which petition was referred to the City Engineer for verification as to the frontage.

In the Matter of Sending Heads of Departments to the Convention of the League of Municipalities:

Commissioner Oswald introduced a resolution, being,

RESOLUTION NO. 1033-N.S.

authorizing City Engineer McCarton and City Sanitary Inspector Frank Holtham to attend the

convention of the League of Municipalities and that the City Treasurer be and he is hereby authorized to draw a warrant in the sum of \$50.00 each toward the expenses of the City Engineer and City Sanitary Inspector in attending the above mentioned convention. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown

In the Matter of Final Adoption of Ordinance No. 278-N.S.

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council of the 26th day of August, 1925, and having been published as required by the Charter, coming on for final adoption this 10th day of September, 1925, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of "F" Street, from the Southerly property line of 16th Street to the Northerly property line of 15th Street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 492-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 "F" Street, from the Southerly property line of 16th Street to the Northerly property line of 15th 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-Bitu-lithic 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, and alley approaches; 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 adopted by the City Council of the City of Modesto at a regular meeting thereof held the 10th day of September, 1925, by the following vote, to-wit:

Ayes: Councilmen Boundey, Oswald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Brown

Thereupon it was filed in this office and recorded on September 10th, 1925.

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. 493-S.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call declared adopted as outlined in the Resolution of Intention No. 183, by the following vote:

Ayes: Councilmen Boundey, Osvald, Ustiek, Mayor Elias

Noes: Councilmen None

Absent: Councilman Brown

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 494-3.P.

RESOLUTION OF INTENTION NO. 183.

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

That "F" Street, from the Southerly property line of 16th Street to the Northerly property line of 15th 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 gutters and alley approaches; excepting therefrom any of said work already done to the official line and grade.

All as more fully and in detail appears and as shown by and described and specified 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 9 to 24 inclusive, Block 119;

Lots 1 to 8 and 25 to 32 inclusive, Block 118; as per Map of Record in the County Recorder's Office. Vol. 10 of Maps, Pages 118 and 119, 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 14th day of October, 1925, 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 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 10th day of September, 1925, by the following vote, to-wit:

Ayes: Councilmen Boundey, Oswald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Brown

Thereupon it was filed in this office and recorded on September 10th, 1925.

Attest: H. E. Gragg  
City Clerk

In the Matter of Petition for the Lighting of "H" Street:

A petition was presented to the City Council for the creating of a lighting district on "H" Street, from 1st Street to 8th Street. Which petition was referred to the City Engineer for verification as to the frontage.

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

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1034-N.S.

authorizing the City Engineer to take the necessary action in installing and completing sewer service to Mr. Hogin's property as stated above in Block 324, Lots 5 and 6. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Brown

In the Matter of Reports:

The reports of the various departments for the month of August, 1925, were reviewed by the Council and ordered placed on file in the City Clerk's Office.

No further business appearing, the Council was adjourned until 7:30 o'clock P.M., Wednesday, the 16th day of September, 1925.

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

Attest: H E Gragg  
City Clerk

September 16th, 1925.

The Council met pursuant to the adjournment of their regular meeting of September 10th, 1925, and there were present Councilmen Boundey, Brown, Osvald, Ustick, Mayor Elias  
Absent: Councilmen None

In the Matter of Granting Foster and Kleiser Permission to Erect Sign Boards:

The following communication was received from Foster & Kleiser:

To the Honorable Council of the City of Modesto:

We hereby request the Honorable Council to grant Foster and Kleiser Company the permission to erect and maintain Poster Advertising structures on lots 5 to 12 inclusive, block 50, owned by the City of Modesto. Said structures to be built and arranged on lots to meet with the wishes of the City Building inspectors' office.

Said advertising structures to remain on property until such time as the City needs these lots for other than advertising purposes.

It is understood that upon the granting of this request Foster and Kleiser Company are to remove the three panels now erected at J and 13th Streets and pay the sum of \$25.00 each year, said sum to be paid yearly in advance to the City of Modesto, Foster and Kleiser Company agree to maintain not more than 6-25' Poster Panels on the property.

Should the Council agree to grant this request may we receive a letter of permission from the City Clerk, Thursday morning, September 17, at which time we will have a crew in Modesto and be in a position to remove the panels now at J and 13th Street.

Thanking the Council for any courtesies extended us, we are

Very truly yours,

C. E. Terrel  
Operating Supt'd.

After due consideration of this communication, permission was given to Foster & Kleiser to erect the above mentioned bill-board by the following resolution, being,

RESOLUTION NO. 1035-N.S.

authorizing the City Clerk to issue an irrevocable permit to Messrs. Foster and Kleiser for the erection of bill-boards on lots 5 to 12 in block 550, owned by the City of Modesto. Which resolution was introduced by Councilman Boundey and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Painting Tanks and Towers:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1036-N.S.

authorizing the City Engineer to engage Mr. "Pat" Ellis to paint the City's water tanks and towers and to place the name of Mr. Ellis upon the weekly payroll during the time he shall be employed in painting said tanks and towers. Which resolution was introduced by Councilman Boundey and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Sidewalk Petition:

A petition was filed with the City Council asking that a sidewalk be constructed on the west side of Enslin Avenue fronting on the property owned by Allie Bogan, legally known as the S.  $\frac{1}{2}$  of Lots No. Twenty-one (21) of Block Five Hundred Twenty-three (523). The City Clerk was instructed to write the above mentioned property owner and request her to put in this piece of sidewalk.

In the Matter of Protest on Assessment on Alley in Block 213 and Downey Avenue:

In pursuance of the publishing of the filing of the assessments on the Alley in Block 213 and Downey Avenue, as provided in Section 21 of the Improvement Act of 1911 and no written protests having been filed and this being the time fixed for said hearing of protests,

Councilman Ustick introduced resolutions, being,

RESOLUTION NO. 495-S.P.

confirming the proceedings and ordering the warrant on the paving of the Alley in Block 213, under Resolution of Intention No. 178. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 496-S.P.

confirming the proceedings and ordering the warrant on the paving of Downey Avenue, under Resolution of Intention No. 179. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Protest on Assessment on Morris Avenue:

In pursuance of the publishing of the filing of the assessment list of Morris Avenue, Lottie and Adam Avenues, as provided for in Section 21 of the Improvement Act of 1911, certain persons interested in that work or the assessment therefor recently done under and pursuant to Resolution of Intention No. 181, appealed to the City Council by briefly stating their ground of appeal in writing and filing the same with the City Clerk, and this being the time and place fixed for said hearing, the Council having duly considered the same, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 497-S.P.

dismissing the protest and ordering the warrant delivered the contractor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Complaint Concerning Water Standing on the Corner of Bodem Street:

Mr. John Wooley, through a communication addressed to the City Council, made a complaint about the water standing for about one hundred feet on Bodem Street. This complaint was placed in charge of the City Engineer with instructions to rectify the same.

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of Linden Street, from the Center line of Franklin Street to the Center line of Washington Street, and "M" Street from the Center line of Washington Street to the Southerly property line of 7th Street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 498-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 Linden Street, from the Center line of Franklin Street to the Center line of Washington Street, and "M" Street from the Center line of Washington Street to the Southerly property line of 7th Street, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) 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 and alley approaches; excepting therefrom any of said work already done to the official line and grade.

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 streets.

That Corrugated Iron Culverts be constructed across the Northerly and Southerly curb lines of Madison Street, and Jefferson 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 thereof held the 16th day of September, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on September 16th, 1925.

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. 499-3.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call declared adopted as outlined in the Resolution of Intention No. 184, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 500-3.P.

RESOLUTION OF INTENTION NO. 184.

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, and "M" Street from the Center line of Washington Street to the Southerly property line of 7th 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 and alley approaches; excepting therefrom any of said work already done to the official line and grade.

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 streets.

That Corrugated Iron Culverts be constructed across the Northerly and Southerly curb lines of Madison Street, and Jefferson 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 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, inclusive, Block 37;

Lots 1 to 14 inclusive, Block 424;

Lots 1 to 14 inclusive, Block 425;

Lots 1 to 14 inclusive, Block 426;

Lots 15 to 28 inclusive, Block 427;

The South 140 feet by 350 feet of Block 428;

Lots 15 to 28 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 inclusive, Block E; as per Map of Record in the County Recorder's Office Vol. 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 14th day of October, 1925, 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 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 16th day of September

1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Report on Test of Pump:

City of Modesto  
Department of Public Works  
Sept. 14, 1925

From: The Deputy City Engineer

To: The Mayor and Council

Subject: Report on pump and motor test at the Byron-Jackson Pump Company, Berkeley, Calif.

