

Council, City of Modesto  
January 13th, 1926.

The Council met pursuant to adjournment of December 23rd, 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 December, 1925, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$15746.42
Water Fund.....	4307.61
Library Fund.....	935.53
Bond Red. & Int.....	7575.00
St. Bond Fund.....	113.40
Total.....	<u>\$28677.96</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 Protest on "H" Street:

At a regular meeting of December 23rd, 1925, a protest was filed protesting the proceedings for the lighting of "H" Street. The petition was read to the Council and after due consideration of the same, was continued to the adjourned meeting of January 13, 1926, at which time it was again continued until the regular meeting of the Council on January 27th, 1926.

In the Matter of Petition for Street Lamp at the corner of Locust & Washington Streets:

The same being received by the Council was laid over until the regular meeting of January 27th, 1926.

In the Matter of Protest on Gasoline Filling Stations:

A petition was presented to the Council protesting against the building of gasoline stations in Blocks 107, 108, 109, 110, 111, 123, J. After due and careful consideration of

this petition, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1061-N.S.

instructing the City Clerk to not issue any building permits for any gasoline service filling stations in the City of Modesto until the same shall have come before the City Council for its approval. 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 Meters at the Cressey Gas Plant and Modesto Steam Laundry:

It was reported to the Council by the City Clerk that meters were installed at the Modesto Gas Plant and Modesto Steam Laundry and were being used by the above mentioned firms as standby service and that the minimum charge which all other meter users pay in the City of Modesto namely, \$2.00 per month, has never been collected from either of the above mentioned firms. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1062-N.S.

providing that all meters connected to the City's water mains should pay the minimum charge of \$2.00 per month as laid down in Ordinance No. 123. 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 Building Permit:

Mr. Fred Said appeared before the City Council asking permission to build a small shed in Block 70, in Lots 9 and 10. As the structure he proposed to build did not conform to the Building Ordinance now in force in the City of Modesto, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1063-N.S.

authorizing the City Clerk to issue a building permit as proposed by Mr. Said on Block 70, Lots 9, 10. 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 Standby Service for Fire Protection:

Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 1064-N.S.

authorizing the City Engineer to install double switches and arrange for standby service on fire pumps 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

No further business appearing, the Council upon motion adjourned until its next regular meeting on January 13th, 1926, at 7:30 P.M.

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

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

Council, City of Modesto  
January 13th, 1926.

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 23rd, 1925, and the adjourned meeting of January 13th, 1926, 2:00 o'clock P.M., were read and approved as read.

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 said list as filed by the Street Superintendent for work done under Resolution of Intention No. 182, and no written objections being presented, the Council thereupon, under Resolution No. 537-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 presented and ordered entered upon its minutes.

RESOLUTION NO. 537-S.P.

An Order Providing for the Issue of Street Improvement Bonds.

WHEREAS, on June 10th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 182 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 13th day of January, 1926, 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 \$911.97.

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 \$911.97.

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 \$911.97 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 one bond in each series; they shall each and all be dated the 8th day of December, 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 December 8th, 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 (December 8th, 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	\$71.97	July 2, 1927
No. 2	60.00	July 2, 1928
No. 3	60.00	July 2, 1929
No. 4	60.00	July 2, 1930
No. 5	60.00	July 2, 1931
No. 6	60.00	July 2, 1932
No. 7	60.00	July 2, 1933

No. 8	60.00	July 2, 1934
No. 9	60.00	July 2, 1935
No. 10	60.00	July 2, 1936
No. 11	60.00	July 2, 1937
No. 12	60.00	July 2, 1938
No. 13	60.00	July 2, 1939
No. 14	60.00	July 2, 1940
No. 15	60.00	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 13th day of January, 1926, 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. Cragg  
City Clerk

In the Matter of Protests on Assessment on "F" Street Improvement:

In pursuance of the publishing of the filing of the assessments on "F" Street, 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 Brown introduced a resolution, being,

RESOLUTION NO. 539-S.P.

confirming the proceedings and ordering the warrant on the paving of "F" Street, under Resolution of Intention No. 183. 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 Enslin Park Court Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911, in pursuance of Resolution of Intention No. 188, 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. 188.

RESOLUTION NO. 540-S.P.

RESOLUTION ORDERING THE WORK.

NO. 188

In accordance with certain plans and specifications heretofore adopted on the 23rd day of December, 1925, and pursuant to Resolution of Intention No. 188, was introduced and 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 Assessment Map:

The assessment map for the property to be assessed for the street improvement work performed under Resolution of Intention No. 188 was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Oswald introduced a resolution, being,

RESOLUTION NO. 541-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Enslin Park Court. Resolution of Intention No. 188. 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 Street Lights:

5 Senator L. L. Dennett presented a petition to the City Council signed by 28 residents residing in the vicinity of Virginia, Coldwell, Terminal and Morris Avenues, requesting that street lights be placed at or near the following places: one at the corner of Virginia and Coldwell; one on Terminal near the bridge; one on Orange and Coldwell; and one on Orange and Morris. The City Council took this matter under consideration until the next meeting on January 27th, 1926.

6 In the Matter of Bond of the Telephone Company:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1065-N.S.

accepting the bond filed by the Pacific Telephone & Telegraph Company in regard to the franchise granted by the City Council to the Pacific Telephone & Telegraph Company on December 23rd, 1925, all in accordance with Section 73 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

7 In the Matter of Telephone Ordinance:

Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 282-N.S.

awarding to the Pacific Telephone & Telegraph Company a franchise in accordance with the terms and conditions set out in Section 73 of the Charter of the City of Modesto. Which Ordinance was regularly adopted and passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8 In the Matter of Reports:

The reports of the various departments for the month of December, 1925, were read and approved by the Council.

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

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

Attest: H E Gregg  
City Clerk

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Council, City of Modesto  
January 27th, 1926.

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

Absent: Councilmen Osvald

In the Matter of Minutes:

The minutes of the regular meeting of January 13th, 1926, were read and approved as read.

In the Matter of Building Gasoline Station:

Mr. Jack Wieland appeared before the Council, exhibiting a set of plans and drawings for a residential store and gasoline station which he proposed to build at the corner of 14th and L Streets. Inasmuch as the people residing in this vicinity of the City had petitioned the Council not to allow gasoline filling stations to be built in this particular neighborhood, the City Council advised Mr. Wieland to submit his plans and drawings to the people residing in this community and if possible, get their approval of the same and the withdrawal of their objections to building of such a structure in their neighborhood.

In the Matter of Claim of State Compensation Insurance Fund:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1066-N.S.

authorizing the City Clerk to draw a warrant in favor of the State Compensation Insurance Fund in the amount of \$2458.16. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Claim of the Police Department:

A claim in the case of C. J. Gray for detective work in the amount of \$71.00 was presented to the Council. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1067-N.S.

authorizing the City Clerk to draw a warrant for the above claim. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

4 In the Matter of Communication:

A communication from the League of California Municipalities was read to the Council and ordered placed on file in the City Clerk's Office.

5 In the Matter of Final Adoption of Ordinance No. 281-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 23rd day of December, 1925, and having been published as required by the Charter, coming on for final adoption this 27th day of January, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

6 In the Matter of Final Adoption of Ordinance No. 282-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 13th day of January, 1926, and having been published as required by the Charter, coming on for final adoption this 27th day of January, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

7 In the Matter of Contract with the M.I.D.:

The contract entered into between the M.I.D. and the City of Modesto relative to standby service furnished the City of Modesto by the Pacific Gas & Electric Company was presented to the Council for its approval. Councilman Brown introduced a resolution, being,

RESOLUTION NO. 1068-N.S.

authorizing the Mayor and City Clerk to sign the above mentioned contract. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Osvald

8 In the Matter of Contract with the Pacific Gas & Electric Co. relative to Standby Service:

A contract was presented to the City Council from the Pacific Gas & Electric Company setting forth the rates and conditions on which the Pacific Gas & Electric Co. would furnish the City standby electric service. Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1069-N.S.

authorizing the Mayor and City Clerk to execute the above mentioned contract. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

9 In the Matter of Franchise to the Pacific Telephone & Telegraph Co:

In pursuance of the final adoption of Ordinance No. 282-N.S. granting to the Pacific Telephone & Telegraph Company a franchise in the City of Modesto, Section 37 of the City Charter provides that the above mentioned ordinance shall be approved by a majority of the electors voting upon the same. Whereupon Councilman Boundey introduced a resolution, being

RESOLUTION NO. 1070-N.3.

calling for a special election to be held on February 23rd, 1926, all in accordance with Section 87 of the Charter of the City of Modesto. Which resolution was regularly adopted by the following vote:

Ayes; Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Awarding Contract for the Improvement of Enslan Park Court:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 188 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 were on file two bids which when opened, read as follows including the action of the Council in said matter:

BID OF THE STANDARD PAVING COMPANY:

Sidewalks	@	\$ .08 per sq. ft.
Curbs	@	.70 per lin ft.
Gutter	@	.20 per sq. ft.
#700 Marbelite Post	@	70.00 each
# G. E. Head	@	36.00 each
Connection Box	@	6.50 each
1" Galv. Conduit	@	.25 per lin ft.
#8 B. & S. Cable	@	.165 per lin ft.

BID OF SEARS AND BAKER:

For the lump sum of \$4178.69.

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

RESOLUTION NO. 542-3.P.

awarding the contract to the Standard Paving Company at the prices named in their proposal. Also authorizing the City Clerk to return to the unsuccessful bidder his certified check. Which resolution was, upon roll call, declared adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of "H" Street Lighting:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 543-S.P.

postponing the hearing on the proceedings of "H" Street lighting until February 24th, 1926. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

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. 185, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

4

In the Matter of Communication:

A communication from the League of California Municipalities was read to the Council and ordered placed on file in the City Clerk's Office.

5

In the Matter of Final Adoption of Ordinance No. 281-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 23rd day of December, 1925, and having been published as required by the Charter, coming on for final adoption this 27th day of January, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

6

In the Matter of Final Adoption of Ordinance No. 282-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 13th day of January, 1926, and having been published as required by the Charter, coming on for final adoption this 27th day of January, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

7

In the Matter of Contract with the M.I.D.:

The contract entered into between the M.I.D. and the City of Modesto relative to standby service furnished the City of Modesto by the Pacific Gas & Electric Company was presented to the Council for its approval. Councilman Brown introduced a resolution, being,

RESOLUTION NO. 1068-N.S.

authorizing the Mayor and City Clerk to sign the above mentioned contract. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Osvald

8

In the Matter of Contract with the Pacific Gas & Electric Co. relative to Standby Service:

A contract was presented to the City Council from the Pacific Gas & Electric Company setting forth the rates and conditions on which the Pacific Gas & Electric Co. would furnish the City standby electric service. Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1069-N.S.

authorizing the Mayor and City Clerk to execute the above mentioned contract. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

9

In the Matter of Franchise to the Pacific Telephone & Telegraph Co:

In pursuance of the final adoption of Ordinance No. 282-N.S. granting to the Pacific Telephone & Telegraph Company a franchise in the City of Modesto, Section 87 of the City Charter provides that the above mentioned ordinance shall be approved by a majority of the electors voting upon the same. Whereupon Councilman Boundey introduced a resolution, being

RESOLUTION NO. 1070-N.3.

calling for a special election to be held on February 23rd, 1926, all in accordance with Section 87 of the Charter of the City of Modesto. Which resolution was regularly adopted by the following vote:

Ayes; Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Awarding Contract for the Improvement of Enslin Park Court:

The Council, having heretofore duly adopted and passed Resolution of Intention to do certain street work therein described which resolution was entered in the minutes of said Council and is numbered and referred to as Resolution of Intention No. 188 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 were on file two bids which when opened, read as follows including the action of the Council in said matter:

BID OF THE STANDARD PAVING COMPANY:

Sidewalks	@	\$ .08 per sq. ft.
Curb	@	.70 per lin ft.
Gutter	@	.20 per sq. ft.
#700 Marbelite Post	@	70.00 each
# G. E. Head	@	36.00 each
Connection Box	@	6.50 each
1" Galv. Conduit	@	.25 per lin ft.
#8 B. & S. Cable	@	.165 per lin ft.

BID OF SEARS AND BAKER:

For the lump sum of \$4178.69.

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

RESOLUTION NO. 542-3.P.

awarding the contract to the Standard Paving Company at the prices named in their proposal. Also authorizing the City Clerk to return to the unsuccessful bidder his certified check. Which resolution was, upon roll call, declared adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of "H" Street Lighting:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 543-3.P.

postponing the hearing on the proceedings of "H" Street lighting until February 24th, 1926. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

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. 185, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 544-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of "I" and Washington Streets. Resolution of Intention No. 185. Which resolution was regularly and duly seconded and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

13 In the Matter of Gases from the D.V.O. Products Company:

Inasmuch as there has been considerable complaint regarding the offensive odors coming from the D.V.O. Products plant, the City Clerk was instructed to write the D.V.O. Products Company and ask them if it is possible to correct this condition.

In the Matter of Report:

The report of the Salvation Army for the month of December, 1925, was read and ordered placed on file.

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

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

Attest: H.E. Gragg

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Council, City of Modesto  
February 10th, 1926

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

In the Matter of Minutes:

The minutes of the regular meeting of January 27th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of January, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$16,906.99
Water Fund.....	2,911.74
Library Fund.....	846.83
Bond Red. & Int.....	29,137.50
St. Bond Fund.....	13,553.62
Total.....	\$53,361.68

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 Communication from the D.V.O. Products Company:

A communication was received from the D. V. O. Products Company regarding the odors emanating from their plant. Which communication was read to the Council and ordered placed in the City Clerk's files.

3 In the Matter of Granting 1½" Tap to Mr. W. F. Ramont:

W. F. Ramont made application to the City Council for the granting of an 1½" tap on Lots 1, 2, 3, 4, Block 1. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1071-N.3.

authorizing the City Clerk to issue to Mr. W. F. Ramont a 1½" tap on the property as described above. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

4 In the Matter of Lighting of "H" Street:

Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 545-S.P.

continuing the proceedings for the lighting of "H" Street until the last regular meeting of the Council in March. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

5 In the Matter of Bids on Grader:

In pursuance of the notice published advertising for bids on a one (1) man power grader, and this being the time set in said notice for the opening of bids and there being on file five bids as follows:

FRANK PARADIS COMPANY:

One Wehr one man Grader with Fordson Tractor and Governor.

One 8 foot Blade

One Scarifier Attachment

One Side Crank

The above grader is to be equipped with 40 x 5 dual cushion rubber tires, rear, and 24 x 3½ front.

Price.....\$1864.30

F.O.B. Modesto.

TURNER HARDWARE & IMPLEMENT COMPANY:

1 McCormick-Deering 10-20 Industrial Tractor attached to Spear-Wells Bid Eight Grader.

Price.....\$ 1957.55

Extra equipment on tractor.

Price.....\$ 190.40

F.O.B. Modesto.

THE AUSTIN-WESTERN ROAD MACHINERY COMPANY:

Proposition (#1) One Austin Fordson Motor Grader with 8 Ft. blades, rubber tires, roller bearings wheels, straight front axel.

Price.....\$2000.00

Proposition (#2) One Austin Fordson Motor Grader, 8 Ft. blade rubber tired roller bearing wheels, leaning front wheels,

Price.....\$2150.00

Proposition (#3) Same as proposition #2 except steel front wheels and Caterpillar track at rear.

Price.....\$2540.00

Proposition (#4) Same as proposition #2 except steel front wheels both front and rear.

Price.....\$1725.00

Proposition (#5) One Austin Motor Grader with International 10-20 H. P. plant, rubber tired roller bearing wheels, leaning front wheels 10 or 8 ft. blade.

Price.....\$2350.00

Proposition (#6) Scarifier attachments for any of the above as follows:

Front.....\$140.00

Rear..... 200.00

Proposition 1, 2, 3, 4, and 6 all in accordance with specification in Catalogue M enclosed and Proposition 5 and 6 as per Bulletin 1-A. Enclosed all subject to exception as stated.

Proposition (#7) One Aurora Maintainer Attachment for International 10-20 Tractor. Wheels rubber tired, roller bearing 8 foot blade. Scarifier attachment one hundred dollars extra.

Price.....\$310.00

Proposition (#8) One Western Maintainer attachment for either International 10-20 or Fordson Tractors. Rubber tires, roller bearing wheels. 6 ft. blade.  
 Price..... 6 ft. blade.....\$463.00  
 Price..... 7 ft. blade..... 474.00  
 Price..... 8 ft. blade..... 477.00  
 Scarifier attachment \$85.00 extra.  
 Proposition #7 and #8 with steel wheels and plain boxes deduct \$175.00. Propositions 7 and 8 as specified in Bulletin 25-K and 24-F enclosed.

Proposition (#9) One Austin Pup Roller  
 3 ton model.....\$1830.00  
 4 ton model..... 2030.00  
 5 ton model..... 2230.00  
 5½ ton model..... 2385.00  
 Planer attachment extra..... 155.00  
 Scarifier attachment extra..... 200.00

COAST ROAD MACHINERY COMPANY:

Proposal #1 Russell Motor Patrol #2, Grader only.  
 Power-Fordson Tractor.  
 Frame-7" extra heavy channel, 19 ¾ lbs. per foot.  
 Wheels-Rear, 40" x 10", Dual Cushion Tires. (May be loaded)  
 Front, 30" x 3½" Tires. Timkin Bearings.  
 Blade 8' long.  
 Price, F.O.B. Oakland.....\$1900.00

Proposal #2 Russell Motor Patrol #2, Grader and Scarifier. Power-Fordson Tractor.  
 Price, F.O.B. Oakland.....\$2100.00

Proposal #3 Russell Motor Patrol #3, Grader only. Power 10-20 McCormack-Deering Tractor. Grader unit as described for Patrol #2.  
 Price, F.O.B. Oakland.....\$2400.00

Proposal #4 Russell Motor Patrol #3 Grader and Scarifier. Power 10-20 McCormack Deering Tractor. Grader and Scarifier as described for Patrol #2  
 Price, F.O.B. Oakland.....\$2600.00

THE STUART S. SMITH COMPANY:

Proposal #1 Galion Junior Roller Grade.....\$2650.00  
 Equipped Bosch Magnets..... 75.00 extra  
Proposal #2 Galion Fordson Grader..... 1875.00  
 Extra for scarifier..... 150.00  
Proposal #3 Galion E. Z. Lift Fordson Grader..... 2125.00  
 Extra for scarifier..... 150.00  
Proposal #4 Galion E. Z. Lift McCormick Deering Grader.....2385.00  
 Extra for scarifier..... 150.00

After due consideration of the above bids, by the City Council, it was thought best to lay the bids over until the next meeting. Whereupon Councilman Brown introduced a resolution, being

RESOLUTION NO. 1072-N.3.

providing that the several bids placed for a one (1) man power grader 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, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

6 In the Matter of Milk Ordinance:

Mr. Frank Holtham, Health Inspector, presented to the Council an ordinance for the purpose of regulating milk supply in the various milk plants. Dr. Morgan, City Health Officer, as well as Mr. Faulkner of the Central Dairy Delivery talked to the Council in respect to their views on the proposed ordinance, the result being that no action was taken by the Council upon the ordinance as presented.

7 In the Matter of Billboard Ordinance:

Mr. C. E. Terrol, representative of the Foster-Kleiser Outdoor Advertising Company stated to the Council that the section of the Building Ordinance regulating the construction of billboards was practically prohibitive on account of the fee being so high. Mr. Terrol asked the City Council to correct the undesirable features of the now existing ordinance

regulating signs and billboards. Whereupon Councilman Ustick introduced an ordinance, being  
ORDINANCE NO. 283-N.S.

REGULATING AND RELATING TO THE CONSTRUCTION, ERECTION, MAINTENANCE AND USE OF OUTDOOR ADVERTISING STRUCTURES. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

8  
In the Matter of Naming Aviation Field:

The matter of changing the name of the Modesto Aviation Field was brought to the attention of the Council by Mayor Elias. On August 3, 1921, the American Legion presented to the Council a resolution asking that the name of the present municipal aviation field be changed from the Modesto Aviation Field to the H. L. Coffee Field. The Progressive Business Men also, under date of August 10, 1921, presented a similiar resolution. It was the opinion of the Council that this was a very commendable thing to do in view of the fact that Mr. Coffee was a local boy and on behalf of his commendable services to his country during the World War. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1073-N.S.

changing the name of the Modesto Aviation Field to that of the Bud Coffee Aviation Field and authorizing the City Clerk to convey to the Secretary of War a copy of this resolution.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

9  
In the Matter of Reports:

The reports of the various departments for the month of January, 1926, were reviewed by the Council and ordered placed on file.

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

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

Attest: HE Gragg  
City Clerk

February 24th, 1926

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

Absent: Councilmen Brown, Oswald

Commissioner Brown is reported quite seriously ill at the St. Francis Hospital in the City of San Francisco. The illness of Mr. Brown was lamented by the members of the Council present and the hope that he will speedily recover and return to his seat in the Council was expressed.

In the Matter of Minutes:

The minutes of the regular meeting of February 10th, 1926, were read and approved as read.

In the Matter of Municipal Golf Course:

Mr. Cecil Jones of the Junior Chamber of Commerce appeared before the Council and solicited the City Council to appoint a committee of its' body to confer and cooperate with the Junior Chamber of Commerce relative to a plan of ways and means of establishing a municipal golf course in the City of Modesto. On this committee, the Mayor appointed Commissioner Ustick, Commissioner Boundey and the Mayor.

In the Matter of Gas Pump at the Northeast Corner of 12th & H Streets:

Mr. H. E. Wilson appeared before the Council and filed a petition on behalf of W. H. Abbott, making application for a permit to install a gasoline tank to be used in conjunction with the tire and battery service to be located on the above mentioned corner. The Mayor informed Mr. Wilson that the Council could not grant the permit asked for unless the petitioner could secure the consent of the property owners living in this block where he proposed to establish this station. Mr. Wilson said that he would endeavor to secure the consent of the property owners residing in this block.

In the Matter of Associated Oil Company asking for Permit:

The Associated Oil Company made a formal application to the Council for a permit to build a gasoline station on Lot 12, Block 505, City of Modesto. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1074-N.3.

authorizing the City Clerk to issue a permit to the Associated Oil Company for the building of a gasoline service station at the above mentioned location. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

In the Matter of Bids on Grader:

This being the time set by the Council to decide upon the bids submitted for a one (1) man power grader on February 10th, 1926, the Turner Hardware & Implement Company appeared before the Council and asked that they be allowed to demonstrate their machine before the decision was made. Which the Council agreed to do. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1075-N.3.

postponing the matter of deciding upon the purchase of a grader until Wednesday, March 3rd, 1926, at 7:30 o'clock P.M., when the Council would confer in an adjourned meeting for the purpose of making a final decision upon the bids submitted February 10th, 1926. Which

resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

5 In the Matter of Agreement with the Southern Pacific Company:

This agreement as presented by the Southern Pacific Company shall supercede and cancel Southern Pacific Company's Audit #30703. This agreement pertains to a 1 30" concrete sewer line and a 1 8" water line beneath the property of the Southern Pacific Railroad Company at or about the intersection of Needham Avenue and the highway. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1076-N.3.

authorizing the Mayor and City Clerk to affix their signatures to the above mentioned agreement. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

6 In the Matter of Final Adoption of Ordinance No. 283-N.3.:

The final adoption of Ordinance No. 283-N.3. was continued until the next regular meeting of the Council by the following resolution introduced by Mayor Elias, being,

RESOLUTION NO. 1077-N.3:

postponing the final adoption of Ordinance No. 283-N.3. until the first meeting in March.

Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

7 In the Matter of Communication from the League of California Municipalities:

A communication was presented to the Council which was ordered placed on file in the City Clerk's office.

8 In the Matter of Sending Mr. Frank Rossi, Assistant City Engineer, to the Pacific Coast Building Officials Meeting:

Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1078-N.3.

authorizing the Assistant City Engineer, Mr. Frank Rossi, to attend the Pacific Coast Building Officials committee meeting at Oakland, on March 4th, 5th, 6th, 1926, and that his expenses for the trip be paid by the City of Modesto. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

9 In the Matter of Canvassing Election Returns for Telephone Company Franchise:

The election returns of the election held Tuesday, February 23rd, 1926, were canvassed by the Council, the results of which were found to be as follows:

Precinct	For	Against
No. 1	53	2
No. 2	33	1
No. 3	55	5
No. 4	31	4
No. 5	26	1

making a total of 198 for and 13 against. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1079-N.J.

adopting the election returns. For further particulars reference is made to this resolution on file in the City Clerk's office. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

10 In the Matter of Paying Election Officials and Rent of Polling Places:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1080-N.J.

authorizing the City Clerk to pay all election officials the sum of \$5.00 each for their services in connection with the election held on February 23rd, 1926. Also to pay a rental of \$5.00 to the following persons for the rental of buildings for use at said election: Mrs. T. K. Beard and Sylvan J. Latz. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

11 In the Matter of Salary of Police Officer Strickland:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1081-N.J.

authorizing the City Clerk to increase Special Police Officer Strickland's salary from \$50.00 to \$75.00 for the month of March, 1926. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

12 In the Matter of Adjournment:

No further business appearing, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1082-N.J.

adjourning the Council meeting now in session to Wednesday, March 5rd, 1926, at 7:30 o'clock P.M. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

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

Attest: H. E. Gray  
City Clerk

March 3rd, 1926

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

Absent: Councilman Brown, Oswald

In the Matter of Bids on Grader:

This being the time set in Resolution No. 1072-N.S. for making the final decision upon the bids submitted under date of February 10th, 1926, for a one (1) man power grader, after due and careful consideration of the several bids submitted, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1083-N.S.

accepting the bid of the Coast Road Machinery Company of Oakland, California, as per their Proposal #2 being,

Russell Motor Patrol #2 Grader and Scarifier. Power-Fordson Tractor.  
Price, F.O.B. Oakland,.....\$2100.00

Also rejecting the bids of all other bidders and instructing the City Clerk to return to them their certified checks which accompanied their bids. The above grader shall be delivered to the City of Modesto and shall be entirely satisfactory to the City before the purchase price shall be paid. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

In the Matter of Gasoline Station for Mr. W. H. Abbott:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1084-N.S.

instructing the City Clerk to issue to Mr. W. H. Abbot a building permit for the building of a gasoline station on Lots 17, 18, Block 94. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

In the Matter of Extra Help for the Fire Department:

Inasmuch as the time is drawing near of the annual vacation period, Fire Chief Wallace asked the Council to give him permission to hire an extra man during vacation period. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1085-N.S.

authorizing the Fire Chief to hire an extra man at the rate of salary paid the other firemen, during the vacation period. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown, Oswald

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

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

Attest: HEG  
City Clerk

March 10th, 1926

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

Absent: Councilman Osvald

In the Matter of Minutes:

The minutes of the regular meeting of February 24th, 1926, and of the adjourned meeting of March 3rd, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of February, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$15179.68
Water Fund.....	5045.39
Library Fund.....	1293.03
Bond Red. & Int.....	25.00
St. Bond Fund.....	908.55
Total.....	\$20451.65

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 Application for Spur Track:

Mr. W. F. Beard, Secretary and Manager of the Modesto Terminal Company, appeared before the City Council and presented a petition asking permission to extend a spur track across B Street, between 9th and 10th Streets in the City of Modesto. The petition was received in due form and the petitioner advised by the Council that the same would be considered at the next regular meeting of the Council.

In the Matter of Paving on 'I' and Washington Streets:

Mr. J. R. Miller appeared before the Council and entered an objection to the manner in which the paving was being laid on 'I' Street, from 3rd Street to Washington Street and Washington Street, from Vine Street to 'H' Street, his objection being that the paving was not laid to the proper grade. He stated that there was a depression in front of his property which allowed the water to stand several inches deep. He asked the Council to correct this condition. The City Council conferred with the City Engineer and his advice to the Council was that the removing of the water in front of Mr. Miller's property could be remedied. Whereupon Mr. Miller was assured that the condition would be promptly taken care of.

In the Matter of Final Adoption of Ordinance No. 283-N.S.:

Mr. T. B. Scott appeared before the City Council on behalf of Mr. Richard Baldwin, protesting the passing of Ordinance No. 283-N.S. Among his claims being that the Ordinance was monopolistic and detrimental and therefore objected to the final adoption of the same. The City Council proceeded to cast and vote for the final adoption of Ordinance No. 283-N.S. and it was not adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Granting Plumbing License:

Mr. W. E. Bacon presented to the City Council an application for a plumber's license, the same being accompanied by a bond as required in Ordinance No. 204-N.S. After due examine-

tion Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1086-N.3.

approving and accepting the application and bond as presented and granting a plumber's license to Mr. W. E. Bacon. The City Clerk was instructed to issue to Mr. Bacon a plumber's license in accordance with the provisions of Ordinance No. 204-N.3. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Acceptance of Grader:

The Coast Road Machinery Company has delivered to the City of Modesto a one (1) man power grader purchased from the Coast Road Machinery Company on March 3rd, 1926. The City Engineer reports that the City has accepted delivery of this grader and that the same is entirely satisfactory. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1087-N.3.

authorizing the City Clerk to make the following settlement with the Coast Road Machinery Company when the same shall have been approved by the said officers of the Coast Road Machinery Company. The settlement to be as follows: the City of Modesto's check in the amount of \$1453.02 made payable to the Coast Road Machinery Company of Oakland, California; the City of Modesto's check in the amount of \$653.00 made payable to the Frank Paradis Company of Modesto, California, making a total of \$2106.02 as is evidenced by a bill presented to the City by the Coast Road Machinery Company and on file in the City Clerk's office. All in accordance with the bid submitted to the City of Modesto by the Coast Road Machinery Company under date of February 10th, 1926. Also authorizing the City Clerk to return to the Coast Road Machinery Company their certified check which accompanied their bid. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Pacific Telephone & Telegraph Company's acceptance of Franchise:

Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1088-N.3.