Gentlemen:

I witnessed the test made of the Byron-Jackson pump and the 100 horsepower General Electric motor purchased by the City of Modesto, and find that all the requirements as specified in the bids and specifications have been fully complied with.

The shipping department was instructed to ship the equipment at once.

Respectfully submitted

F. J. Rossi  
Deputy City Engineer

In the Matter of Report on Condition of Ninth Street:

City of Modesto  
Department of Public Works  
Sept. 14, 1925.

From: The Deputy City Engineer

To: The Mayor and Council

Subject: Report on the condition of the pavement along the tracks of the Tidewater Southern and Modesto Empire Traction Co. Railroads on 9th Street and "B" Streets.

Gentlemen:

I have carefully checked up the condition existing along the tracks on 9th Street from Needham to "B" Street and "B" Street from 8th Street to 9th Street.

The Modesto Empire Traction Co. right of way at 8th and "B" Streets and "B" Street between 8th and 9th Streets is in a very bad condition, the pavement along the tracks is higher than the rails, and the pavement between the tracks in several places is considerably lower than the rails.

The Tidewater Southern Railway Co. right of way along 9th Street between Needham and "B" Streets is very bad. The pavement in several places along the tracks being considerable higher than the rails, especially at the switches at the intersections of 9th and "E" Streets, 9th and "L" Streets and 9th and "N" Streets.

This repair work should have immediate attention.

Respectfully submitted

F. J. Rossi  
Deputy City Engineer

In the Matter of Communication from H. G. Denton:

A communication from H. G. Denton, President of the Clerk-Auditors-Assessors Section of the League of Calif. Municipalities was read to the City Council, asking that the City Council appoint their City Clerk, H. E. Gragg, to represent the City of Modesto at the Clerks-Auditors-Assessors Section of the League of California Municipalities to be held at Long Beach from September 28th, to October 3rd, 1925. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1037-N.S.

delegating H. E. Gragg, City Clerk, to represent the City of Modesto at the above mentioned convention, and granting him a leave-of-absence during the time of the convention. Which resolution also provides that the City Treasurer draw a warrant in the sum of \$75.00 in favor of H. E. Gragg, City Clerk, for defraying his expenses in attending the above mentioned convention. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: HE Graff  
City Clerk

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Council, City of Modesto  
September 23rd, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of September 10th, and of the adjourned meeting of September 16th, were read and approved as read.

In the Matter of Communication from the Planning Commission:

A communication was received from the Planning Commission directed to the City Council which communication was ordered placed on file.

In the Matter of Re-assessment of Assessment No. 128:

It having been discovered by the holder of Assessment No. 128, pertaining to the paving of Downey Avenue, dated September 1st, 1925, and issued for the performance of work specified in Resolution of Intention No. 179, that this assessment had not been made in strict conformity with the provisions of Section No. 20 of the Improvement Act of 1911. The holder of this assessment known as the First National Bank has filed a written request with the City Council asking that this assessment be re-assessed, in accordance with the provisions set out in Section 28 of the Improvement Act of 1911. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 501-S.P.

ordering the re-assessment of Assessment No. 128 for the performance of work specified in Resolution of Intention No. 179. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Fixing Time for Hearing on Re-assessment:

Pursuant to Resolution No. 501-S.P. ordering the re-assessment of Assessment No. 128 for the performance of work specified in Resolution of Intention No. 179, the Superintendent of Streets submitted to the Council for its approval a re-assessment of the entire area within the assessment district against each lot or portion of a lot appearing upon the assessment diagram, for the performance of the work specified in Resolution of Intention No. 179. The Council thereon fixed October 14th, 1925, at 7:30 o'clock P.M. as the time when any objections to said re-assessment would be heard.

4 In the Matter of Re-assessment of Assessment No. 129:

It having been discovered by the holder of Assessment No. 129 pertaining to the paving of Morris Avenue, Lottie and Adam Avenues, dated September 1st, 1925, and issued for the performance of work specified in Resolution of Intention No. 181, that this assessment had not been made in strict conformity with the provisions of Section No. 20 of the Improvement Act of 1911. The holder of this assessment known as the First National Bank has filed a written request with the City Council asking that this assessment be re-assessed, in accordance with the provisions set out in Section No. 28 of the Improvement Act of 1911. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 502-3.P.

ordering the re-assessment of Assessment No. 129 for the performance of work specified in Resolution of Intention No. 181. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Fixing Time for Hearing on Re-assessment:

Pursuant to Resolution No. 502-S.P. ordering the re-assessment of Assessment No. 129 for the performance of work specified in Resolution of Intention No. 181, the Superintendent of Streets submitted to the Council for its approval a re-assessment of the entire area within the assessment district against each lot or portion of a lot appearing upon the assessment diagram, for the performance of the work specified in Resolution of Intention No. 181. The Council thereon fixed October 14th, 1925, at 7:30 o'clock P.M. as the time when any objections to said re-assessment would be heard.

6 In the Matter of the Purchasing of Pipe from the Fair Committee:

Mayor Elias reported to the City Council that the Fair Committee had approached him wishing to sell to the City a certain lot of pipe which they had laid in the Fair Grounds during the recent Fair held here. The proposition presented to Mr. Elias was that this pipe could be purchased at a sum not to exceed \$400.00 and possibly less. After due consideration of this by the City Council, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1038-N.S.

authorizing Commissioner Brown to buy this certain lot of pipe consisting of various sizes not to exceed in amount of price of \$400.00, said purchases to be made from time to time until the entire amount has been purchased. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7 In the Matter of Junior College Students' Speeding:

Mr. Orr Russell appeared before the Council protesting that the Junior College students were exceedingly reckless and a menace to the residents, especially children, living in the vicinity of College Avenue, due to the fact that the high rate of speed with which they drive across the Tidewater Railroad Crossing and down College Avenue is such that they are unable to have full and complete control of their automobiles and very often swerve across the lawns and several times have come very near to running over children. This matter was referred to the Commissioner of Public Health and Safety with instructions to take such steps as necessary

to correct the above danger.

8 In the Matter of Ordinance Appropriating Money for the Purchase of Automobiles:

ORDINANCE NO. 279-N.S.

providing for the purchase of automobiles by the City of Modesto in the amount of \$2450.00.

Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Proposed Street Lighting Plans for the City of Modesto:

Mr. E. T. Woodruff, on behalf of the Engineer's Club of the City of Modesto, appeared before the City Council and presented a report setting forth their recommendations for the proposed street lighting plans for the City of Modesto which report was read by the Council and due consideration was given the same after which it was ordered filed in the City Clerk's Office.

10 In the Matter of Report:

The report of the Salvation Army for the month of August was reviewed by the Council and ordered placed on file in the City Clerk's Office.

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

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

Attest: HE Gragg  
City Clerk

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Council, City of Modesto  
October 14th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of September 23rd, 1925, were read and 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.....	\$15,746.81
Water Fund.....	5,752.62
Library Fund.....	1,352.04
Bond Red & Int.....	15.44
St. Bond Fund.....	1,833.52
Miscellaneous.....	278.83
Total.....	\$24,979.26

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

1 In the Matter of Building Permit:

Mrs. E. H. Coffin asked permission from the City Council to do some repairing on the roof of an old house situated in Block 70, Lots 7 and 8, which is inside of the fire limits. Inasmuch as the work to be done at the above mentioned location did not conform to the building ordinance, the Engineer did not feel at liberty to authorize the work to be done. Whereupon Councilman Ustick introduced a resolution being,

RESOLUTION NO. 1029-N.3.

authorizing the City Clerk to issue a permit to the said Mrs. E. H. Coffin for doing the necessary repairing on a shed and also a roof upon the house. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

2 In the Matter of Safety Device for Street Crossings:

Mr. A. Kazas appeared before the City Council asking permission to explain a safety device to be used at street intersections. Permission was given Mr. Kazas to explain his device to the Council and no action was taken by the Council regarding the same.