WHEREAS, the Pacific Telephone & Telegraph Company has filed with the City Council its formal acceptance of the franchise awarded to said Pacific Telephone & Telegraph Company in accordance with the terms of Ordinance No. 282-N.3. which acceptance is executed by the President and Secretary of said Pacific Telephone & Telegraph Company and bears the seal of said corporation,

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

The foregoing resolution was introduced 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, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

I, H. E. Gragg, City Clerk of the City of Modesto and Clerk of its Council, do hereby certify that the foregoing is a full, true and correct copy of a resolution introduced and

adopted at a regular meeting of the Council of the City of Modesto, duly and regularly called and held on March 10th, 1926; that the same has never been cancelled, revoked or rescinded; that it is now and ever since has been in full force and effect and that it appears in full as above written on the official minutes of said City Council.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the official seal of said City of Modesto this 11th day of March, 1926.

H. E. Gragg  
City Clerk and Clerk of  
the City Council.

In the Matter of Petition for Gasoline Pump:

Mrs. L. V. Rousseau presented a formal petition to the City Council accompanied by a diagram, petitioning the Council to grant her permission to install a gasoline pump on her property as outlined in the diagram accompanying said petition. After due consideration of the same, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1089-N.3.

granting permission to Mrs. Rousseau to install a gasoline pump as asked for in her petition, the installing of the same to be under the direction of the City Engineer and Fire Chief and the permit to be revokable at the will of the Council. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Osvald

In the Matter of Reports:

The reports of the various departments for the month of February, 1926, were reviewed by the Council and ordered placed on file.

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

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

Attest: H. E. Gragg  
City Clerk

Council, City of Modesto

March 24th, 1926.

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

Absent: Councilman Oswald

In the Matter of Minutes:

The minutes of the regular meeting of March 10th, 1926, were read and approved as read.

In the Matter of Roller Skating Rink:

Mr. Charles Sizelove made a formal application to the City Council for a permit to operate a roller-skating rink on Mr. J. Latz's property, Lots 1 to 5, Block 16, City of Modesto. His petition states that he had consulted the nearest neighbors upon the proposition and that he had found no objections. His petition also states that he would not operate the rink later than 10:00 P.M. and would maintain strict discipline. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1090-N.S.

authorizing Mr. Charles Sizelove to operate a skating-rink as set out in his petition and that the same would be under the supervision of the Chief of Police. Which resolution was regularly adopted by the following vote:

Ayes; Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Oswald

In the Matter of Resignation of Commissioner Oswald:

Modesto, California  
March 16, 1926.

To the Mayor and City Council,  
Modesto, Calif.

Gentlemen:-

I hereby tender my resignation as councilman of the City of Modesto, same to take effect as soon as you wish to act upon it and select my successor.

I am taking this action on account of the possibility that I may not be able to give the proper attention to the duties of a councilman, as I expect to be away from Modesto most of the time.

I wish to thank my friends for their support and co-operation during my time in office. I also wish to thank the mayor and members of the council for their support in bettering conditions in the Police, Fire and Health departments.

I believe that the entire personnel in all departments has co-operated honestly and faithfully toward keeping down expenses of the City and giving their best to the City of Modesto, and as long as they continue to be faithful, they should be retained by the City regardless of politics or personal feeling in the matter.

Yours sincerely,

Albert Oswald.

In the Matter of Appointing a Councilman to Fill the Vacancy Caused by the Resignation of Mr. Oswald:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1091-N.S.

appointing Mr. H. A. Trueblood to serve the unexpired term caused by the resignation of Commissioner Oswald. Mr. Trueblood, being in the audience, took the oath of office and was invited to a seat in the Council. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Re-arranging Departments Caused by the Resignation of Commissioner Oswald and the Appointment of Mr. H. A. Trueblood:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1092-N.3.

appointing Commissioner Ustick as head of the Department of Public Health and Safety and appointing Mr. H. A. Trueblood as Commissioner of Finance. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Appointment of Vice-President of the City Council:

The resignation of Commissioner Oswald left the Council without a Vice-President.

Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1093-N.3.

appointing Commissioner Boundey as Vice-President of the City Council of the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Communication from the City of Oakland:

A communication was received from the Oakland City Council, asking the City Council of the City of Modesto to go on record as approving the following bills to-wit: H.R. 16 and H.R. 485, now pending before the House of Representatives. After due consideration of this communication, the City Council decided to lay action of the same upon the table and ordered the same filed in the City Clerk's files.

7 In the Matter of Approving of Map:

Mr. Clarence Hewell presented to the City Council a re-plat of Block No. 210, asking the approval of the same. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1094-N.3.

approving the said map.. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8 In the Matter of Claim of Standard Paving Company:

The Standard Paving Company presented a bill in the amount of \$5462.76 for paving of city property on Linden. After due consideration, the Council postponed action upon the same until the next regular meeting.

9 In the Matter of Communication from the Pacific Gas & Electric Co:

A communication was received from the Pacific Gas & Electric Company relative to the agreement recently entered into for Modesto's standby service. The above communication was read to the Council and placed on file in the City Clerk's office.

10 In the Matter of Communication from the Veterans' Welfare Board:

A communication was received from the Veterans' Welfare Board asking that the City Council remit taxes on property owned by the Veterans' Welfare Board. Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1095-W.S.

authorizing the City Tax Collector to cancel the above mentioned taxes assessed to the Veterans' Welfare Board. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11 In the Matter of Spur Track for the Modesto Terminal Railway:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1096-W.S.

granting a revokable permit to the Modesto Terminal Railway to lay a spur track across B Street, between 9th and 10th Streets. This resolution makes it necessary for the Modesto Terminal Railway to maintain the paving of the roadway and take proper precaution for the warning of pedestrians and vehicles crossing the same and also providing for the installing of this spur track to be done under the supervision of the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12 In the Matter of "H" Street Lighting:

Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 546-J.P.

postponing the passing of the Resolution Ordering the Work upon the lighting of "H" Street under Resolution of Intention No. 187, until the second regular meeting of the Council in April. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 In the Matter of Abatement of West Side Shack known as the Gus Ehlers Property on 6th Street.

City Attorney Carlson informed the City Council that, at the next regular meeting of the Council, he would submit a report on this matter.

14 In the Matter of Removal of Barns and Structures from the Alley of the Johnson-Jones Addition:

City Attorney Carlson reported that he would have a further report upon this matter at the next regular meeting of the Council.

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

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

Attest: H. E. Gagg  
City Clerk

April 14th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of March 24th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of March, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$22590.55
Water Fund.....	4934.55
Library Fund.....	1105.94
Bond Red. & Int.....	112.50
St. Bond Fund.....	463.11
Total.....	\$29206.65

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 Raising Sidewalks to the Level of the Platforms in the Industrial Section of the City:

Mr. J. K. Beard appeared before the Council on behalf of the Beard Investment Company, asking that they may be given permission to raise the sidewalks on a level with the loading platforms on South 10th Street in that portion of the City known as the Industrial section. The Council informed Mr. Beard that this matter would be given consideration and was taken under advisement at that time.

2 In the Matter of Using Sidewalks for the Display of Goods:

Mr. J. G. Heermance appeared before the Council, protesting that the Nichols News Co. were using the sidewalk for the display of their wares to the detriment of his business. It was brought out in the discussion of this matter, that certain merchants reported that they had permits from the City Council to use portions of the sidewalk for display purposes. In view of the fact that the matter of using the sidewalks for the display of goods is contrary to Ordinance No. 252-N.S. now in force in the City of Modesto. At this time, Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1097 -N.S.

revoking all permits which may have been issued by the City Council to persons for the display of their wares upon the sidewalks. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

The Council also advised Commissioner Ustick, Commissioner of Public Health and Safety, to request the Police Department to see that the ordinance regulating the display of goods and merchandise upon the sidewalks be strictly enforced.

3 In the Matter of Pop-corn Wagon:

Mr. J. Harrison of 924 Washington Street, Modesto, presented a formal application to

the City Council for a permit to operate a pop-corn wagon along the Courthouse Park at the corner of 11th and I Streets. No objections being presented to the Council, Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1098-H.S.

granting a revokable permit to Mr. Harrison to conduct a pop-corn wagon at the above mentioned location, when he shall have complied with the City Ordinance covering such concessions.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Protest on Skating Rink:

Attorney Francis Hoover appeared before the Council on behalf of the Church of the Nazarene, protesting that the operation of the skating rink located at I and 5th Streets was very objectionable to that organization. Also, Mr. A. L. Pederson, manager of the Dania Hall, entered a protest against the operation of this skating rink at the present location stating that it was objectionable and detrimental to the various organizations meeting in the Dania Hall. Mr. Charles Sizelove, the proprietor of the skating rink, informed the Council that inasmuch as his business was objectionable to the above mentioned organizations that he would be very glad to move to another location if he were allowed to operate for a few days until he might have an opportunity of getting sufficient funds with which to move. Whereupon it was agreed by all parties concerned that Mr. Sizelove be allowed to remain and operate his rink at the present location up to and including Sunday night, April 18th, 1926.

5 In the Matter of Abatement of Shack on Sixth Street:

City Attorney Carlson reported progress on this matter and expected to report more fully on the same at the next meeting of the Council.

6 In the Matter of Structures in the Johnson-Jones Addition:

City Attorney Carlson reported satisfactory progress on this matter.

7 In the Matter of Cancelling Tax Sale #550, #551, #560, #561:

Mr. S. J. Elliott, manager of the Stanislaus County Abstract Company, presented the following petition to the City Council:

PETITION TO CANCEL

TAX SALE

To the HONORABLE COUNCILMEN of MODESTO:

WHEREAS, on January 1, 1883, Francisco Bruschi was the owner of Lots 30 and 31 in Block 33 of the City of Modesto, and Dimetra Bruschi was the owner of Lots 28, 29, and 32 in Block 33 of said City of Modesto; and

WHEREAS, on December 6, 1905, said property was sold for Modesto city taxes for the year 1905 to M. L. Cooper, being Certificate of Sale, No. 550, as to Lots 28, 29, and 32, and Certificate of Sale, No. 551, as to Lots 30 and 31 in Block 33, above described; and

WHEREAS, on December 10, 1906, said property was sold for Modesto city taxes for the year 1906, to M. L. Cooper, being Certificate of Sale No. 560, as to Lots 28, 29, and 32, and Certificate of Sale, No. 561, as to Lots 30 and 31 in Block 33 of Modesto, above described, and;

WHEREAS, M. L. Cooper became the owner in fee of the property above described by deed



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 April, 1926, 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 \$3822.60.

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 assessment unpaid upon any assessment, and that the aggregate amount of the same is the sum of \$3822.60.

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 \$3822.60 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 11th day of March, 1926, (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 March 11th, 1926, 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 (March 11th, 1926) 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	\$182.60	July 2, 1927
No. 2	260.00	July 2, 1928
No. 3	260.00	July 2, 1929
No. 4	260.00	July 2, 1930
No. 5	260.00	July 2, 1931
No. 6	260.00	July 2, 1932
No. 7	260.00	July 2, 1933
No. 8	260.00	July 2, 1934
No. 9	260.00	July 2, 1935
No. 10	260.00	July 2, 1936
No. 11	260.00	July 2, 1937
No. 12	260.00	July 2, 1938
No. 13	260.00	July 2, 1939
No. 14	260.00	July 2, 1940
No. 15	260.00	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 April, 1926, 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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: E. E. Gragg  
City Clerk

9 In the Matter of Contesting Assessment on Linden Street:

In pursuance of the publishing of the filing of assessments on Linden Street, 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 Boundey introduced a resolution, being,

RESOLUTION NO. 548-S.P.

confirming the proceedings and ordering the warrant on the paving of Linden Street, under Resolution of Intention No. 164. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10 In the Matter of Contesting or Assessment on 'I' and Washington Sts:

In pursuance of the publishing of the filing of assessments on 'I' and Washington Streets; 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 Boundey introduced a resolution, being,

RESOLUTION NO. 549-S.P.

confirming the proceedings and ordering the warrant on the paving of 'I' and Washington Streets, under Resolution of Intention No. 185. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Boulevard Stops:

Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 284-N.3.

creating certain boulevard stops in the City of Modesto. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Leasing Trucks:

The City Council having completed arrangements for the leasing of two Sterling trucks from Mr. H. E. McCauley, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1100-N.3.

leasing from Mr. H. E. McCauley one (1) certain Sterling 2½ ton truck with chassis only, year model 1919, Engine #37419 for a term of three months. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 1101-N.3.

leasing from Mr. H. E. McCauley one (1) certain Sterling 2½ ton truck with chassis only, year model 1918, Engine #30667 for a term of three months. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, 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 ordered placed on file.

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

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

Attest: H E Gregg  
City Clerk

April 28th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 14th, 1926, were read and approved as read.

In the Matter of Using Sidewalk for Display of Merchandise:

Mr. L. M. Morris appeared before the Council, protesting the recent action of the Council in passing a resolution revoking the permits which have, heretofore, been issued to merchants for the for the display of goods upon the sidewalks. During the course of his remarks, he cited other conditions somewhat similiar in character to the display of merchandise upon the street. The Council informed Mr. Morris that they would be glad to give this matter further consideration and if it was found possible, to give him any relief from the ordinance now in force, they would be glad to do so.

2 In the Matter of Communication:

A communication was received from Mr. Charles Gilgen of 138 Madera Avenue, asking the City to spray the trees on Madera Avenue and stating that they were badly infected with some disease. The communication also recited that the residents of that section desire to have the Council take some action on closing E Street at the end of Park, from 4th Street to Sierra Drive. The matter of spraying of trees was referred to Commissioner Ustick and the City Council instructed the City Clerk to write Mr. Gilgen and inform him that it would be necessary for him to prepare a formal petition to the Council in regard to the closing of E Street, at which time, the Council would take the matter up in the regular order of business.

3 In the Matter of Approval of the Application Granted the Tidewater Southern Railroad Company:

The Railroad Commission on the State of California has forwarded to the City of Modesto a copy of the order authorizing the construction of a spur track at street crossing B Street in the City of Modesto. Which order will be found filed with the application and permit pertaining to the same.

4 In the Matter of Application for Gasoline Pump:

Mr. Leo Plag filed an application with the City Council asking permission to install a gasoline pump on the curb in front of his garage on Maple and Washington Streets. After due consideration of this matter, the Council expressed itself as being favorable to the granting a permit to the applicant to install said gasoline pump as set out in the application presented by Mr. Plag. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1102-N.S.

granting permission to Mr. Leo Plag to install a gasoline pump in front of his garage at the corner of Maple and Washington Streets in the City of Modesto under the supervision of the City Engineer and the Chief of the Fire Department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Abatement of Shack on Sixth Street:

Mr. Carlson reported that this matter was progressing and that he would have<sup>a</sup> further report to make upon the same.

6 In the Matter of Structures in the Alley of the Johnson-Jones Add'n:

Mr. Carlson reported satisfactory progress on this matter and stated that in about a month, he would have a further report to make upon the same.