3 In the Matter of Final Adoption of Ordinance No. 279-N.3.

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 23rd day of September, 1925, and having been published as required by the Charter, coming on for final adoption this 14th day of October, 1925, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Report of the Railroad Commission Regarding Crossing at College Avenue:

M E M O R A N D U M

TO THE COMMISSION:

In accordance with instructions, I investigated the crossing over the Tidewater Southern tracks at Modesto, which is the subject of this informal complaint, on September 17th. I was accompanied by Mayor Elias, City Attorney Carlson, the City Engineer, several of the City Commissioners and other interested citizens. The railroad was represented by Mr. E. L. Gamble, Manager.

This crossing is in the northerly part of Modesto on the street which forms the chief route to the Junior College which is located about a quarter mile north of the crossing. The road is unpaved but in fair condition, the surface at the crossing, itself, being slightly uneven and there are also several rough spots between the track and the bridge over the irrigation canal, immediately south of the railroad right of way. The crossing is at approximately right angles over the main line and a spur and is protected by standard railroad crossing sign. The north approach is rather too steep for safety and while the south approach is level, it is, as previously noted, over a narrow concrete bridge. If this bridge were widened conditions would be materially bettered but this, of course, would involve a considerable expense. The view of tracks from the north is normally unobstructed in both directions, while still several hundred feet from the crossing. That from the south is clear in each direction for a hundred feet before reaching the track. To the east of the crossing the track is tangent for one thousand feet or more and to the west the main line curves to the south into Ninth Street and the spur track diverges to the north, the switch of the spur being located immediately east of the crossing. There are normally ten passenger car movements per day over the crossing in addition to freight train and switching movements varying according to the season of the year. No vehicle count over this road is available but there are about three hundred students in the school, most of whom use this crossing. In addition to the traffic going to and from the school, there is also a small amount of local traffic.

There have been two accidents at the crossing, both to Junior College students and both under similar circumstances. The vehicles were traveling south and collided with cars traveling in an easterly direction and on both occasions there appears to have been cars or a train standing on the spur close to the crossing, obscuring the view of main line. In the last accident it was stated that the driver heard the signals of the approaching car but assumed that they were made by the freight train standing on the spur.

It is my opinion that there are two chief factors which create the hazard at this crossing, or three, if one considers the nature of the traffic. The condition of the road; the practice of standing cars or trains so close to the crossing and the fact that most of the drivers using the crossing are school children. The steep approach and narrow bridge divert the driver's attention and give him scant time to assure himself that there is no danger from trains. Cars or trains are very apt to be standing on the spur waiting for a main line movement to pass before opening the switch and in so doing not only obscure the view at

a time when danger is present, but also confuse the driver into mistaking the source of any warning whistles or bells. It should be pointed out that this hazard would exist even if the crossing were equipped with automatic flagman.

It is my recommendation that the following be carried out to increase the safety of the public at this crossing:

(1). That the railroad establish a clearance point on the spur track and mark same by suitable sign. This point to be selected such that a tangent to the main line curve west of the crossing intersecting the road three hundred feet north of the crossing will cross the spur east of this clearance point.

(2). That no cars or trains be allowed to stand or move between this clearance point and the crossing during any passage of trains or cars over the main line and that at any time cars or trains are allowed to stand or move to the east inside of this clearance point the road crossing to be protected by a member of the crew acting as flagman.

(3). That no train or cars be operated over the crossing at a speed in excess of ten miles per hour..

(4). That the railroad company improve the surface of the roadway between the rails and two feet outside thereof.

(5). That certain high growing weeds and brush along the right of way on each side of the crossing for a distance of five hundred feet be removed by the railroad company.

(6). That the City improve the condition of the road by altering the grade to the north of the crossing to not exceed six per cent and that the surface of the roadway in the vicinity of the crossing be kept smooth.

(7). That the City erect and maintain the advance warning signs as provided in Section 117 of the California Motor Vehicle Act of 1923.

W. A. Wood, Assistant Engineer

The sense of the Council was that this report be accepted and the City Clerk was instructed by Mayor Elias to write to the Railroad Commission informing them that the City would comply with their request as set out in their report and also informing them that it was still the opinion of the Council that a wigwag signal be installed at this crossing.

In the Matter of Communication from the Modesto Public Schools:

A communication was received from the Modesto Public Schools relative to the crossing at College Avenue of the Tidewater Southern Railroad. This communication was read to the City Council and ordered placed on file.

In the Matter of Communication from J. W. Hawkins, Attorney for the Tidewater Railroad:

A communication was received from J. W. Hawkins, advising the City Council that officials of the Railroad desired to make an appointment with the City officials for Thursday afternoon, October 15, at 2 P.M. for the purpose of looking into the matter of making certain improvements on the streets which their railroad traverses in the City of Modesto.

In the Matter of Lighting on "H" Street:

Owing to the fact that the City Engineer in conferring with the property owners regarding the light system on "H" Street, this matter was deferred until the next meeting of the Council..

In the Matter of Communication from the Boy Scouts:

A communication was received from V. L. Baird, Scout Executive, thanking the City Council for the use of Enslin Park for the Scoutmaster's Training Camp. Which communication was read to the City Council and placed on file in the City Clerk's Office.

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. 177, and no written objections being presented,

the Council thereupon, under Resolution No. 505-J.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. 505-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on Feb, 25th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 177 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 as 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 14th day of October, 1925, 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 \$29,360.52.

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 is 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 \$29,360.52.

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 \$29,360.52 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 17th day of September, 1925, (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 September 17th, 1925, 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 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, 1927, 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 (September 17th, 1925) to January 2nd, 1927; 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	\$1360.52	July 2, 1927
No. 2	2000.00	July 2, 1928
No. 3	2000.00	July 2, 1929
No. 4	2000.00	July 2, 1930
No. 5	2000.00	July 2, 1931
No. 6	2000.00	July 2, 1932
No. 7	2000.00	July 2, 1933
No. 8	2000.00	July 2, 1934
No. 9	2000.00	July 2, 1935
No. 10	2000.00	July 2, 1936
No. 11	2000.00	July 2, 1937
No. 12	2000.00	July 2, 1938
No. 13	2000.00	July 2, 1939
No. 14	2000.00	July 2, 1940
No. 15	2000.00	July 2, 1941

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 the 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 14th day of October, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

10 In the Matter of Protesting on Downey Ave. Re-assessment:

No written protests having been filed relative to making the re-assessment on the Downey Avenue paving, Councilman Brown introduced a resolution, being,

RESOLUTION NO. 506-S.P.

confirming the proceedings and authorizing the warrant delivered to the contractor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Protesting on Morris Ave. Re-assessment:

No written protests having been filed relative to making the re-assessment on the Morris Avenue paving, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 507-S.P.

confirming the proceedings and authorizing the warrant delivered to the contractor. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12 In the Matter of Hearing Protests on "F" Street:

This being the time fixed by the City Council for the hearing of protests on the paving of "F" Street, under Resolution of Intention No. 183, and there being a protest presented by Mr. Robert E. Smith, property owner on "F" Street, the Council proceeded to hear the same. After due consideration of the facts brought out in said protest, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 508-S.P.

over-ruling the protest as presented by Mr. Smith. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 In the Matter of "F" Street 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. 183, 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 a protest having been submitted by Mr. Robert E. Smith and having been over-ruled after due consideration, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 183.

RESOLUTION NO. 509-S.P.

RESOLUTION ORDERING THE WORK 183.

In accordance with certain plans and specifications heretofore adopted on the 10th day of September, 1925, and pursuant to Resolution of Intention No. 183, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

14 In the Matter of Linden Street 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. 184, 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. 184.

RESOLUTION NO. 510-S.P.

RESOLUTION ORDERING THE WORK 184

In accordance with certain plans and specifications heretofore adopted on the 16th day of September, 1925, and pursuant to Resolution of Intention No. 184, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15 In the Matter of "I" and Washington Street Proceedings:

Proceedings were presented to the City Council by the City Engineer for the Improvement of "I" Street, from the Northerly property line of Third Street, to the East property line of Washington Street, and Washington Street from the North property line of Vine Street to the Northerly property line of "H" Street, as more fully described in the Resolution pertaining to such work which is as follows:

RESOLUTION NO. 511-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 "I" Street, from the Northerly property line of Third Street, to the East property line of Washington Street, and Washington Street from the North property line of Vine Street to the Northerly 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 and alley approaches; excepting therefrom any of said work already done to the official line and grade.

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 streets.

That Corrugated Iron Culverts be constructed across the northerly and southerly curb

lines of Third 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 thereof held the 14th day of October 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on October 14, 1925.

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. 512-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 as outlined in the Resolution of Intention No. 185 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 513-S.P.

RESOLUTION OF INTENTION NO. 185

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 "I" Street, from the Northerly property line of Third Street, to the East property line of Washington Street, and Washington Street from the North property line of Vine Street to the Northerly property line of "H" Street, be graded, paved between the gutters with a pavement consisting of an Asphaltic Concrete base two and one-half (2½) inches in thickness and a Warrenite-Bitolithic wearing surface one and one-half (1½) inches in thickness, curbed on both sides to the official grade with Cement Concrete curbing and to further construct Cement Concrete gutters and alley approaches; excepting there from any of said work already done to the official line and grade.

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 streets.

That Corrugated Iron Culverts be constructed across the Northerly and Southerly curb line of Third 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 17 to 24 inclusive, Block 8;

Lots 25 to 32 inclusive, Block 9;

Lots 9 to 16 and 17 to 24 inclusive, Block 6;

Lots 1 to 8 and 25 to 32 inclusive, Block 5;

Lots 1 to 8 and 25 to 32 inclusive, Block 1;

Lots 15 to 21 inclusive, Block 406;

Block B;

Lots 1 and 2 inclusive, Block A;

Lots 15 to 17 inclusive, Block 400; as per Map of Record in the County Recorder's Office. Vol. 10 of Maps, Pages 8, 9, 6, 5, 1, 406, B, A, and 400, 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 11th day of November, 1925, 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 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 14th day of October, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Approving of Assessment Map:

The assessment map for the property to be assessed for the street improvement work performed under Resolution of Intention No. 183, was presented to the Council for approval. Upon

a close scrutiny of this assessment map, Councilman Ustick introduced a resolution, being,  
RESOLUTION NO. 514-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of "F" Street, from the Southerly property line of 16th Street to the Northerly property line of 15th Street. Resolution of Intention No. 183. The foregoing resolution was regularly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

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

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

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

Attest: 4 E Gregg  
City Clerk

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Council, City of Modesto  
October 28th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of October 14th, 1925, were read and approved as read.

In the Matter of Communication from J. K. Scott, Druggist:

A communication was read from Mr. J. K. Scott which was in the nature of a bid for antitoxin to be used by the Health Officer. This matter was referred to the Health Officer for his consideration.

In the Matter of Awarding Contract for the Improvement of "F" St:

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. 183 and all due and legal proceedings having heretofore had under and pursuant to said Resolution as appears by the record 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 when opened read as follows including the action of the Council in said matter:

Grading	@	\$0.05 per sq. ft.
Paving	@	.17 per sq. ft.

Gutters	@	.20 per sq. ft.
Curb	@	.70 per lin ft.
Headers	@	.12 per lin ft.
Concrete Approachs	@	.20 per sq. ft.

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

RESOLUTION NO. 515-3.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, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of Linden St:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street 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. 184 and all due and legal proceedings having heretofore had under and pursuant to said Resolution as appears by the record 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 when opened read as follows including the action of the Council in said matter:

Grading	@	\$0.05 per sq. ft.
Paving	@	.17 per sq. ft.
Concrete Approaches	@	.20 per sq. ft.
Gutters	@	.20 per sq. ft.
Curb	@	.70 per lin ft.
Headers	@	.12 per lin ft.
Modesto Type #5 Standards & Foundations	@	62.50 each
G. E. Form #12 Novalux Units	@	40.00 each
Connection Boxes	@	6.50 each
1 in Galv. iron Conduit	@	.25 per lin ft.
#8 B. & S. lead covered cable	@	.165 per lin ft.
Corrugated Metal Culverts	@	2.60 per lin ft.

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

RESOLUTION NO. 516-3.P.

AWARDING THE CONTRACT TO THE STANDARD PAVING COMPANY AT THE PRICES NAMED IN THEIR PROPOSAL.

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

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from the Stanislaus Musical Association:

A communication was read to the City Council from the Stanislaus Musical Association. This communication solicited the members of the City Council to become members of the Stanislaus County Musical Association. No action was taken upon the same and it was ordered filed in the City Clerk's Office.

In the Matter of Spur Track:

The Central Pacific Railroad, through its' attorneys Jones and Lavensky, filed a petition with the City Council as follows:

To the Honorable, the City Council

of the City of Modesto, County of  
Stanislaus, State of California.

Gentlemen:

Central Pacific Railway Company, a corporation duly organized, incorporated and existing as such under and by virtue of the laws of the State of Utah, and engaged in the inter-state operation of railroads in the City of Modesto, County of Stanislaus, State of California, and elsewhere, hereby and herewith respectfully petitions and applies to your Honorable Body for an Ordinance granting to it and to its successors and assigns, for such period, term and length of time as shall meet with the pleasure of the Honorable the City Council of the City of Modesto, the right, privilege and permission to construct, lay down maintain and operate a railroad track of standard gauge, operated by steam or other lawful motive power, together with the necessary curbes, crossings, connections, culverts, appendages and adjuncts as may be required from time to time during the continuance of this right, privilege and permission for the convenient use and operation of the same, and to exclusively run locomotives, cars, motors and other rolling stock thereon, upon, along and over the route described as follows, to-wit:

BEGINNING for a center line description of said drill track at a point on the center line of the Central Pacific Railway Company's existing spur track along the southerwesterly alley line of Block 39, City of Modesto, said point being located 110 feet, more or less, southeasterly from the intersection of the southeasterly line of "M" Street and the southwesterly line of said alley; thence from said point of beginning with curve to the left (radius 458.59 ft.) for 67.80 feet, more or less, to beginning of curve to the right (radius 458.59 ft.) for 67.80 feet, more or less, to center line of said alley; thence on tangent to said curve 130 feet, more or less, along center line of said alley to the northwesterly line of "L" Street; thence across "L" Street 80 feet to the southeasterly line of said street; thence along center line of the alley in Block 40 400 feet, more or less, to the westerly property line of "K" Street, being in all 746 feet, more or less,

That your Petitioner herewith presents the form of an Ordinance which it respectfully asks and prays to be passed by your Honorable Body.

The aforesaid right, privilege and permission hereby prayed for is for the construction of what is known in railroad terms as a "drill track", which is a track constructed for the purpose of facilitating and assisting in the movement and spotting of cars for industrial uses. A blueprint, or map, of that portion of the City of Modesto immediately adjacent to the proposed construction, showing the existing tracks, and the proposed new construction, is hereto attached, marked Exhibit "A", and made a part hereof for the benefit of your Honorable Body.

That your Petitioner and Applicant hereby offers and guarantees to pay the costs incidental to this application for said right, privilege and permission, together with the cost of the printing of the Ordinance.

Your Petitioner and Applicant respectfully requests that your Honorable Body do take such necessary steps that the Ordinance herewith presented and proposed for passage may be considered by your Honorable Body, and that after such consideration your Honorable Body do grant to said Applicant and Petitioner the right, privilege and permission herein applied for.

DATED: Stockton, California, this 28th day of October, 1925.

CENTRAL PACIFIC RAILWAY COMPANY

By Wm. Wilson  
Superintendent of Stockton  
Division.

Levinsky & Jones

Attorneys for Petitioner and Applicant

After due consideration of this matter by the City Council, the Council was of the opinion that this matter should be taken under advisement and the same was so ordered.

6 In the Matter of Approval of Map of the Oddfellows' Cemetery:

Mr. C. E. Camp, secretary of the Oddfellows' Lodge, presented to the City Council a plat and map of the Oddfellows' Cemetery, asking their approval of the same. Whereupon Councilman Brown introduced a resolution, being,

RESOLUTION NO. 1040-N.S.

approving the said map. Which resolution was regularly adopted by the following vote:

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

Nees: Councilmen None

Absent: Councilmen None

7 In the Matter of Repair of Streets Traversed by the Tidewater Railroad Co:

City Engineer McCarton reported that he had been in conference with the officials of the Tidewater Railroad Company and that they had agreed to take immediate steps to place the

streets traversed by their railroad in satisfactory condition.