7 In the Matter of Cancelling Weed Assessments for 1925:

On the 30th day of April, 1925, the City Council of the City of Modesto did pass a resolution providing for the eradication of weeds and grass on vacant lots in the City of Modesto. In making the assessments upon the various pieces and parcels of property which had been cleared of weeds and grass, it was found that so many errors had been made in the descriptions of the various pieces of land assessed that it made the enforcement of the payment of weed assessments impossible and inequitable. Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1103-N.S.

authorizing the cancellation of certain assessments heretofore levied for weed control. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8 In the Matter of Removing Weeds and Grass from Vacant Property for the year 1926:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1104-N.S.

authorizing Fire Chief Wallace to take charge of the work of burning and removing weeds and grass from vacant property in the City of Modesto for the year 1926, and that a nominal charge be made and a bill sent to each owner of property where weeds and grass have been removed. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Final Adoption of Ordinance No. 284-N.S.:

The foregoing ordinance having been introduced and ordered printed at a regular meeting of the Council on the 14th day of April, 1926, and having been published as required by the Charter, coming on for final adoption this 23th day of April, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10 In the Matter of "H" Street Lighting:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 550-S.P.

postponing the passing of the Resolution Ordering the Work upon the lighting of "H" Street under Resolution of Intention No. 187 until the second regular meeting of the Council in May.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11 In the Matter Communication from Mr. George Covell:

It appears that a dangerous condition of the pavement in the alley between 10th and 11th Streets, near K Street exists due to the excavation now in progress on the corner of K and 11th Streets. City Engineer McCarton wrote a letter to Mr. Covell calling his attention to this condition. Mr. Covell replied, stating that he had spoken to the contractors who were doing the excavating about protecting the paving in the alley while the work is in progress. This matter was referred to the City Attorney for his attention.

12 In the Matter of Automobile for Park Superintendent Mr. Phillis:

It was reported to the Council that the automobile used by the Superintendent of Parks was in such a bad state of repair that it was not advisable to spend any more money upon the repair of the same. Whereupon Mayor Elias appointed Commissioner Boundey and Commissioner Brown to investigate the purchase of a new automobile for the Superintendent of Parks and report at the next meeting of the Council.

13 In the Matter of Garbage Can at Hyslop Bros. Store:

Commissioner Trueblood reported to the Council that he had heard numerous complaints concerning a garbage can standing in front of Hyslop Bros. store. This matter was referred to the Chief of Police for correction.

14 In the Matter of Map for 'Greater Modesto' Plan:

Mr. A. A. Fields appeared before the City Council on behalf of the committee recently appointed by the citizens of Modesto to assist in the 'Greater Modesto' plan. Mr. Fields outlined a plan which the committee had in mind of making a map of the territory adjacent to Modesto for a distance of 3 miles out. He outlined to the Council that such a map would be of great value to the city, especially in the matter of laying out new subdivisions which the city is very often asked to assist in. In view of this fact, Mr. Fields asked the city to bear part of the cost of this map. After due consideration of this matter, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1105-N.S.

authorizing the City Engineer to procure such a map of the environs of the City of Modesto, the cost of the same not to exceed \$125.00. Which resolution was regularly adopted by the following vote:

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

Nees: Councilmen None

Absent: Councilmen None

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

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

Attest: *H. E. J. J.*  
City Clerk

May 12th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of April 28th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of April, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$14,156.75
Water Fund.....	3,927.82
Library Fund.....	996.42
St. Bond Fund.....	100.00
Total.....	\$19,180.99

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:

A communication was read from the Women's Improvement Club thanking the members of the Council for their personal donation of \$50.00, donated to the Club on their opening night. The above communication was ordered filed in the City Clerk's files.

In the Matter of Communication:

A communication was received from Mrs. May McAllen serving notice upon the City Council not to trespass upon her property known as Block 308 in the City of Modesto. Said notice was ordered filed in the City Clerk's files.

In the Matter of Communication:

A communication was read from the Grant Drill Team signed by Eva E. Christman, manager, appreciating the hearty support given the Grant Drill Team by the City of Modesto. The above communication was ordered filed in the City Clerk's files.

In the Matter of Communication:

A communication was received from the League of California Municipalities directed to each member of the Council, asking them to make known any subjects regarding municipal government that they would like to have discussed at the next meeting of the League. The same was ordered filed.

In the Matter of Grant 2" Taps:

A formal application was filed by the Modesto Terminal Railway with the City Council, asking for a 2" water connection at the alley line on the south side of "B" Street, between 11th Street and 12th Street. A formal application was, also, received from the Beard Land and Investment Company, making application for a 2" water connection at the alley line on the south side of Grant Street, between Granger and Grove Streets. Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1106-N.3.

authorizing the City Engineer to make the taps as applied for in the above applications.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Report on Car for Mr. Phillis:

Mr. Brown, chairman of the committee appointed for purchasing a car for Mr. Phillis, City Park Superintendent, reported progress and stated that at the next meeting of the Council, they would have a further report to make.

7 In the Matter of Building Permit:

Mr. Lacazotte made application to the City Council for a permit to construct a marquis awning on his property on the easterly portion of Lots 1 to 4, Block 95. Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1107-N.S.

instructing the City Clerk to issue a building permit to Mr. Lacazotte for the building of a marquis awning as specified in this application. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8 In the Matter of Re-surfacing J Street:

A petition was presented to the City Council, petitioning the City to proceed with the re-surfacing of J Street, from the west property line of 10th Street to the east property line of 11th Street. Said petition was referred to the City Engineer for verification.

9 In the Matter of Filing Assessment List and the time fixed to Show Cause why Bonds should not 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. 184, and no written objections being presented, the Council thereupon, under Resolution No. 551-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. 551-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on September 16th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 184 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 May, 1926, 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 \$19,488.84.

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 \$19,488.84.

Be It Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the Improvement Bond Act of 1915 and the acts supplementary to and amendatory thereof, issue in the sum of \$19,488.84 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 5th day of May, 1926, (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 May 6th, 1926, 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 (May 6th, 1926) 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	\$1288.84	July 2, 1927
No. 2	1300.00	July 2, 1928
No. 3	1300.00	July 2, 1929
No. 4	1300.00	July 2, 1930
No. 5	1300.00	July 2, 1931
No. 6	1300.00	July 2, 1932
No. 7	1300.00	July 2, 1933
No. 8	1300.00	July 2, 1934
No. 9	1300.00	July 2, 1935
No. 10	1300.00	July 2, 1936
No. 11	1300.00	July 2, 1937
No. 12	1300.00	July 2, 1938
No. 13	1300.00	July 2, 1939
No. 14	1300.00	July 2, 1940
No. 15	1300.00	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 May, 1926, 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, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

10 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. 185, and no written objections being presented, the Council thereupon, under Resolution No. 552-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. 552-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on October 14th, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 185 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 May, 1926, 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 \$16,139.79.

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 aggre-

gate amount of the same is the sum of \$16,139.79.

Be It Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the Improvement Bond Act of 1915", and the acts supplementary to and amendatory thereof, issue in the sum of \$16,139.79 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 5th day of May, 1926, (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 May 6th, 1926, 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 (May 5th, 1926) 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	\$1089.79	July 2, 1927
No. 2	1075.00	July 2, 1928
No. 3	1075.00	July 2, 1929
No. 4	1075.00	July 2, 1930
No. 5	1075.00	July 2, 1931
No. 6	1075.00	July 2, 1932
No. 7	1075.00	July 2, 1933
No. 8	1075.00	July 2, 1934
No. 9	1075.00	July 2, 1935
No. 10	1075.00	July 2, 1936
No. 11	1075.00	July 2, 1937
No. 12	1075.00	July 2, 1938
No. 13	1075.00	July 2, 1939
No. 14	1075.00	July 2, 1940
No. 15	1075.00	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 May, 1926, 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, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

11 In the Matter of Protesting on Assessment on Enslan Park Court:

In pursuance of the publishing of the filing of assessments on Enslan Park Court, 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 Trueblood introduced a resolution, being,

RESOLUTION NO. 553-S.P.

confirming the proceedings and ordering the warrant on the improvement of Enslan Park Court, under Resolution of Intention No. 188. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12 In the Matter of Milk Ordinance:

An Ordinance amending Ordinance No. 263-N.S. relating to the milk inspection department was presented to the City Council. Whereupon Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 285-N.S.

amending Ordinance No. 263. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 In the Matter of Repealing Ordinance No. 252-N.S.:

An Ordinance repealing Ordinance No. 252-N.S. was presented to the City Council. Whereupon Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 286-N.S.

repealing Ordinance No. 252-N.S. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

14 In the Matter of Water System for the Cooling of Buildings:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1108-N.S.

making it necessary for all persons using any kind of a water cooling system for the cooling of buildings to install a meter for the measuring of water used in such a system. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15 In the Matter of Installing Lights on the Bridge over the Canal in Laurel Street:

Inasmuch as there is no street light at the end of Laurel St. where the bridge crosses the canal and several requests having been made by citizens for the lighting of this bridge, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1109-N.S.

authorizing the City Engineer to install suitable lights over the above mentioned bridge.

Which resolution was regularly adopted by the following vote:

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

Nees: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

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

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

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

Attest: H E Gragg  
CITY CLERK

Council, City of Modesto

May 26th, 1926.

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

Absent; Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of May 12th, 1926, were read and approved as read.

In the Matter of Communication:

A communication from District Attorney W. J. Brown was received and read by the Council relative to the 'signing' of the public streets and roads entering the City of Modesto. This communication was read to the City Council and ordered filed in the City Clerk's files.

2 In the Matter of Communication:

A communication from Austin & Company in regard to the auditing of the City's books was read to the Council and ordered filed in the City Clerk's files.

3 In the Matter of Communication:

A communication was received from the Modesto Chapter, American War Mothers, requesting the City to accept the gift of the late T. K. Beard for Modesto Parks and asking that a part of it be used for a Memorial Park to perpetuate the memory of Stanislaus County boys who gave their lives in the World War. The above communication was ordered filed in the City Clerk's files.

4 In the Matter of Infected Trees on Madera Avenue:

At a previous meeting of the Council, Commissioner Ustick was appointed to investigate the condition of infected trees on Madera Avenue. Mr. Ustick has filed a written report on this matter, which report was accepted by the Council and ordered filed in the City Clerk's files. Mr. Ustick was advised by the Council to continue his investigations further in regard to the infection of trees on the above mentioned street.

5 In the Matter of Final Adoption of Ordinance No. 285-N.S.:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 12th day of May, 1926, and having been published as required by the Charter, coming on for final adoption this 26th day of May, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Final Adoption of Ordinance No. 286-N.S.:

This being the time set for voting upon the final adoption of Ordinance No. 286-N.S. which has to do with the parking of taxi cabs in this City, Mr. Brockett, owner of several taxis operating in this city, appeared before the Council and presented a petition with two hundred or more signatures thereon asking that the taxi cabs be permitted to continue to park at their present stand. After some discussion of this matter by the City Council, the Mayor called for a vote upon the final adoption of the Ordinance.

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 12th day of May, 1926, and having been published as required by the Charter, coming on for final adoption this 26th day of May, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7 In the Matter of Report on Car for Mr. Phillis, Park Supt'd:

The committee appointed to investigate the purchase of a car for the Park Supt'd. reported progress and stated that they would have a further report to make at the next meeting of the Council.

8 In the Matter of 'H' Street Lighting:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 554-S.P.

postponing the passing of the Resolution Ordering the Work upon the lighting of 'H' Street under Resolution of Intention No. 187 until the second regular meeting of the Council in June. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Issuing a Permit to Mr. Covell for the Construction of a Building on Lots 1 to 4, Block 67:

Mr. J. M. Burke, the Stockton engineer who is designing the building that Mr. Covell contemplates erecting on the above mentioned property, addressed the Council regarding the strength of the building he proposes to erect which plans do not comply to the letter of the ordinance now in force. After considerable discussion of this matter by the City Council, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1110-N.S.

laying this matter over until the next meeting of the Council which, by this resolution is set for Friday, May 28th, 1926, at 2:00 P.M. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10 In the Matter of Closing the Alley in Block 222:

The Beard Land & Investment Company presented a petition to the Council, asking that the city take steps to close the alley in the above mentioned block. The Council took this matter under advisement to report on the same at the next meeting of the Council.

11 In the Matter of Constructing Railroad Tracks across Certain Streets and Alleys in the City of Modesto:

The Beard Land & Investment Company presented a petition to the City Council asking permission to lay and operate railroad tracks across certain streets and alleys as alleged in their petition. The petition was received by the City Council and will be taken under advisement and reported on at the next meeting of the Council.

In the Matter of Extension of 'D' Street to Grand:

12 Mr. A. A. Fields filed a petition with the City Council of the City of Modesto signed by a number of residents and property owners in the vicinity of 14th and 'D' Streets, asking that D Street be extended to intersect Grand Street as shown by map accompanying this petition. Which petition was received and reviewed by the Council and a report on the same will be made at the next meeting of the Council.

In the Matter of Communication from Mr. Frank Andrews:

13 Mr. Frank Andrews addressed a communication to the City Council requesting that a complete survey be made of all water pumps in the City of Modesto. This communication was read to the Council and, after due consideration of the same, the Council was of the opinion that this matter should be looked into and a careful investigation should be made by all members of the Council.

14 In the Matter of Re-surfacing 'J' Street:

City Engineer McCarton reported that 50% of the frontage had been signed on the petition for the re-surfacing of 'J' Street, between 11th and 12th Streets as presented the Council on May 12th, 1926. Mr. Carlson, City Attorney, informed the Council that, at the time of signing this petition, Mr. Jack Beaty was not fully aware of the conditions of the same and desired to have the matter of resurfacing 'J' Street, between 11th and 12th Streets, laid over until the next regular meeting of the Council. The same was so ordered.

In the Matter of Garbage Can in Front of Hyslop Bros. Store:

15 In pursuance of a complaint entered to the City Council by Commissioner Trueblood on April 28th, 1926, concerning a garbage can standing in front of Hyslop Bros. store, the Chief of Police and Health Officer report that they have repeatedly warned Hyslop Bros. to see that the condition caused by the garbage can in front of their store be corrected. Inasmuch as Hyslop Bros. have failed to comply with the various warnings given them by the officers of this City, the matter was referred to City Attorney Carlson with instructions to issue a citation asking Hyslop Bros. to appear before the City Council.

No further business appearing, the Council upon motion, adjourned. until Friday, May 28th, 1926, at 2:00 P.M.

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

Attest: H. E. Jones  
City Clerk

May 28th, 1926

The Council met this date pursuant to adjournment of May 26th, 1926, and there were present Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Absent: Councilmen None

In the Matter of Repairing Flag Pole on Railroad Reservation:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1111-N.S.

authorizing the City Clerk to draw a warrant in favor of A. N. Brown in the amount of \$10.00 which amount was advanced by Mr. Brown for the repairing of the flag pole on the Railroad Reservation. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing Alley in Block 222:

In pursuance of the petition filed on May 26th, 1926, by the Beard Land & Investment Company asking that the City take steps to close the alley in Block 222, a resolution was introduced, being,

RESOLUTION NO. 555-S.P.

RESOLUTION OF INTENTION NO. 189

A Resolution of Intention to close the alley in Block 222 of the City of Modesto.

Whereas, the public interest and convenience required the work hereinafter specified to be done,

NOW THEREFORE, BE IT RESOLVED:

That it is the intention of the City Council of the City of Modesto to order the work to be done and improvement to be made which is described as follows:

That the alley in Block 222 of the City of Modesto, according to the official map or plat of said City now on file and of record in the office of the County Recorder of Stanislaus County, California, in Vol. 10 of Maps, page 222, be closed for its entire distance through said block, reserving, nevertheless, to said City of Modesto, the right to lay, maintain and operate water and sewer pipes through said alley.