8 In the Matter of Bids on Automobiles:

This being the time set in the "Notice to Bidders" for the receiving and opening of bids on automobiles to be purchased by the City of Modesto and there being on file 8 bids which were duly opened and read to the City Council, Councilman Oswald, was of the opinion that the Council should take some time in investigating and considering the same. Whereupon he introduced a resolution, being,

RESOLUTION NO. 1041-N.S.

fixing the time of Tuesday, November 10th, 7:30 o'clock P.M. as the time for the awarding of the bids for automobiles to be purchased for the use of the Police Department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Lighting on "H" Street:

Some time ago, a petition was presented to the City Council asking that a lighting district be created on "H" Street from 1st to 8th inclusive. Since this petition was presented to the Council, there has been some difference of opinion among the property owners as to the kind of electroliers to be used. At this time, Mr. Linn of the Marbelite Standard Company appeared before the City Council and presented the merits of his products to the Council for their consideration. Mr. Sam Rodesko of the City of Modesto, through his attorney, Mr. Thomas Anaya, also presented, the merits of the cast iron electroliers to the Council for consideration.

There has, likewise, been filed with the Council petitions asking that the Marbelite Standards be installed and also a petition asking that the Cast Iron Electroliers be installed. After listening to the merits and demerits of the various types of electroliers presented to the Council, Councilman Oswald, introduced a resolution, being

RESOLUTION NO. 517-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 "H" Street, from the Northerly curb line of First Street to the Southerly curb line of 8th Street, be illuminated with Cast Iron Electroliers, Modesto Type No. 6, with Wire, Cable, Globes, Lamps, Conduit, and necessary lighting appliances be installed along each side of said streets.

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 28th day of October, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on October 28th, 1925.

Attest: H. E. Gragg  
City Clerk

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

RESOLUTION NO. 518-3.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call declared adopted as outlined in the Resolution of Intention No. 186, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 519-3.P.

RESOLUTION OF INTENTION

NO. 186

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 "H" Street, from the Northerly curb line of First Street to the Southerly curb line of 8th Street, be illuminated with Cast Iron Electroliers, Modesto Type No. 6, with Wire, Cable, Globes, Lamps, Conduit, and necessary lighting appliances be installed along each side of said streets.

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.

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 9 to 24 inclusive, Block 1;
- Lots 9 to 24 inclusive, Block 5;
- Lots 9 to 24 inclusive, Block 9;
- Lots 9 to 24 inclusive, Block 16;
- Lots 9 to 24 inclusive, Block 23;
- Lots 9 to 24 inclusive, Block 33;
- Lots 9 to 24 inclusive, Block 43;
- Lots 1 to 8 and 25 to 32 inclusive, Block 44;
- Lots 1 to 8 and 25 to 32 inclusive, Block 32;
- Lots 1 to 8 and 25 to 32 inclusive, Block 24;
- Lots 1 to 8 and 25 to 32 inclusive, Block 15;
- Lots 1 to 8 and 25 to 32 inclusive, Block 10;
- Lots 1 to 8 and 25 to 32 inclusive, Block 4;
- Blocks 141 and 142 inclusive

Lots 1 to 8 and 25 to 32 inclusive, Block 2; as per Map of Record in the County Recorder's Office. Vol. 10 of Maps, Pages 1, 5, 9, 16, 23, 33, 43, 44, 32, 24, 15, 10, 141, 142, 4, and 2, 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 ten years from the second day of July next succeeding ten months from their date.

Notice is hereby given that on the 25th day of November, 1925, at eight o'clock P.M. in the Council Chamber of the City Council 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 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 28th day of October, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

No further business appearing, the Council upon motion, adjourned until Tuesday, November 10th, 1925.

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

Attest: H. E. Gragg  
City Clerk

\*\*\*\*\*

Council, City of Modesto  
November 10th, 1925.

The Council met pursuant to the adjournment of their regular meeting of October 28th, 1925, and there were present Councilmen Boundey, Brown, Oswald, Ustick, Mayor Elias

Absent: Councilmen None

In the Matter of Claims:

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

General Fund.....	\$13666.59
Water Fund.....	14692.89
Library Fund.....	1157.93
Bond Red. & Int.....	2.02
St. Bond Fund.....	539.77
Miscellaneous.....	422.04
Total.....	<u>\$30482.24</u>

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

2 In the Matter of Protesting Against the City Dumps:

Mr. Tolan, residing in the southern part of the City and adjacent to the City dumps, presented a petition to the Council reciting in said petition that the odor from the City dumps was becoming very offensive and detrimental to the citizens living in that part of the City. The above mentioned petition was signed by a goodly number of residents living in that part of the City. The Mayor assured Mr. Tolan that this matter would be thoroughly investigated.

3 In the Matter of Application Presented by the Telephone Co. for a Renewal of Franchise:

The Pacific Telephone & Telegraph Company made application to the City Council for a franchise to do a telephone and telegraph Business within the City of Modesto. After due and careful consideration of this matter by the City Council and after being advised by the City Attorney that the application was in due and regular form, Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1042-N.S.

authorizing the City Clerk to publish the application for a renewal of franchise presented by the Telephone Company as laid down by Section 68 of Article 9 of the Charter of the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Bids on Automobiles:

Pursuant to the opening of bids for automobiles on October 28, 1925, and this being the time fixed by the Council for the awarding of the contract for 2 automobiles by published notice on October 22nd, and there being on file 8 bids, after careful deliberation and due consideration of the bids submitted, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 1043-N.S.

accepting the bid of the Turner Hardware & Implement Company for a Master Six Buick, 1926 model, 5-passenger touring car at a price of \$1545.00 with an allowance of \$350.00 for the old Buick which the City proposes to trade in. Making a net price to the City of Modesto of \$1195.00. Also authorizing the Mayor and City Clerk to enter into a contract with the Turner Hardware & Implement Co. for said automobile. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Bid on the 4-cylinder Light Car with a Touring Body:

Commissioner Oswald introduced a resolution, being,

RESOLUTION NO. 1044-N.S.

accepting the bid of McDuffie & MacBride for one Dodge Brothers, Standard touring car,

constructed and equipped according to standard specifications for the sum of \$1055.00, delivered to the City of Modesto. Also authorizing the Mayor and City Clerk to enter into a contract with McDuffie & MacBride for said car. Which resolution was regularly adopted by the Council by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Certified Checks on Automobile Bids:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1045-N.S.

authorizing the City Clerk to return to all unsuccessful bidders their certified checks which accompanied their bids submitted on automobiles. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7 In the Matter of Communications:

A communication from Attorney J. W. Hawkins, Attorney for the Tidewater Southern Railroad Company to Mr. A. J. Carlson was received as follows:

Dear Sir:

We are in receipt of a letter from the Tidewater Southern Railroad Company stating that pursuant to the order of the Railroad commission they have instructed all trains to reduce speed to ten miles an hour over the Junior College crossing.

We were instructed to inform you that the Tidewater Southern Railway Company will fulfill all of the agreement in regard to the crossing on advise from the City Engineer as to his completion of the grade on each side of the tracks.

Very truly yours,

J. W. Hawkins.

8 A communication was also received from the State Railroad Commission and read relative to the Junior College crossing and was ordered placed on file in the City Clerk's Office.

9 In the Matter of Protest Against Street Assessment:

Mr. R. Weldon, through his attorney, Mr. E. Johnson, presented to the City Council a protest against the assessment levied on the paving of Morris Avenue, Lottie and Adam Avenues on his property known as Lot 42, Block 556. In view of the fact that due notice was given to the protestant as set forth in Section 21 of the 1911 Improvement Act which hearing was had on the 14th day of October, and no protests appearing at that time, the warrant was ordered delivered to the contractor as evidenced by Resolution No. 507-S.P. Therefore, the protestant waived his rights to protests concerning the assessment. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 520-S.P.

denying the protest filed by Mr. R. Weldon. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10

In the Matter of Central Pacific Railroad:

Pursuant to an application presented by the Central Pacific Railroad on October 28th, 1925, asking for permission to lay a spur track in the alley between 7th and 8th Streets. Which matter was laid over by the Council until its next regular meeting.