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

Beginning at the northwesterly corner of said block 222, running thence in an easterly direction along the north line of said block 222 to the northeasterly corner thereof, thence southerly along the east line of said block 222 to the southeasterly corner thereof, thence westerly along the southerly line of said block 222 to the southwesterly corner thereof, thence northerly along the westerly line of said block 222 to the northwesterly corner thereof, the point of commencement; saving and excepting and excluding from said district the public streets, avenues and roads therein included and contained.

All of the herein proposed work shall be done pursuant to an act of the Legislature of the State of California entitled: "An Act to provide for laying out, opening, extending,

widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose."

Approved: March 6, 1889.

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

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1926, 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, Trueblood, Ustick, Mayor Elias

Noes: None

Absent: None

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 28th day of May, 1926, by the vote above stated.

Dated: May 29th, 1926.

H. E. Gragg  
City Clerk

The foregoing Resolution is approved this 29th day of May, 1926.

Sol P. Elias  
Mayor

3 In the Matter of Constructing a Spur Track in Block 222:

In pursuance of a petition filed by the Beard Land & Investment Company of May 26th, 1926, for the construction of spur tracks on certain streets in the City of Modesto, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1112-N.S.

granting a revokable permit to the Beard Land & Investment Company to lay spur tracks across Willow, Grove, Granger Streets, Alleys in Blocks 221, 222, 220. This resolution makes it necessary for the Beard Land & Investment Company to maintain the grading of the roadway and to take proper precaution for the warning of vehicles and pedestrians crossing the same and providing for the installation of this spur track to be done under the supervision of the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

4 In the Matter of Constructing a Spur Track:

In pursuance of a petition filed by the Beard Land & Investment Company on May 26th, 1926, for the construction of a spur track across the alley between Block 100 and Block 223 in the City of Modesto, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1113-N.S.

granting a revokable permit to the Beard Land & Investment Company to lay a spur track across the alley between Block 100 and Block 223, City of Modesto. This resolution makes it necessary for the Beard Land & Investment Company to maintain the grading of the roadway and to

take proper precaution for the warning of vehicles and pedestrians crossing the same and providing for the installation of this spur track to be done under the supervision of the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Proposed Extension of 'D' Street to Grand Street:

In pursuance of the petition filed with the City Council on May 26th, 1926, by Mr. A. A. Fields and others, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1114-N.S.

granting the above extension when the necessary land shall have been provided, free of cost, to the City of Modesto for the making of this extension. The City Council will then concur in the extension as proposed by the petitioners and will take steps to see that the same is carried forward to completion. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Garbage Can at Hyslop Bros. Store:

In pursuance of a summons issued to the said Hyslop Bros. by the City Attorney, they appeared before the City Council on the above date and were interviewed by the Council regarding the condition of the garbage receptacle in front of their place of business. The City Council informed Mr. Hyslop that this condition must be corrected. Whereupon the said Hyslop Bros. gave the Council assurance that the above mentioned condition would be taken care of satisfactorily to all parties concerned.

In the Matter of Granting Building Permit to Mr. George Covell:

In pursuance of an application to the City Council on May 26, 1926, by Mr. J. M. Burke, an architect from Stockton, asking permission to construct a building on Lots 1 to 4, Block 67 in the City of Modesto, the specifications for which do not conform to the Building Ordinance now in force in the City of Modesto, the Council informed Mr. Burke and Mr. Covell that this matter would be taken under advisement and a decision rendered at an adjourned meeting on Friday, May 28th, 1926, at 2:00 P.M. This being the time set for the above mentioned decision and after a thorough discussion of this matter by the City Council at this meeting, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1115-N.S.

deciding that the permit asked for by Mr. Burke and Mr. Covell be not granted. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8 In the Matter of Raising Sidewalks in the Industrial Section of the City on Tenth Street:

Mr. George Beard appeared before the Council in pursuance of a request some time ago that the Beard Land and Investment Company be given permission to raise the sidewalks on a level with the loading platforms on South Tenth Street. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1116-N.S.

granting permission to the Beard Land & Investment Company to construct a raised sidewalk on a

level with their loading platforms, on 10th Street at the corner of "B" Street and in front of Lots 12 to 16, Block 75, said sidewalk not to be over 8 ft. wide. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: H E Gregg  
City Clerk

Council, City of Modesto  
June 9th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of May 26th, 1926, and the adjourned meeting of May 28th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of May, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$13,662.16
Water Fund.....	4,336.37
Library Fund.....	1,418.95
St. Bond Fund.....	35.00
Total.....	\$19,452.48

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 Complaint:

Mr. Grant Pence appeared before the Council, complaining about a place owned by Mr. George Sears adjoining his property on the back. He stated that the owner of this property was allowed to construct and maintain buildings that did not conform to the building regulations of the City of Modesto. He also complained that the general conditions around this property were kept in such a disgraceful manner that it was a detriment to the valuation of his property. The Council informed Mr. Pence that they would give his complaints due consideration and, if possible, remedy the same.

In the Matter of Communication:

A communication was received from the Railroad Commission, read to the Council and ordered filed.

3. In the Matter of Zoning Resolution:

A Resolution was presented to the Council by the Women's Improvement Club, the Real Estate Board and the Kiwanis Club. This resolution had to do with the zoning of the City. The same was read to the Council and ordered filed.

4. In the Matter of Employing Auditors for the Auditing of the City's Books:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1117-N.S.

employing Messrs. Brotherton & Thomas to audit the books and accounts of the City for the fiscal year ending June 30th, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5. In the Matter of Petition:

A petition was filed with the Council signed by Mr. Jack Beaty and Mr. George Covell, asking that their petition for the re-surfacing of 'J' Street, between 10th and 11th Streets as presented some time ago, be withdrawn. The same was so ordered.

6. In the Matter of Petition:

A petition was presented to the City Council for the paving of the Alley in Block 110. Which petition was referred to the City Engineer for verification as to the frontage.

7. In the Matter of Ordinance:

Ordinance NO. \_\_\_ N.S. was presented by Councilman Ustick having to do with compelling operators of jitneys and taxi-cabs to carry public liability insurance. After discussion of the above mentioned Ordinance by the City Council, it was decided to lay the same over until the next meeting of the Council and was so ordered.

8. In the Matter of Set Back Line:

Mr. Jack Wieland appeared before the Council regarding a building he proposed to build at the corner of 14th and L Streets. He asked advice from the Council as to how far he should build from the property line. The Council informed Mr. Wieland that, at the present time, there was no ordinance specifying how far he should build from the property line.

9. In the Matter of Zoning Resolution:

Mr. L. L. Dennett addressed the Council on behalf of the zoning resolution which had been presented to the Council earlier in this meeting. He urged the Council to take immediate action upon this matter. The Council informed Mr. Dennett that careful study and consideration would be given this matter.

10. In the Matter of Swimming Pool:

Mayor Elias addressed the Council along the lines of building a swimming pool in the City of Modesto. In his opinion, the time had arrived when the Council should take some action towards the building of a municipal swimming pool in the City of Modesto. Whereupon he introduced a resolution, being,

RESOLUTION NO. 1118-N.S.

instructing the City Engineer to prepare a sketch and the cost of a swimming pool to be created on the proposed site of the old Elk Park. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

// In the Matter of Locating the Jitneys and Taxis:

Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1119-N.S.

granting authority to the Commissioner of Public Health and Safety and to the Chief of Police to designate a place and location to be used by the taxis and jitneys in the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12. In the Matter of Ordinance:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 287-N.S.

authorizing the purchase of water pipe in the amount of \$3200.00 and likewise the purchase of a compressor and tractor in the amount of \$2650.00. Which ordinance was regularly adopted and passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

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

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

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

Attest: *H E Gragg*  
City Clerk

June 23rd, 1926

4  
The Council met in regular session this date and there were present Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias;

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of June 9th, 1926, were read and approved as read.

In the Matter of Communication from D. J. O'Brien:

1  
A communication was received from D. J. O'Brien, Vice-President of the International Association of Chiefs of Police, calling the attention of the City Council to the coming convention of the International Association of Chiefs of Police to be held in Chicago on July 19th, 1926, and asking that the City Council of the City of Modesto make arrangements to have the Chief of Police of this City attend said convention. The above communication was read to the Council and ordered filed.

In the Matter of Communication from Geo. F. Covell:

2  
This communication called the attention of the City Council to some construction work that was being done in the alley of Block 67, advising them that there was great danger of the earth caving into the excavation now there. The above communication was read to the Council and ordered filed.

In the Matter of Communication from the City of Sacramento:

3  
This communication urged the City Council of the City of Modesto to use its influence and support in bringing the Convention of the League of California Municipalities to Sacramento in 1927. The above communication was ordered filed.

In the Matter of Communication from the Exchange Club:

4  
This communication advised the City Council that the Exchange Club has recently indorsed the effort of the Modesto Realty Board in adopting a temporary zoning ordinance. The above communication was read to the Council and ordered filed.

In the Matter of Communication from the Merced County Chamber of Commerce:

5  
A communication was received from the Merced County Chamber of Commerce advising the City Council of the meeting of the City Officials of San Joaquin Valley to be held in Merced on Wednesday, June 23rd, for the purpose of furthering the convention of the League of California Municipalities to be held in Yosemite on August 16th to 20th, 1926. The above communication was read to the Council and ordered filed.

In the Matter of Communication from the State Board of Health:

6  
A communication was received from the State Board of Health advising the City Council that the annual conference of California Health Officers is to be held in conjunction with the League of California Municipalities this year and urging the City Council to send their Health Officer to the same. The above communication was read to the Council and ordered filed.

In the Matter of Communication In-re Warrenite Bithlithic Paving:

7  
A communication was received by the Council, calling attention to certain conditions and patent rights concerning the patented process for street paving owned by the Warren Bros. This communication was referred to the City Attorney.

8 In the Matter of Report:

A report was filed with the City Council by Mayor Elias reviewing the conditions of the water mains in the district bounded by 'I' and 'K' Streets, from 9th to 12th Streets and also reviewing the general fire fighting defenses of the business district of the City of Modesto and suggesting much needed improvements in the way of new and larger water mains and additional fire fighting equipment. He recommended that the budget for the coming fiscal year be arranged to take care of these improvements. The above mentioned report was ordered filed in the City Clerk's office.

9 In the Matter of Gasoline Pump:

Mr. W. F. Haney filed an application with the City Council asking that permission be given him to install a gasoline pump on the sidewalk in front of his place of business at 1414 9th Street. Whereupon Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1120-N.S.

authorizing Mr. Haney to install a gasoline pump on the sidewalk in front of his place of business at 1414 9th Street. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10 In the Matter of Final Adoption of Ordinance No. 287-N.S.:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 9th day of June, 1926, and having been published as required by the Charter, coming on for final adoption this 23rd day of June, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11 In the Matter of Water Tap for Seventeenth Street School:

The Modesto City School Board filed a formal application for a 2" water tap to be used at the Seventeenth Street School. Whereupon Councilman Boundey introduced a resolution, being

RESOLUTION NO. 1121-N.S.

instructing the City Engineer to make the water tap as asked for by the Modesto City School Board. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

12 In pursuance of published notice under date of June 17th, 1926, inviting sealed proposals for the official printing and advertising for the fiscal year ending June 30th, 1927, and there being one bid on file from the Modesto News Publishing Company which was opened and read as follows:

"The sum of \$1.00 for each non-pareil square for the first insertion and the sum of 50¢ for each such square for each subsequent insertion of all Official Printing and Advertising not including the delinquent tax lists for the City of Modesto and delinquent lists for street work.

The Modesto News Publishing Company further agrees to publish all of the delinquent tax lists for the City of Modesto and delinquent lists for street work for the sum of 75¢

for each non-pareil square for the first insertion and the sum of 50¢ for each subsequent insertion."

After due consideration of the bid, Councilman Boundey introduced a resolution, being,  
RESOLUTION NO. 1122-N.S.

accepting the bid of the Modesto News Publishing Company for the official printing and advertising for the fiscal year beginning July 1st, 1926, and ending June 30th, 1927, and authorizing the Mayor and City Clerk to enter into a contract with the Modesto News Publishing Company as per their bid, and also authorizing the City Clerk to return to the Modesto News Publishing Company their certified check when the above mentioned contract has been executed. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Zoning:

This matter was laid over until the next regular meeting of the Council.

In the Matter of Ordinance Concerning Liability Insurance for Taxi-cab Drivers:

By order of the Council, this matter was laid over until the next regular meeting of the Council.

In the Matter of Street Work:

Proceedings were presented to the Council by the City Engineer for the improvement of the Alley through Block 110, from the Northerly property line of K Street to the Southerly property line of L Street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 556-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 110, from the Northerly property line of K Street to the Southerly property line of L 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 23rd day of June, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on June 23rd, 1926.

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. 557-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, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 558-S.P.

RESOLUTION OF INTENTION NO. 190

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 110, from the Northerly property line of K Street to the Southerly property line of L 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 such work upon the street intersections and terminations between such lines, unless otherwise shown on plans; providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers Company of Boston, Mass., 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 the 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 inclusive, Block 110; as per map of record in the County Recorder's Office Vol. 10 of Maps, Page 110, Stanislaus County Records, Recorded March 18, 1920.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included 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 July, 1926, 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 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 June, 1926, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Ustiek, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on June 23rd, 1926.

Attest: H. E. Gragg  
City Clerk

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. 188, and no written objections being presented, the Council thereupon, under Resolution No. 559-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. 559-S.P.

An Order providing for the issuance of street improvement bonds.

WHEREAS, on December 23rd, 1925, the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 188 ordering the improvement of certain streets and other public ways within the City of Modesto, as in said Resolution specified, which Resolution of Intention so passed and adopted is now on file in the office of the City Clerk of the City of Modesto and is hereby referred to and made a part hereof for all purposes, and

WHEREAS, thereafter and pursuant to other proceedings as required by law a contract for the doing of the work in said Resolution specified was awarded and was entered into by the Superintendent of Streets of the City of Modesto on behalf of said city with the person to whom said contract was awarded, which said work was performed in accordance with the conditions of said contract and said Resolution of Intention, and

WHEREAS, after the contractor had fulfilled his contract to the satisfaction of the Superintendent of Streets an assessment was made and delivered to him therefor, which said assessment was thereupon filed with the City Clerk, and

WHEREAS, no appeal was taken therefrom and said assessment was confirmed by the City Council, and

WHEREAS, thereafter a warrant was attached to said assessment signed by the Superintendent of Streets and countersigned by the Mayor of said city, which were then recorded in the office of the Superintendent of Streets and thereafter delivered to the contractor, and

WHEREAS, the contractor thereafter returned said warrant to the Superintendent of Streets with a written statement of all payments received upon the assessment, signed by the contractor or his assigns, which said statement was thereupon filed by the Superintendent of Streets as required by law and the warrant thereupon redelivered to the contractor, and

WHEREAS, the Street Superintendent thereafter made and filed with the Clerk of the City Council a complete list of all assessments unpaid, upon any assessment, and the City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on such list, which notice was posted, published and mailed as required by law, and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the Improvement Bond Act of 1915, to-wit: On the 23rd day of June, 1926, 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 \$3,257.80.