11

In the Matter of "H" Street Lighting:

Inasmuch as it was found that Resolution of Intention No. 186-J.P. and Resolution No. 519-S.P. which was regularly adopted by the Council of the City of Modesto on October 28th, 1925, concerning the lighting of "H" Street, did not properly described the district to be included in said improvement, Councilman Ustick, introduced a resolution being,

RESOLUTION NO. 521-S.P.

rescinding, cancelling and annulling said Resolution No. 519-S.P., Resolution of Intention No. 186. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Councilman Ustick also introduced a resolution, being,

RESOLUTION NO. 522-S.P.

rescinding, cancelling and annulling Resolution No. 517-S.P. ordering plans and specifications.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Councilman Ustick also introduced a resolution, being,

RESOLUTION NO. 523-S.P.

rescinding, cancelling and annulling Resolution No. 518-S.P. adopting plans and specifications.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12

In the Matter of "H" Street Lighting:

The City Engineer was ordered to prepare plans and specifications for the lighting of "H" Street.

13

In the Matter of Reports:

The reports of the various departments were laid over until the next regular meeting of the Council.

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

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

Attest: H E Gray  
City Clerk

November 12th, 1925

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

Absent: Councilman Brown, Mayor Elias

In the Matter of Minutes:

The minutes of the regular meeting of October 28th, 1925, and the adjourned meeting of November 10th, 1925, were read and approved.

In the Matter of Protests on the Alley in Block 550 Assessment:

No written protests having been filed relative to making the assessment on the paving of the Alley in Block 550, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 524-S.P.

CONFIRMING THE PROCEEDINGS AND AUTHORIZING THE WARRANT DELIVERED TO THE CONTRACTOR. Which resolution was regularly adopted by the following vote, to-wit:

Ayes: Councilmen Boundey, Ustick, Oswald

Noes: Councilmen None

Absent: Councilman Brown, Mayor Elias

In the Matter of Filing Unpaid 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. 178, and no written objections being presented the Cou cil thereupon, under Resolution No. 525-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. 525-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on March 11th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 178 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 Superinten-

dent of Streets and counter-signed 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 12th day of November, 1925, 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 from 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 \$3644.75.

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 is 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 \$3644.75.

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 \$3644.75 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 24th day of October, 1925, (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 October 24th, 1925, 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, 1927, and that the first interest shall be for the period from the date of the filing with the Clerk of the Street Superintendent's list of unpaid assessments (October 24th, 1925) to January 2nd, 1927; 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	\$284.75	July 2, 1927
No. 2	240.00	July 2, 1928
No. 3	240.00	July 2, 1929
No. 4	240.00	July 2, 1930
No. 5	240.00	July 2, 1931
No. 6	240.00	July 2, 1932
No. 7	240.00	July 2, 1933
No. 8	240.00	July 2, 1934
No. 9	240.00	July 2, 1935
No. 10	240.00	July 2, 1936
No. 11	240.00	July 2, 1937
No. 12	240.00	July 2, 1938
No. 13	240.00	July 2, 1939
No. 14	240.00	July 2, 1940
No. 15	240.00	July 2, 1941

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 the 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 12th day of November, 1925, by Councilman Ustick, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, Ustick

Noes: Councilmen None

Absent: Councilman Brown, Mayor Elias

Attest: H. E. Gragg  
City Clerk

In the Matter of Improvement of "I" and Washington Streets:

In pursuance of the posting of notices regarding the proposed work of "I" and Washington Streets and this being the time fixed for hearing objections to the proposed work under Resolution of Intention No. 185, and the matter being brought to the attention of the Council the Council adjourned the hearing until November 25th, 1925, at 8 o'clock P.M.

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

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

Attest: H. E. Gragg  
City Clerk

November 25th, 1925.

The Council met in regular session this date and there were present Councilman Boundey, Brown, Oswald, Ustick, Mayor Elias

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 12th, 1925, were read and approved as read.

In the Matter of Salvation Army Relief:

Mr. P.J. Strickland, in charge of the Salvation Army in this City, appeared before the Council and asked the Council to raise their present contribution \$50.00 per month during the next three or four months. He made the statement that the demands for relief upon his organization were so great at this time of the year, that the amount of money already being contributed by the City was not sufficient to meet the demands for relief. The City Council advised Mr. Strickland that they would take this matter under advisement and report at a later date.

In the Matter of Communications:

A communication from the Currie Engineering Company regarding the disposal of sewerage was read to the Council and referred to the City Engineer for his consideration.

A communication from the Mayor of Los Angeles in regard to the telephone situation throughout the State, was read to the Council and referred to the City Attorney.

A communication from the Railroad Commission, calling the City's attention to certain conditions which they have imposed upon the Tidewater Railroad Company at the College Avenue crossing was read to the Council and ordered placed on file in the City Clerk's Office.

A communication was received from the Modesto Irrigation District, confirming the granting of permission to the City of Modesto to cross Lateral No. 4 with an 8 inch water tap at the Southern Pacific Railroad bridge, according to a blue print and plans submitted to the Board by the City of Modesto. The above communication was read to the Council and ordered placed in the City Clerk's files.

In the Matter of Spur Track in the Alley Between 7th & 8th Streets:

The Central Pacific Railroad, having petitioned the City some time ago to lay a spur track in the alley between 7th & 8th streets and which had been before the Council for some time, the same was again continued until the next regular meeting of the Council.

In the Matter of Lamp Contract:

This being the time for the re-newing of the City's street lamp contract for the ensuing year, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1046-N.S.

awarding the contract for the ensuing year to Nightingale Electric Company and authorizing the Mayor and City Clerk to enter into such contract. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Adopting Masonic Cemetery Map:

Mr. Travis B. Townsend, President of the Masonic Cemetery Association, presented a

map to the City Council for its approval of the Masonic Cemetery. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1047-N.S.

adopting the map of the Masonic Cemetery. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Building Permit:

Mr. J. L. Pinckney asked the City Council to grant him a building permit to do some re-modeling on his blacksmith shop by the placing of corrugated iron over the present roof. Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1048-N.S.

authorizing the City Clerk to issue a building permit to Mr. Pinckney for the re-modeling of his blacksmith shop by the placing of corrugated iron over the present roof. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Re-numbering Tuolumne Boulevard:

City Clerk H. E. Gragg informed the City Council that the present numbering of Tuolumne Boulevard was very unsatisfactory to all concerned, inasmuch as the numbering was not uniform and regular. Councilman Brown introduced a resolution, being,

RESOLUTION NO. 1049-N.S.

authorizing the City Clerk to re-number Tuolumne Boulevard, commencing at Franklyn Street with the first block taking the numbers of 100 and continuing on through to the end of the street which is at Seventh Street. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Lighting on "H" Street:

Proceedings were presented to the City Council by the City Engineer for the improvement of "H" Street, from the Northerly curb line of First Street to the Southerly curb line of 9th Street, as more fully described in the Resolution pertaining to such work which is as follows:

RESOLUTION NO. 526-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 "H" Street, from the Northerly curb line of First Street to the Southerly curb line of 9th Street, be illuminated with Cast Iron Electroliers, Modesto Type No. 6, with Wire, Cable, Globes, Lamps, Conduit, and necessary lighting appliances be installed along each side of said streets.

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 25th day of

November, 1925, by the following vote: to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on Nov. 25, 1925.

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. 527-3.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call declared adopted as outlined in the Resolution of Intention No. 187, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 528-3.P.

RESOLUTION OF INTENTION

NO. 187

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 "H" Street, from the Northerly curb line of First Street to the Southerly curb line of 9th Street, be illuminated with Cast Iron Electroliers, Modesto Type No. 6, with Wire, Cable, Globes, Lamps, Conduit, and necessary lighting appliances 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.