NOW, THEREFORE, Be It Resolved, that the City Council of the City of Modesto does hereby find, determine and declare that all of the act 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 \$3,257.80.

Be it Further Resolved, that serial bonds as provided by the act of the Legislature of the State of California known and designated as the Improvement Bond Act of 1915, and the acts supplementary to and amendatory thereof, issue in the sum of \$3,257.80 in the aggregate, and that said bonds shall forthwith be delivered to the contractor in satisfaction of the balance due him upon his assessment and warrant; that said bonds shall be issued in fifteen series of one bond in each series; they shall each and all be dated the 8th day of June, 1926, (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 8th, 1926, 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 (June 8th, 1926) 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	\$170.80	July 2, 1927
No. 2	220.00	July 2, 1928
No. 3	220.00	July 2, 1929
No. 4	220.00	July 2, 1930
No. 5	220.00	July 2, 1931
No. 6	220.00	July 2, 1932
No. 7	220.00	July 2, 1933
No. 8	220.00	July 2, 1934
No. 9	220.00	July 2, 1935
No. 10	220.00	July 2, 1936
No. 11	220.00	July 2, 1937
No. 12	220.00	July 2, 1938
No. 13	220.00	July 2, 1939
No. 14	220.00	July 2, 1940
No. 15	220.00	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 23rd day of June, 1926, by Councilman Trueblood, who moved its adoption which motion being duly seconded, was carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

17 In the Matter of 'H' Street Lighting:

By order of the City Council, the proceedings for the lighting of 'H' Street were laid over until July 28th, 1926.

18 In the Matter of Creating the Office of Sergeant of Police:

Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1123-N.S.

creating the position of Sergeant of Police and authorizing the Chief of Police to appoint a suitable person to said position with the approval of the Commissioner of Public Health and Safety. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

19 In the Matter of Renewing Lease on Railroad Reservation:

By order of the Council, this matter was laid over until the next regular meeting of

the Council.

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

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

Attest: H. E. Gregg  
City Clerk

Council, City of Modesto  
July 14th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of June 23rd, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of June, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$ 15,665.92
Water Fund .....	5,335.58
Library Fund.....	839.56
Bond Red. & Int.....	11,400.00
St. Bond. Fund.....	<u>44,310.67</u>
Total.....	\$ 77,551.73

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 Petition:

A petition was presented to the Council by Louisa Carson signed by several property owners living on Second Street, protesting against the proposed improvement of installing electroliers upon said street. Mayor Elias informed Mrs. Carson that, as yet, no petition had been presented to the Council asking that electroliers be placed upon said street, therefore, her petition of protest could not be acted upon at this time.

In the Matter of Communication:

The following communication was received:

Office of  
L. J. Maddux  
Attorney at Law  
First National Bank Building  
Modesto, Calif.

July 14th, 1926.

The City of Modesto:  
The undersigned will sell to the City of Modesto the land on which the septic tank is situated containing about three and one-half acres, a strip 536 by 300 feet, for \$2,000, and will sell the balance of the land for \$8,000.

Respectfully yours,  
Mae J. McAllen.

The same was read to the Council and ordered filed in the City Clerk's files.

3 In the Matter of Fleet Insurance for Automobiles:

Mr. Moorehead of the Sunny Valley Land & Title Company and Mr. Anderson of Oakland, addressed the Council on the subject of fleet insurance for the City's automobiles. Mayor Elias appointed a committee of Commissioner Boundey and Commissioner Trueblood to investigate the insuring of the City's automobiles under a fleet contract and report their findings to the Council.

4 In the Matter of Odor from the D. V. O. Plant:

Inasmuch as complaints have been coming into the City Clerk's office regarding the very disagreeable odor emanating from the D. V. O. Plant, the City Clerk was instructed to write a letter to the D.V.O. Products Company, protesting against the disagreeable odors emanating from their plant.

5 In the Matter of Communication:

A communication from the Sunny Valley Land Company addressed to the City Council was read, setting forth a great many old delinquent tax sales which, in their opinion, the City had no equity in and asked that the City take steps to cancel all of these old tax sales. The above matter was referred to the City Attorney for his advice regarding the same.

6 In the Matter of Petition for Paving of Elmwood Avenue:

A petition was presented to the City Council for the paving of Elmwood Avenue, from the South line of Stoddard Avenue to the South line of Block 553. Which petition was referred to the City Engineer for verification as to the frontage.

7 In the Matter of Petition for Paving of 'D' Street:

A petition was presented to the City Council for the paving of 'D' Street, between Eighth Street and Ninth Street. Which petition was referred to the City Engineer for verification as to the frontage.

8 In the Matter of Petition for Bridge:

A petition was presented, asking that the City Council take steps to construct a bridge over the irrigation canal at Hackberry Avenue. The same was referred to the City Engineer.

9 In the Matter of Gasoline Pump:

Mr. Allan R. Bates made a formal application to the Council for permission to install an underground gasoline tank for the purpose of dispensing gasoline to the public, at his premises at 711 11th Street. The Council instructed the City Clerk to inform Mr. Bates that it will be necessary for him to get the consent of the property owners adjacent to this property and report the same to the City Council. If the property owners have no objection to a service station at these premises, the City Council would grant permission to install the above mentioned pump.

10 In the Matter of Railroad Reservation Lease:

Mr. William Wilson, Supt'd. of the Southern Pacific Railroad Company addressed the Council in reference to the renewing of the lease on the railroad reservation fronting on Ninth Street. Mr. Wilson informed the Council that the Railroad Company did not desire to change any clause in the now existing lease. Mayor Elias informed Mr. Wilson that the City Council did not care to renew the present lease. However, no action was taken in regard to cancelling the lease at this time but the matter was continued until the next meeting of the Council.

11 In the Matter of Ordinance for Liability Insurance for Taxi-cab Drivers:

This matter was again laid over until the next regular meeting of the Council.

12 In the Matter of Block 110 Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911, and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 190.

RESOLUTION NO. 559-S.P.

RESOLUTION ORDERING THE WORK 190

In accordance with certain plans and specifications heretofore adopted on the 23rd day of June, 1926, and pursuant to Resolution of Intention No. 190, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 In the Matter of Salaries:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1124-N.S.

fixing the compensation of certain employees in the City Clerk's Office as follows:

Asst. City Clerk.....	\$160.00
Clerk.....	125.00
Stenographer.....	110.00
Clerk.....	110.00

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Salaries:

Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 1125-N.S.

fixing the compensation of the Police Sergeant at the sum of \$150.00 per month and the salary of each patrolman at the sum of \$145.00 per month. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15 In the Matter of Salaries:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1126-N.S.

fixing the compensation of the members of the Fire Department at the sum of \$140.00 per month.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

16 In the Matter of Bees in City:

Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 288-N.S.

regulating the keeping of bees in the City of Modesto. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilman Boundey

Absent: Councilmen None

In the Matter of T. K. Beard Will:

The will probated some time ago, of the late T. K. Beard contained the following clause:

SECOND: Upon the terms and conditions herein specified I give and bequeath to the CITY OF MODESTO the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, to be used for the development and improvement of its parks, and request that particular attention be given to the development and improvement of the park on Dry Creek. Such sum, however, shall become available only if the City of Modesto, within five (5) years after my death, makes available for the same purposes a like sum of twenty-five thousand (\$25,000.00) dollars.

The Mayor and City Council discussed this matter at some length and the same was continued until a future meeting when the Council hopes to have some plan formulated that would meet the terms and conditions of the request of Mr. T. K. Beard's will.

In the Matter of Granting Permission to the Reverend Harry Black to Hold Services in a Tent at 1313 12th Street:

Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1127-N.S.

granting permission to Reverend Black to hold services in a tent at a lot at 13th and 'D' Streets. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on Cast Iron Pipe:

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

STEPHEN SMITH & COMPANY:

1500 ft. 8" x 12' McWane Cast Iron Pipe Class 150 B&S @ 1.20	
Price.....	\$ 1800.00
900 ft. 6" x 12' McWane Cast Iron Pipe Class 150 B&S @ .85	
Price.....	765.00
5 - 6" McWane Standard Cast Iron Tees All Bell @ 10.00	
Price.....	50.00
5- 8"x 6" McWane Standard Cast Iron Tees all Bell @ 14.95	
Price.....	44.85
5- 6"x 4" McWane Standard Cast Iron Crosses All Bell 11.15	
Price.....	55.75
2- 8"x 6" McWane Standard Cast Iron Crosses All Bell 17.60	
Price.....	35.20
Total.....	\$ 2750.75

ALTERNATIVELY WE OFFER ALL OF THE ABOVE WITH MCWANE PRE-CALKED JOINTS for the sum of..... \$ 2997.15

UNITED STATES CAST IRON PIPE AND FOUNDRY COMPANY:

1500 ft. 8" deLavaud Centrifugally Cast, Cast Iron Bell & Spigot Pipe, Class 150, Suitable for 150# Water Working Pressure, 12 ft. Lgths. - \$1.1533 a ft.	
900 ft. 6" deLavaud Centrifugally Cast, Cast Iron Bell & Spigot Pipe, Class 150, Suitable for 150# Water Working Pressure, 12 ft. Lgths. - .8075 a ft.	
5 - 6" Hub End Tees.....	11.00 each
3 - 8" x 6" Hub End Tees.....	14.85 each
5 - 6" x 4" Hub End Crosses.....	12.15 each
2 - 8" x 6" Hub End Crosses.....	17.90 each

All of the above prices are f.o.b. cars at Modesto, California.

GRINNELL COMPANY:

1500'	-	8" Belgian Class "B" Cast Iron Sand Cast Bell & Spigot Water Pipe, 12.123' per length, guaranteed 216 lbs. per square inch water working pressure @	\$1.20 ft.	\$	1800.00
900'	-	6" ditto.....	.80 ft.		720.00
5	-	6" Cast Iron All Bell Class "D" Socket Tees.....	10.10 ea.		50.50
3	-	8 x 6" ditto.....	12.10 ea.		36.30
5	-	6 x 4" Cast Iron All Bell Class "D" Socket Crosses.....	8.50 ea.		42.50
2	-	8 x 6" ditto.....	13.50 ea.		27.00
Total.....				\$	2676.30

B. NICOLL & COMPANY:

900 feet	6" class "B" 85% per foot.....	\$765.00
1500 feet	8" class "B" \$1.21 per foot.....	1815.00
5	- 6" standard tees \$9.50 each.....	47.50
5	- 6" x 6" x 4" Crosses \$13.00 each.....	65.00
3	- 8" x 8" x 6" Tees \$14.50 each.....	43.50
2	- 8" x 8" x 6" Crosses \$18.00 each.....	36.00
Total.....		2772.00

All of the prices above quoted are f.o.b. cars Modesto, California.

NATIONAL CAST IRON PIPE CO:

8" B&S Water Pipe, Class B, 12' Lengths @	\$1.2512 Per Lin. Ft.
6" " " " " " B, 12' " @	0.8771 " " "
6" Tees.....	@ 10.47 Each
8 x 6 Tees.....	@ 14.13 "
6 x 4 Crosses.....	@ 11.57 "
8 x 6 Crosses.....	@ 17.01 "

These prices, which are for acceptance at the letting July 14th, are f.o.b. our plant, Birmingham, Alabama, with full freight allowed to Modesto, Calif., contemplating a rail and water shipment.

AMERICAN CAST IRON PIPE CO:

1500 ft. 8" Class "B" Sand Cast B. & S. Cast Iron Pipe 12 ft. or 16 ft. lengths.....	\$1.275 ft.	\$1912.50
900 ft. 6" ditto 16 lengths.....	0.889 ft.	800.10
		<u>\$2712.60</u>
5 - 6" Tees, Bell Ends.....	\$10.50 ea.	\$52.50
3 - 8x6" Tees, Bell Ends.....	14.20 ea.	42.60
5 - 6x4" Crosses, Bell Ends..	11.65 ea.	58.25
2 - 8x6", Crosses, Bell Ends..	17.10 ea.	34.20
		<u>187.55</u>
TOTAL.....		\$ 2900.15

The above prices are f.o.b. cars, Modesto, California, for delivery at Modesto within seventy-five days from date of award.

ALTERNATE BID

1500 ft. 8" Class 150, Mono-cast centrifugal B&S Cast Iron Pipe, 16 ft. lengths -	\$1.115 ft.	\$1672.50
900 ft. 6" Class 150, ditto 16 ft. lengths	0.778 ft.	700.20
		<u>\$2372.70</u>
Fittings as above	-	187.55

The above prices are also f.o.b. cars, Modesto, California for delivery.

After due consideration by the City Council of the bids received for cast iron pipe, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1128-N.S.

placing the bids received by the Council for cast iron pipe under consideration by the City Council until Wednesday, July 28th, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on Air Compressor, Fordson Tractor, and Hoist:

The City having heretofore advertised for bids on an air compressor, Fordson Tractor, and hoist, and this being the time fixed in accordance with published notices for receiving, and considering said bids and there being six bids on file, the Council proceeded to open and canvass the bids as follows:

THE STUART S. SMITH COMPANY:

One Air Compressor, complete with cutting and digging tools to connect to a Fordson tractor, the Traylor attachment to be rubber tired;  
 Two Paving Breakers to be furnished either of Hardscog or Ingersoll-Rand make;  
 One Tamping Tool;  
 One Pneumatic Spade, together with 2 fifty-foot links of hose complete with fittings.  
 This equipment we offer to you for..... \$ 1812.40  
 We will furnish you one Porta Double Drum Hoist complete with cable for your work for..... \$ 450.00

SULLIVAN MACHINERY COMPANY:

One (1) SULLIVAN Class WK-312 5½x5 Portable Air Compressor, complete with regular equipment mounted on Ford Truck as described herein.  
 One (1) SULLIVAN Class HA-3 Single Drum Hoist Mounted on compressor Truck.  
 One (1) SULLIVAN Class DE-221 Concrete Breaker with equipment.  
 One (1) SULLIVAN Class DE-361 Spader with equipment.