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 9 to 24 inclusive, Block 1;

Lots 9 to 24 inclusive, Block 5;

Lots 9 to 24 inclusive, Block 9;

Lots 9 to 24 inclusive, Block 16;

Lots 9 to 24 inclusive, Block 23;

Lots 9 to 24 inclusive, Block 33;  
Lots 9 to 24 inclusive, Block 43;  
Lots 1 to 8 and 25 to 32 inclusive, Block 44;  
Lots 1 to 8 and 25 to 32 inclusive, Block 32;  
Lots 1 to 8 and 25 to 32 inclusive, Block 24;  
Lots 1 to 8 and 25 to 32 inclusive, Block 15;  
Lots 1 to 8 and 25 to 32 inclusive, Block 10;  
Lots 1 to 8 and 25 to 32 inclusive, Block 4;  
Blocks 141 and 142, inclusive

Lots 1 to 8 and 25 to 32 inclusive, Block 2; as per Map of Record in the County Recorder's Office. Vol. 10 of Maps, Pages 1, 5, 9, 16, 23, 33, 43, 44, 32, 24, 15, 10, 141, 142, 4, and 2, 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 ten years from the second day of July next succeeding ten months from their date.

Notice is hereby given that on the 23rd day of December, 1925, 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 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 25th day of November, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on Nov. 25, 1925.

Attest: H. E. Gragg  
City Clerk

In the Matter of "I" and Washington Streets Proceedings:

In pursuance of the time set for the hearing of objections to the proposed work on "I" and Washington Streets, at which time the same was continued by the Council to the meeting of November 25th, 1925, and no written protests of the work 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. 185.

RESOLUTION NO. 529-3.P.

RESOLUTION ORDERING THE WORK 185

in accordance with certain plans and specifications heretofore adopted on the 14th day of

October, and pursuant to Resolution of Intention No. 185, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 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. 179, and no written objections being presented, the Council thereupon, under Resolution No. 530-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. 530-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on March 25th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 179 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 25th day of November, 1925, 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 \$8847.86.

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 is 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 \$8847.86.

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 \$8847.86 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 7th day of November, 1925 (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 November 7th, 1925, 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, 1927, 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 (November 7th, 1925) to January 2nd, 1927; 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	\$447.86	July 2, 1927
No. 2	600.00	July 2, 1928
No. 3	600.00	July 2, 1929
No. 4	600.00	July 2, 1930
No. 5	600.00	July 2, 1931
No. 6	600.00	July 2, 1932
No. 7	600.00	July 2, 1933
No. 8	600.00	July 2, 1934
No. 9	600.00	July 2, 1935
No. 10	600.00	July 2, 1936
No. 11	600.00	July 2, 1937
No. 12	600.00	July 2, 1938

No. 13	600.00	July 2, 1939
No. 14	600.00	July 2, 1940
No. 15	600.00	July 2, 1941

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 the 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 25th day of November, 1925, by Councilman Brown, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

14 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. 181, and no written objections being presented, the Council thereupon, under Resolution No. 531-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. 531-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on March 25th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 181, ordering the improvement of certain streets and other public ways within the City of Modesto, as is 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 Superinten-

dent 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 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 25th day of November, 1925, 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 \$10,427.13.

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 is 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 \$10,427.13.

Be It Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the "Improvement Bond Act of 1915", and the acts supplementary to and amendatory thereof, issue in the sum of \$10,427.13 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 7th day of November, 1925, (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 November 7th, 1925, 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, 1927, 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 (November 7th, 1925) to January 2nd, 1927; and 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	\$627.13	July 2, 1927
No. 2	700.00	July 2, 1928
No. 3	700.00	July 2, 1929
No. 4	700.00	July 2, 1930
No. 5	700.00	July 2, 1931
No. 6	700.00	July 2, 1932
No. 7	700.00	July 2, 1933
No. 8	700.00	July 2, 1934
No. 9	700.00	July 2, 1935
No. 10	700.00	July 2, 1936
No. 11	700.00	July 2, 1937
No. 12	700.00	July 2, 1938
No. 13	700.00	July 2, 1939
No. 14	700.00	July 2, 1940
No. 15	700.00	July 2, 1941

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 the 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 25th day of November, 1925, by Councilman Boundey, who moved its adoption, which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

In the Matter of Petition on the Lighting of Tenth Street:

A petition was presented to the City Council asking that proceedings be instituted for the installing of an ornamental lighting system on Tenth Street, from "F" Street to "K" Street. The number of feet fronting on this street signed on this petition being satisfactory to the City Council, the City Engineer was ordered to prepare plans and specifications for the lighting of Tenth Street, from "F" Street to "K" Street.

In the Matter of Boulevard Stops:

Councilman Oswald introduced an ordinance, being,

ORDINANCE NO. 280-N.3.

creating Boulevard stops in the City of Modesto. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Ustick, 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 received and read and the same were reviewed by the Council and ordered placed on file in the City Clerk's Office.

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

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

Attest: *H. G. Grogg*  
City Clerk

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Council, City of Modesto  
December 9th, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 25th, 1925, were read and 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.....	\$16880.71
Water Fund.....	4909.62
Library Fund.....	1277.26
Bond Red. & Int.....	11.38
St. Bond Fund.....	6.84
Miscellaneous.....	.62
Total.....	<u>\$23086.43</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 Lighting Tenth Street:

Mr. Thompson, a member of the Modesto Realty Board, appeared before the Council and endorsed the action of the City Council and the property owners along Tenth Street in their effort to obtain a better lighting system along said street. The Modesto Realty Board, at this time, presented to the Council a copy of a resolution passed by it supporting the City Council and the citizens for their move for a better lighting of the city streets. The following is a copy of said resolution:

TO THE HONORABLE MAYOR AND GENTLEMEN OF THE CITY COUNCIL:

At a meeting of the Modesto Realty Board December 3rd, the following resolution was passed, endorsing the movement for a Greater Modesto and supporting the City Council in its movement for better lighting of our City Streets:

"Whereas, a movement has been launched by the citizens of this city for a Greater Modesto, which should command the support of every loyal and progressive citizen, and

"Whereas, our City Council, seeing the need for better lighting of the streets of this City, which would tend, not only to necessity but to the

beautifying and attractiveness of this city as well.

"Now therefore, be it resolved, that the Modesto Realty Board go on record as heartily endorsing and supporting these worthy and progressive movements, backing our City Council with our moral support and services."

The Modesto Realty Board  
Geo. C. Nelson, President  
L. W. Ocken, Secretary.

3 In the Matter of Petition for the Lighting of Tenth Street:

The matter of lighting Tenth Street was taken up by the City Council. In view of the fact that several petitions had been presented pertaining to the lighting of Tenth Street and in view of the fact that there was such a diversity of opinion by the property owners signing these varrious petitions, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1050-N.S.

laying a~~ll~~ petitions pertaining to the lighting of Tenth Street upon the table. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Approving Map:

Mr. A. A. Fields presented to the City Council a map showing a Subdivision of Lot 1, Block 522, City of Modesto, asking the Council to approve the same. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1051-N.S.

approving said map as being a Subdivision of Lot 1, Block 522, City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Water Tap for the Junior College:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1052-N.S.

granting the Junior College permission to install a2" water tap. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Spur Track for the Central Pacific Railroad:

This matter was laid over until the next regular meeting of the City Council.

7 In the Matter of Communication from the Railroad Commission:

A letter from the Railroad Commission was received, addressed to the City Council, setting forth their views in matters pertaining to the telephone industry. Which communication was referred to the City Attorney for his attention.

8 In the Matter of Approving of Assessment Map:

The assessment map for the property to be assessed for the improvement work performed under Resolution of Intention No. 184, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 532-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Linden Street, from the Center line of Franklin Street to the Center line of Washington Street, and "M" Street, from the Center line of Washington Street to the Southerly property line of 7th Street, Resolution of Intention No. 184. Which resolution, being duly seconded, was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Increasing Allowance of Special Police Officer Strickland:

Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 1053-N.S.

increasing the salary of P. J. Strickland, Special Police Officer, \$25.00 per month during the months of December, January and February. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10 In the Matter of Circulating Petitions in the City of Modesto:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1054-N.S.

providing that the City Council will refuse to contenance any petition circulated by any person, firm or corporation in the City of Modesto, asking the people to recommend any article or commodity in which said person, firm or corporation may be directly or indirectly interested. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11 In the Matter of Pacific Coast Building Officials Conference:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1055-N.S.

providing that the City Council pay the expenses of Assistant City Engineer, Frank Rossi, in attending the Pacific Coast Building Officials Conference on December 18th, 1925. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12 In the Matter of Improvement of Lot 1, Block 522:

A petition for the paving of curbs, gutters and sidewalks was presented to the Council, asking that improvement proceedings be started for the improvement of Lot, 1, Block 522. The City Engineer was ordered to prepare plans and specifications for the above mentioned improvement.

13 In the Matter of Reports:

The reports of the various departments for the month of November, 1925, were reviewed by the Council and ordered placed on file.

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

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

Attest: H E Grass  
City Clerk

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Council, City of Modesto  
December 23rd, 1925.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of December 9th, 1925, were read and approved as read.

1 In the Matter of Granting Dog License to Mr. Wm. Poe:

Mr. Wm. Poe, a Grand Army Veteran, appealed to the Council and asked them to grant him a free dog license which was done by the following resolution, introduced by Councilman Ustick,

RESOLUTION NO. 1056-N.S.

granting Mr. Wm. Poe a free dog license for the year of 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

2 In the Matter of Final Adoption of Ordinance No. 280-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 25th day of November, 1925, and having been published as required by the Charter, coming on for final adoption this 23rd day of December, 1925, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

3 In the Matter of Granting Free Water to Mrs. Jemima Cox Robbins:

Mr. T. R. Chaney addressed a communication to the Council, stating that Mrs. Jemima Cox Robbins, living at 814 2nd Street, was in destitute circumstances and, at the present time, was being furnished groceries and clothing by the County and appealing to the City Council to remit all water bills against Mrs. Robbins until such time as she is in better circumstances and able to pay for the same. Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1057-N.S.

authorizing the City Clerk to remit all water bills against Mrs. Jemima Cox Robbins for water used at her residence at 814 2nd Street until such time when her circumstances will

permit her to pay for the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Granting Plumber's License:

Mr. C. B. Hedman presented to the City Council an application for license as plumber, together with a good and sufficient bond properly executed and all in accordance with the provisions of Ordinance No. 204-N.3. Which application was reviewed by the Council and the same was granted by the following resolution, introduced by Commissioner Boundey,

RESOLUTION NO. 1058-N.3.

authorizing the City Clerk to issue a plumber's license to Mr. C. B. Hedman to do plumbing in the City of Modesto, all in accordance with the provisions of Ordinance No. 204-N.3.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Awarding Contract for the Improvement of "I" and Washington Streets:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 185, and all due and legal proceedings having heretofore had under and pursuant to said Resolution as appears by the record 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 when opened read as follows including the action of the Council in said matter:

Grading	@	\$ .05 per sq. ft.
Paving	@	.175 " " "
Concrete Approaches	@	.20 " " "
Gutters	@	.20 " " "
Curbs	@	.70 " lin "
Headers	@	.15 " " "
Type #5 Modesto Standards etc.	@	62.50 each
G. E. form 12 Units etc.	@	40.00 "
Connection Boxes	@	6.50 "
1 in. Galv. Conduit	@	.25 per lin ft.
#8 B. & S. V.C. 1200 V lead covered cable	@	.165 " " "
Corrugated Iron Culverts	@	2.60 " " "

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

RESOLUTION NO. 533-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, Osvald, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Protest on the Lighting of "H" Street:

Mr. J. W. Carroll presented to the Council a protest on any proceedings for the lighting of "H" Street which takes into the district any side streets leading from "H" Street. The petition was signed by 29 property owners in the above mentioned district. After some

discussion of this matter, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 534-J.P.

continuing the hearing on the matter of lighting "H" Street until the next regular meeting of the Council. Which resolution, upon roll call, was declared adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Salarys:

Conforming with the plan outlined in the making of the budget for the fiscal year of 1925-26, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1059-N.S.

fixing the compensation of certain officers and employees in the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Enslan Park Court Proceedings:

Proceedings were presented to the City Council by the City Engineer for the improvement of Enslan Park Court, from the North side of Morris Avenue, from the East curb line of Enslan Avenue to the West curb line of Central Avenue, and Central Avenue from the North curb line of Morris Avenue to the Northerly line of Enslan Park Court.

RESOLUTION NO. 535-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 Cement Concrete curbs, gutters, and sidewalks be constructed on both sides of Enslan Park Court, the North side of Morris Avenue, from the East curb line of Enslan Avenue to the West curb line of Central Avenue, and Central Avenue from the North curb line of Morris Avenue to the Northerly line of Enslan Park Court.

That one Electrolier, known by the trade name Marbelite Type #700 with wire, cables, globes, lamps, conduit, and necessary appliances for lighting be installed on the north west corner of Enslan Park Court and Morris Avenue.

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 23rd day of December, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on December 23rd, 1925.

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. 536-5.P.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS

as prepared and submitted by the City Engineer, F. W. McCarton, was introduced and upon roll call adopted as outlined in the Resolution of Intention No. 188 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

RESOLUTION NO. 537-3.P.

RESOLUTION OF INTENTION NO. 188.

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 Cement Concrete curbs, gutters, and sidewalks be constructed on both sides of Enslin Park Court, the North side of Morris Avenue, from the East curb line of Enslin Avenue to the West curb line of Central Avenue, and Central Avenue from the North curb line of Morris Avenue to the Northerly line of Enslin Park Court.

That one Electrolier, known by the trade name Marbelite Type #700 with wire, cables, globes, lamps, conduit, and necessary appliances for lighting be installed on the north west corner of Enslin Park Court and Morris Avenue.

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.

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 22, both inclusive, Block 522, filed December 17, 1925, Vol. 9 of Maps, Page 96, formerly Lot 1, Block 522; as per map of Record in the County Recorder's Office. Vol. 10 of Maps, Page 522, Stanislaus County Records, Recorded March 18, 1920.

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 13th day of January, 1925, 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

News-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 amendment 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 23rd day of December, 1925, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on December 23rd, 1925.

Attest: H. E. Gragg  
City Clerk

In the Matter of Bid on Telephone Franchise:

Pursuant to the notice of sale of franchise published in the Modesto News-Herald on the 17th day of November, 1925, the Pacific Telephone & Telegraph Company filed with the City Council the following bid:

To the City of Modesto,  
and  
To the Honorable City Council of said City:

Referring to the notice of sale of franchise published in Modesto News-Herald, a newspaper printed and published in the City of Modesto on the 17th day of November, 1925, covering

"the right to place, erect and maintain poles, wires, and other appliances and conductors and to lay underground conductors for wires for the transmission of electricity for telephone and telegraph purposes, in, upon and under the streets, alley, avenues, thoroughfares and public highways, in the City of Modesto, State of California, and to exercise the privilege of operating telephone and telegraph instruments and of doing a telephone and telegraph business within said City of Modesto; such franchise and privilege to be upon the terms and conditions set forth in the proposed franchise filed in the office of the City Clerk of the City of Modesto, State of California, on the 6th day of November, 1925.

The undersigned, the Pacific Telephone and Telegraph Company hereby bids two per cent of the gross annual receipts received from the use, operation and possession of the franchise

The expense of advertising the application for franchise and of advertising the ordinance, and also the expense of election, is included in this bid.

A certified check for \$300.00 is enclosed. This, together with the Five Hundred Dollars already paid to the City Clerk of the City of Modesto November 6, 1925, makes a total sum of Eight Hundred (\$800.00) Dollars to cover the cost incident to the granting of the franchise as set forth above.

THE PACIFIC TELEPHONE AND TELEGRAPH CO.  
By F. L. McNally  
Division Commercial Superintendent

FORM APPROVED  
(Signed) Norbert Korte  
for GENERAL ATTORNEY

This being the only bid filed with the City Council, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1060-N.S.

accepting the bid of the Pacific Telephone & Telegraph Company. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9  
In the Matter of Purchasing Road Grader:

Councilman Boundey introduced an ordinance, being,

ORDINANCE NO. 281-N.S.

authorizing the City to appropriate the sum of \$2000.00 or as much of the same as may be necessary for the purchase of a road grader for the City of Modesto. Which ordinance was duly passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

No further business appearing, the Council upon motion adjourned until Wednesday, January 13th, 1926, at 2:00 P.M.

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

Attest: HE Gragg  
City Clerk

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