COAST MACHINERY CORPORATION:

One (1) Fordson Tractor complete, mounted on Rubber Tired Wheels, and especially fitted with a Smith Clutch Type Power Takeoff and Pulley and with Pierce Speed Governor, delivered to you at Modesto..... \$ 925.60  
 One (1) CURTIS Portable Compressor Unit for Fordson as illustrated and described in attached Bulletin C-4-B, including a 6" x 6" Double Cylinder, Vertical, Single Acting Compressor having Controlled Automatic Lubrication and fitted with Disc Valves. Cylinders to be made with Water Jackets and cooled by water and an independent Radiator.  
 Compressor Capacity 110 to 100 cu. ft. free air per min. according to speed and power of motor. Compressor fitted with Governor acting on Inlet Valves, holding them open to unload.  
 Receiver 24" dia, x 30" with Safety Valve and Pressure Gauge;- Drain and Connections for air hose.  
 Endless Drive Belt with Belt Tightner and Guard. Built in Jack Legs for supporting when not attached to Fordson.  
 All equipment mounted on Structural Steel Frame with Standard Type Fordson Axle and Rubber Tired Fordson Wheels. Steering Knuckle Connection to tractor steering wheel. Connections for attaching to Fordson.  
 Compressor Unit Complete, Modesto, Calif..... \$ 925.00  
 One Co-35 IR. or equivalent Pavement Breaker complete with 50 ft. of ¾" Air Drill Hose and Couplings, a 3" Asphalt Cutter and a Pick Point Steel Delivered with above at Modesto..... \$ 220.10  
 One (1) BCR-430 IR "Jackhammer" Drill with one set of finished steels up to 60"..... \$ 182.00  
 One (1) Ersted Model "T" Double Drum Hoist mounted on Fordson Tractor furnished by us and driven by belt from the power take-off..... \$ 430.00  
 100 ft. of 1/2", 6 strand, 19 wires per strand, Plough Steel Hoisting Rope for use with above Hoist..... \$ 9.80

FRANK PARADIS COMPANY:

TRACTOR: One Fordson Tractor with High Compression Head and Light weight pistons, 40 x 5 rear and 24 x 3½ front cushion rubber tires, F.O.B. Modesto. Price..... \$ 848.60  
 COMPRESSOR: One Schramm T.I.E.D. (120 cubic foot per minute) Double Cylinder vertical compressor, mounted on trailer with rubber tired wheels ready to attach to Standard Fordson Tractor with 12" taper pulley for attaching to Tractor. Price..... \$1294.25  
 2 Pavement Breaking tools (\$195.00ea) 390.00  
 4 Moil Point steels 14" (\$ 2.50ea) 10.00  
 4 Chisel Edge Steels 14" (\$ 3.25ea) 13.00  
 2-50' leads ¾" Plain air hose (20.50 ea) 41.00  
 Freight on above from San Francisco... 7.50  
 Complete outfit installed-Delivered in Modesto. \$1758.75  
 HOIST: One Allison Double Drum (New Style) Hoist with reverse Gears (Chain Drive)..... \$ 537.50  
 One Smith unit Pulley Attachment..... 36.00  
 Total..... \$ 573.50  
 CABLE: Cable for the Hoist at the following prices:  
 3/8" Plough Steel Cable at 10¢ per ft.  
 ½" Plough Steel Cable at 11¢ per ft.

One Ersted Double Drum (new style) Chain  
 Drive Hyster..... \$462.50  
 One A-1 Reversible Power take off.... 79.00  
 Freight from San Francisco to Modesto 2.50  
 Price installed in Modesto..... \$544.00

One Schramm double cylinder (100 cubic  
 foot per minute) horizontal Air Compressor,  
 mounted on trailer with rubber  
 tired wheels, ready to attach to Fordson  
 Tractor..... \$1255.90  
 Freight from San Francisco..... 7.50  
 Delivered & Mounted on Tractor..... \$1263.45

2 Pavement Breaking tools (195.00ea). \$ 390.00  
 4 Moil Points steels 14" (2.50 ea). 10.00  
 4 Chisel Edge Steels 14" (3.25 ea). 13.00  
 2-50 ft. leads  $\frac{3}{4}$ " Plain Air Hose  
 (\$20.50 ea)..... 41.00  
 Freight from San Francisco..... 7.50  
 Delivered & Mounted on Tractor..... \$1724.95

One Schramm (120 Cubic ft. per minute)  
 Air Compressor Double Horizontal Cylinder  
 with 23 horse power Gasoline Engine,  
 mounted on four Wheel Rubber Tired  
 trailer..... \$1840.00  
 Freight from San Francisco..... 7.50  
 Total..... \$1847.50  
 2 Pavement Breaking Tools (195.00 ea) 390.00  
 4 Moil Points Steels 14" ( 2.50 ea) 10.00  
 4 Chisel Edge Steels 14" ( 3.25 ea) 13.00  
 2-50 ft. leads  $\frac{3}{4}$ " Plain air hose  
 (\$20.50 ea)..... 41.00  
 \$2301.50

One Fordson Tractor with High Compression  
 Head & Light Weight Pistons, with  
 40 x 5 rear and 24 x  $3\frac{1}{2}$  front solid  
 cushion tires, equipped with Allison  
 Hoist less cable and T.I.E.D. Air Compressor  
 fully equipped with tools.  
 Delivered in Modesto..... \$3177.85

SCHRAMM OF CALIFORNIA, INC.:

1- Fordson Tractor, complete..... \$ 578.60  
 1- Set Rubber Wheels 40x5 )  
 1- " " 24x $3\frac{1}{2}$  )..... 325.00  
 1- Schramm Fordson Compressor Unit, double cylinder  
 6x6, displacing 100 cubic feet at 510 RPM,  
 with Smith Clutch Unit, Pierce Governor, 12"  
 Pulley, and Belt, ready to hook onto Fordson  
 Tractor..... \$1171.40  
 1- Set 24x $3\frac{1}{2}$  (2) Trailer Rubber Wheels for same 86.00  
 2- I-R Paving Busters (\$195.00ea)..... 390.00  
 1- " 56-H Pneumatic Spade..... 87.50  
 1- " 58-H " " ..... 137.50  
 1- " #22 Tamper ..... 80.00  
 2- 50' lengths  $\frac{3}{4}$ " Air Hose 7 ply with fittings 27.50  
 1- Ersted Hyster, double drum, complete for  
 mounting on Fordson Tractor, with 250' half  
 inch and 250'  $\frac{3}{8}$ " cable..... \$ 594.00

INGERSOLL-RAND COMPANY:

1- Ingersoll-Rand Compressor as per specifications:  
 Air Cylinders - two - 5-1/2 x 5  
 Piston Displacement - 110 cub. ft. per minute  
 Air Pressure - 100 lbs.  
 Speed Compressor - 800 R.P.M.  
 Gasoline Engine - 4 x 5  
 The price of the machinery specified with standard  
 steel wheel running gear is..... \$ 1719.00  
 1- Ingersoll-Rand Compressor as per specifications:  
 Air Cylinders - two - 4-1/4 x 4  
 Piston Displacement - 66 cu.ft. per min.  
 Air Pressure - 100 lbs,  
 Speed of Compressor - 1000

Gasoline Engine - 3-1/4 x 4-1/2  
 The price of the machinery specified with standard  
 wide steel wheel running gear is..... \$ 1113.00

After due consideration by the City Council of the bids received for air compressor  
 Fordson tractor, and hoist, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1129-N.3.

placing the bids received by the Council for the above mentioned equipment under consideration by the City Council until Wednesday, July 28th, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Closing the Alley in Block 222:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 560-S.P.

A Resolution Closing the Alley in Block 222 for its entire distance through said block.

WHEREAS, the city council has heretofore passed and adopted a resolution declaring that it is the intention of the City Council of the City of Modesto to order the work done or improvement to be made which is described as follows: That the alley in Block 222 of the City of Modesto, according to the official map of plat of said City now on file and of record in the office of the County Recorder of Stanislaus County, California, in Vol. 10 of Maps, page 222, be closed for its entire distance through said block, which said resolution was numbered Resolution of Intention No. 189, Resolution No. 555-S.P. and was adopted by the Council of said City on the 28th day of May, 1926, and

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

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

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

WHEREAS, it appears that no assessment is necessary

NOW THEREFORE, the City Council of the City of Modesto does hereby order the said work and improvement to be made which is heretofore described in this resolution to-wit: That the alley in Block 222 of the City of Modesto, be closed for its entire distance through said block, reserving, nevertheless, to said City of Modesto the right to lay, maintain and operate water and sewer pipes through said alley, and the said Council does further determine and order that upon the final adoption of this resolution the said Street above named between the points above named shall be, and the same is hereby, closed as above specified.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1926, 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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Reports:

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

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

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

Attest: H E Gragg  
City Clerk

Council, City of Modesto

July 28th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of July 14th, 1926, were read and approved as read.

In the Matter of Bids on Cast Iron Pipe:

In pursuance of the opening of bids for cast iron pipe on July 14th, 1926, and this being the time fixed for the awarding of the contractor, the City Council, after having carefully reviewed all bids submitted did by a resolution offered by Councilman Boundey, being,

RESOLUTION NO. 1130-N.S.

accept the bid of the Grinnell Company at a price of \$2676.30 and authorized the Mayor and City Clerk to enter into a contract with the Grinnell Company as per price and specifications submitted in their bid of July 14th, 1926. The Council also rejected all other bids submitted and authorized the 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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on Compressor, Tractor and Hoist:

In pursuance of the opening of bids for an air compressor, Fordson tractor and hoist, on July 14th, 1926, and this being the time fixed for the awarding of the contract, but certain conditions having arisen after the Council decided to ask for bids on the above mentioned equipment, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1131-N.S.

postponing the buying of said equipment at this time and rejecting all bids submitted and authorizing the City Clerk to return to said bidders their certified checks which accompanied their bids. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

3  
In the Matter of Communication from Merced City Clerk:

A communication from the Merced City Clerk was received, calling the City Council's attention to the convention of the League of California Municipalities to be held in Yosemite Valley commencing August 16th, 1926, and urging the City Council to send a full representation to said convention. The above communication was ordered filed in the City Clerk's files.

4  
In the Matter of Communication from J. W. Morgan, Health Officer:

A communication was received from Health Officer J. W. Morgan, calling the City Council's attention to the unsanitary conditions in the eastern part of town due to the fact that a great many stagnant pools of water are standing on the following streets: Morris Avenue at Auburn and Castle Streets, Kimble, Cedar and Redwood Streets. No action was taken by the City Council at this time on the above report.

5  
In the Matter of Elmwood Avenue Proceedings:

Proceedings were presented to the Council by the City Engineer for the improvement of Elmwood Avenue, from the southerly property line of Stoddard Avenue, north to the southerly property line of Lot 2, Block 554, as more fully described in the Resolution pertaining to such work which are as follows:

RESOLUTION NO. 561-3.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 Elmwood Avenue, from the southerly property line of Stoddard Avenue, north to the southerly property line of Lot 2, Block 554, 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 Marbelite Electroliers, type 700, with wires, cables, globes, lamps, conduit, cement concrete foundations, connection boxes, and necessary appliances for lighting be installed along each side of said street.

That corrugated iron culverts and cement concrete bases be constructed across Stoddard Avenue on the easterly and westerly curb lines of Elmwood 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 July 28th, 1926, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in my office on the 28th day of July, 1926.

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. 562-3.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. 191 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

RESOLUTION NO. 563-3.P.

RESOLUTION OF INTENTION NO. 191

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 Elmwood Avenue, from the southerly property line of Stoddard Avenue, north to the southerly property line of lot 2, Block 554, 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 Marbelite Electroliers, type 700, with wires, cables, globes, lamps, conduit, cement concrete foundations, connection boxes, and necessary appliances for lighting be installed along each side of said street.

That corrugated iron culverts and cement concrete bases be constructed across Stoddard Avenue on the easterly and westerly curb lines of Elmwood 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.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers' 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 14 to 25 inclusive and lots 27 to 38 inclusive of Block 553, Stanislaus County Records, Vol. 9 of Maps, page 51 Recorded March 11, 1921. Lots 1 to 5 inclusive, Block 552; Lots 16 to 20 inclusive

Block 547; and Lot 2, Block 554; Vol. 10 of Maps, pages 552, 547, and 554, 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 August, 1926, 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 by the City Council of said City.

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 July, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in this office and recorded on July 28, 1926.

Attest: H. E. Gragg  
City Clerk

6. In the Matter of Approving Assessment Map:

The assessment map for the property to be assessed for the street improvement work performed under Resolution of Intention No. 190, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 564-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of the Alley in Block 110, Resolution of Intention No. 190. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7. In the Matter of Removing Cable Across Tenth Street:

Mr. W. A. Harter, on behalf of the United Bank & Trust Company appeared before the City Council and asked permission to remove a certain cable stretched across the street and fastened to the United Bank & Trust Company building. Whereupon Councilman Ustick introduced

a resolution, being,

RESOLUTION NO. 1132-N.3.

authorizing the United Bank & Trust Company to have said cable removed. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7. In the Matter of Final Adoption of Ordinance No. 288-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 14th day of July, 1926, and having been published as required by the Charter, coming on for final adoption this 28th day of July, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent ; Councilmen None

9. In the Matter of Bridge Across Lateral #4 on Hackberry Avenue:

City Engineer McCarton filed a report with the City Council regarding the above mentioned bridge. Which report was read to the Council and ordered filed.

10. In the Matter of Petition on 'D' Street:

City Engineer McCarton reported that 50% of the frontage had been signed for the paving of 'D' Street, between 8th and 9th Streets.

11. In the Matter of Old Delinquent Tax Sales:

City Attorney Carlson reported to the Council that he had not completed his investigation of this matter.

12. In the Matter of Railroad Lease on Ninth Street:

The City Council instructed the City Clerk to write the following letter to the Railroad Company regarding the above mentioned lease:

Mr. William Wilson  
Supt. Southern Pacific Company  
Stockton, California

Dear Sir:

Pursuant to negotiations with reference to a renewal of the lease upon the property of the Southern Pacific Company, lying southwesterly of Ninth Street, and between I and K Streets, you are advised that the City of Modesto does not care to renew this lease which has now expired by limitation.

This notice is given you pursuant to the directions of the City Council of the City of Modesto.

Yours respectfully,

H. E. Gragg  
City Clerk

13. In the Matter of Accepting the Bequest of the T.K. Beard Will:

Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 289-N.3.

accepting the conditions specified in the will of the late T. K. Beard and providing ways and means whereby the City will comply with the conditions specified in said will. The above mentioned ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

14. In the Matter of Establishing Official Grade on Elmwood Avenue:

Councilman Boundey introduced an ordinance, being,

ORDINANCE NO. 290-N.S.

establishing official grades on Elmwood Avenue. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15. In the Matter of Communication from Modesto Gas Company:

The following communication was received from the Modesto Gas Company: in reference to the renting of an air compressor:

City Council  
Modesto, California

Attention: Mr. Harry Trueblood

Gentlemen:

The Modesto Gas Company is willing to rent its Ingersoll-Rand portable air compressor upon the following terms: The machine to be delivered upon the job by the Modesto Gas Company and the Modesto Gas Company to furnish an operator for the compressor and be responsible for the compressor while in operation. The City of Modesto to furnish the men for the necessary guns. The City also to furnish gasoline and oil used during its operation; to also do all of the sharpening and blacksmith work that is necessary to keep the gun bits sharp, as it is necessary to change the gun bits every four or five hours. The Gas Company will be responsible for the machine at all times and at the completion of the work see that it is returned to the gas plant.

The rental charge for this machine will be \$25.00 per day, based upon an eight hour day.

The Gas Company will furnish the machine upon the same terms, as stated above, on an hourly basis, at the rate of \$4.00 per hour, with a minimum of two hours.

We have taken the matter up with the representatives of this machine in San Francisco and find that the rental price of this machine in San Francisco, is \$55.00 per day, upon the same basis as stated above. We feel that, under the circumstances, we are very moderate in our charges, as we are willing to rent the machine for \$10.00 less than the standard rental charge in San Francisco.

Yours very truly,  
Modesto Gas Company  
Frank Cressey, Jr.  
President

FAC/B

The Council, after hearing the above communication ordered the same placed on file in the City Clerk's office.

16. In the Matter of Liability Insurance for the Playgrounds:

Mr. Moorehead of the Sunny Valley Land and Title Company was asked by the Council to submit the cost of liability insurance for the several playgrounds in the City of Modesto.

In the Matter of Report on Fleet Insurance for the City's Cars:

17. The committee appointed at the regular meeting of July 14th, 1926, consisting of Councilman Boundey and Councilman Trueblood, to investigate the feasibility of fleet insurance on the city's cars, report that their investigations have not been completed and by order of the Council, the committee was continued until the next regular meeting.

In the Matter of Liability Insurance for Taxi Cab Drivers:

18. This matter was again laid over until the next regular meeting of the Council.

In the Matter of Communication from Barium Products, Inc:

17. A communication was received by the Council from the Barium Products, Inc. successors to D.V.O. Products, Inc. which read as follows:

City of Modesto \\  
State of California

Attention: Mr. H.E. Gragg, City Clerk

Dear Sir:

It is with much regret that we received your new complaint as to offensive odors emanating from our plant. For your information we have to a great extent done away with all odors but there still remains a small percentage which we expect to overcome in a very short time. Our chemists are working on this problem continuously and we feel confident that further cause for complaint will soon be removed.

We would ask the City Council to take into consideration that this is a new

industry, that the inexperience of new men, in a great way responsible for it. Up to the present time we have felt that it was to the interest of the City of Modesto that we employ their people instead of bringing men from San Francisco who are more familiar with the work in Chemical plants, and an allowance should be made for this. The Barium Products, Inc. today is practically a new organization and its interests is in the hands of new men who are anxious to overcome present difficulty, rest assured everything possible will be done at this end. We ask your further leniency and beg to remain

Very truly yours,  
Barium Products, Inc.  
Successors to  
D.V.O. Products, Inc.  
per F.W. Herb

HWF/MR

The above communication was read to the City Council and ordered filed in the City Clerk's files.

20. In the Matter of Adjusting Salaries:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1133-N.3.

A Resolution adjusting the compensation of employees in the Department of Public Works. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

21. In the Matter of Renting Motorcycle for the Police Department:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1134-N.3.

authorizing Councilman Ustick to lease a motorcycle for use in the Police Department. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

22. In the Matter of Car for Department of Public Works:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1135-N.3.

authorizing Commissioner Boundey to lease a Ford automobile to be used in the Department of Public Works. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

23. In the Matter of Liability Insurance for Flying Field:

A communication was received in regard to liability insurance for flying fields. Which communication was read to the Council and ordered filed in the City Clerk's office.

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

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

Attest: H E Pagg

Board of Equalization, City of Modesto

Monday, August 2nd, 1926

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 2nd day of August, 1926, 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, Ustick and Mayor Elias  
Absent: Councilmen Brown, Trueblood

No business appearing, the meeting upon motion, adjourned until Tuesday morning, August 3rd, 1926, at 10 o'clock A.M.

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

Attest: HE Gagg  
City Clerk

Board of Equalization, City of Modesto

Tuesday, August 3rd, 1926

The Board of Equalization met pursuant to adjournment of August 2nd, 1926, and there were present Councilmen Boundey, Ustick, Mayor Elias  
Absent: Councilmen Brown, Trueblood

No business appearing, the meeting was adjourned until Wednesday morning, August 4th, 1926, at 10 o'clock A.M.

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

Attest: HE Gagg  
City Clerk

Board of Equalization, City of Modesto

Wednesday, August 4th, 1926

The Board of Equalization met pursuant to adjournment of August 3rd, 1926, and there were present Councilmen Boundey, Ustick, Mayor Elias  
Absent: Councilmen Brown, Trueblood

No business appearing, the meeting was adjourned until Thursday morning, August 5th, 1926, at 10 o'clock A.M.

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

Attest: HE Gagg  
City Clerk

Board of Equalization, City of Modesto  
Thursday, August 5th, 1926

The Board of Equalization met pursuant to adjournment of August 4th, 1926, and there were present Councilmen Boundey, Ustick, Mayor Elias

Absent: Councilmen Brown, Trueblood

No business appearing, the meeting was adjourned until Friday morning, August 6th, 1926, at 10 o'clock A.M.

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

Attest: H E Gregg  
City Clerk

Board of Equalization, City of Modesto  
Friday, August 6th, 1926.

The Board of Equalization met pursuant to adjournment of August 5th, 1926, and there were present Councilmen Boundey, Ustick, Trueblood, Mayor Elias

Absent: Councilman Brown

A complaint was filed as follows:

Almina J. Ross appeared before the Equalization Board and asked a reduction on her property known as Lot 5, Block 205, and Lots 3, 6, Block 208. She did not, however, state any particular grounds upon which she asked this reduction. After investigation and consideration of the above matter, the Board found that her property was assessed the same as other property of like nature in the same blocks. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1136-N.S.

denying the reduction asked for by Mrs. Almina J. Ross. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen Brown

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

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

Attest: H E Gregg  
City Clerk

August 11th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of July 28th, 1926, and the Board of Equalization meetings of August 2nd, August 3rd, August 4th, August 5th, and August 6th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of July, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$18,932.62
Water Fund.....	4,816.66
Library Fund.....	850.87
Bond Red.& Int.....	11,193.75
St. Bond Fund .....	45,368.50
Total.....	\$81,162.40

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 Final Adoption of Ordinance No. 289-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 28th day of July, 1926, and having been published as required by the Charter, coming on for final adoption this 11th day of August, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 290-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 28th day of July, 1926, and having been published as required by the Charter, coming on for final adoption this 11th day of August, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Communication from California Conference on City Planning:

A communication was received from the California Conference on City Planning wherein the Conference invited the City Council to take part in the Eighth Annual California State Conference on City Planning, to be held at Camp Curry, Yosemite, August 18th and 19th, 1926. The above communication was read to the Council and ordered filed.

In the Matter of Application for Gasoline Tank:

Rinehart Bros. made a formal application to install a private gasoline tank and pump at 714 14th Street. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1136-N.3.

granting permission to Rinehart Bros. to install the above mentioned gasoline tank under the

supervision of the Fire Chief and the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5 In the Matter of Telephone for Graceada Park:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1137-N.S.

authorizing the City Engineer to have installed a telephone at Graceada Park. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6 In the Matter of Communication from the League of California Municipalities:

The above communication was in the form of an official call for the Twenty-eighth Annual Convention of the League of California Municipalities to be held in Yosemite Valley on August 16th to 20th, 1926. The same was read to the City Council and ordered filed in the City Clerk's files.

7. In the Matter of Petition for the Lighting of the West Side:

A petition for the lighting of the west side was filed embracing the following district: commencing at the East property line of Eighth Street at the intersection of Eighth and Washington Streets; thence south to the South property line of F Street; thence west to the East property line of Seventh Street; thence south to the north property line of Sierra Drive; thence West to the East property line of Washington Street; thence north to the East property line of Eighth Street, the place of beginning. The City Engineer reported that the necessary frontage was signed on the above mentioned petition. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 565-S.P.

ordering plans and specifications to be drawn up by the City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8. In the Matter of  $1\frac{1}{2}$ " Water Tap for Modesto Terminal Company:

The Modesto Terminal Company made application for an  $1\frac{1}{2}$ " water tap in Block 75, Lots 28 to 32. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1138-N.S.

granting a  $1\frac{1}{2}$ " water tap to the Modesto Terminal Company as specified in said application. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9. In the Matter of Delinquent Tax List:

Mr. Carlson reported that he desired more time on this matter and the making of his report. The same was granted.

10 In the Matter of Fleet Insurance for Automobiles of City:

This matter was again laid over until the next regular meeting of the Council upon the request of the committee for more time.

11 In the Matter of Liability Insurance for Taxi-cab Drivers:

This matter was again laid over to the next regular meeting of the Council.

12 In the Matter of Liability Insurance for the Playgrounds in the City of Modesto:

In pursuance of a request by the Council to Mr. Moorehead of the firm of Wright & Ramont, to furnish the Council with an estimate of the cost of public liability insurance in the City's parks, Mr. Moorehead filed a letter with the Council outlining the various policies and cost of each. The above letter was read to the Council and referred to the Commissioner of Finance.

13 In the Matter of Establishing Official Grade on 'D' Street:

Councilman Boundey introduced an ordinance, being,

ORDINANCE NO. 291-N.3.

fixing and establishing the official crown grades on 'D' Street, within the corporate limits of the City of Modesto. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

14 In the Matter of Purchasing a Motorcycle:

Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 292-N.3.

authorizing the purchase of a Motorcycle for the Police Department, and appropriating money therefor. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15 In the Matter of Re-surfacing Tennis Courts in Graceada Park and the Maze-Wren Park:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1139-N.3.

instructing the City Engineer to prepare plans and specifications for the re-surfacing of the above mentioned park's tennis courts. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

16 In the Matter of Odor from BARIEM Products Company:

Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1140-N.3.

requesting the City Attorney to ascertain and inform the Council at the next regular meeting, what action should be taken by the Council in order to abate the odors emanating from the above mentioned plant. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of the Auditor's Report:

Brotherton, Thomas & Company, having finished their audit of the City's books for the fiscal year ending June 30th, 1926, and having submitted their report to the Mayor, which report is on file in the City Clerk's office, Councilman Trueblood introduced a resolution, being,

RESOLUTION NO. 1141-N.S.

accepting the report as filed by the above mentioned firm of auditors. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Awarding Contract for the Improvement of the Alley in Block 110:

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. 190 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.
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 Company be accepted, and thereupon introduced

RESOLUTION NO. 566-3.F.

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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

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

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

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

Attest: H. E. Grogg  
City Clerk

August 25th, 1926

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

Absent: Mayor Elias

In the Matter of Minutes:

The minutes of the regular meeting of August 11th, 1926, were read and approved as read.

In the Matter of Petition for Gasoline Tank:

Mr. Carl Austin made a formal request to the City Council, asking that he be permitted to install as underground gasoline tank of 120 gallon capacity upon his premises at the intersection of 10th and L Streets, the tank to be placed between the curb and the sidewalk outside of the building and the pump to be placed inside the building and to be used for their own private business. Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1142-N.3.

authorizing Mr. Austin to proceed with the installation of the above mentioned pump under the supervision of the City Engineer and Fire Chief. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Final Adoption of Ordinance No. 291-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 11th day of August, 1926, and having been published as required by the Charter, coming on for final adoption this 25th day of August, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Final Adoption of Ordinance No. 292-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 11th day of August, 1926, and having been published as required by the Charter, coming on for final adoption this 25th day of August, 1926, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

In the Matter of Communication from the State Board of Health:

A communication was received and read to the Council from the State Board of Health relative to the condition of the City's septic tank. The City Engineer, Mr. McCarton, was ordered by the Council to write a letter to the State Board of Health informing them of the true conditions of our septic tank and surroundings.

In the Matter of Report of the City Attorney:

The City Attorney filed a report with the City Council outlining the action which might be taken against the Bqriem Products Company with a view of abating the offensive odors

emanating from their plant. In view of the fact that it was reported by Commissioner Boundey that this plant had closed down until such a time as they could put their plant in condition to eliminate the above mentioned odors, no action was taken upon the report filed by the City Attorney and the same was ordered filed in the City Clerk's office.

6. In the Matter of West Side Lighting District:

Mr. Weast appeared before the Council and made some comment on the lighting district in the process of formation on the west side of the city. The Council informed Mr. Weast that this matter had been taken care of in the regular form.

7. In the Matter of Fleet Insurance for City Automobiles:

The committee appointed by the Mayor on July 14th, 1926, were not ready to make a final report and the same was continued.

8. In the Matter of Public Liability Insurance for the Parks:

The same was laid over until the next regular meeting of the Council.

9. In the Matter of Elmwood Avenue Proceedings:

The work heretofore authorized to be done by the Council of the City of Modesto under the Street Improvement Act of 1911 and more than fifteen days having expired after the last publication of the Resolution of Intention and the posting of the Street Superintendent's notices and no written protests of the work therein described having been made and delivered as permitted by said Act, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 191.

RESOLUTION NO. 567-3.P.

RESOLUTION ORDERING THE WORK

In accordance with certain plans and specifications heretofore adopted on the 28th day of July, 1926, and pursuant to Resolution of Intention No. 191, was introduced and regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

10. In the Matter of Transfer of City Funds:

Commissioner Trueblood introduced a resolution, being,

RESOLUTION NO. 1143-N.3.

authorizing the City Auditor to transfer \$50,000 (Fifty Thousand Dollars) from the Water Fund to the General Fund. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Councilmen Mayor Elias

11. In the Matter of Paving of Tennis Courts:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1144-E.3.

adopting the plans and specifications presented by the City Engineer for the improvement of the tennis courts in the Graceada and Maze-Wren and Beard Parks. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

12 In the Matter of Bids for the Paving of Tennis Courts:

Commissioner Brown introduced a resolution, being,

RESOLUTION NO. 1145-N.3.

authorizing the City Clerk to advertise for bids for the paving and re-surfacing of tennis courts in the City of Modesto's parks according to plans and specifications adopted by the City Council of the City of Modesto by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Councilman Mayor Elias

13 In the Matter of 'D' Street Proceedings:

Proceedings were presented to the Council by the City Engineer for the improvement of 'D' Street, from the southerly property line of 9th Street to the northerly property line of 8th Street, as more fully described in the Resolution pertaining to such work which are as follows:

RESOLUTION NO. 568-3.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 'D' Street, from the southerly property line of 9th Street to the northerly property line of 8th Street, be paved between the headers 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 a 2" x 6" O.P. Header; excepting therefrom any of said work already done to the official line and grade.

That storm sewers, inlets, and manhole be constructed on 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 August 25th, 1926, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

Thereupon it was filed in my office on the same day.

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. 569-3.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. 192 by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

RESOLUTION NO. 570-3.P.

RESOLUTION OF INTENTION NO. 192.

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 'D' Street, from the southerly property line of 9th Street to the northerly property line of 8th Street, be paved between the headers 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 a 2" x 6" O.P. header; excepting therefrom any of said work already done to the official line and grade.

That storm sewers, inlets, and manhole be constructed on 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 the plans; providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers' Company of Boston, Mass., 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 easterly 25' x 290' of Block 139 and lots 1 & 32 of Block 47, Vol. 10 of Maps, pages 47 and 139, 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 September, 1926, 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 property 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 by the City Council of said City.

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 held thereof the 25th day of August, 1926, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

Thereupon it was filed in this office and recorded on August 25th, 1926.

Attest: H. E. Gragg  
City Clerk

14. In the Matter of Billboard Ordinance:

An ordinance amending Section 8 A, relating to signboards was presented to the Council and discussed at some length. The same was laid over until the next regular meeting of the Council.

15. In the Matter of Sale of Personal Property:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1146-N.S.

authorizing the sale of miscellaneous personal property unfit and unnecessary for use by the City of Modesto. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick and Trueblood

Noes: Councilmen None

Absent: Mayor Elias

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

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

Attest: *H. E. Gragg*  
CITY CLERK

Council, City of Modesto

September 8th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of August 25th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of August, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$16907.78
Water Fund.....	6802.59
Library Fund.....	1168.43
Bond Red. & Int.....	25.00
St. Bond Fund.....	1385.47
Total.....	\$26289.27

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

1. In the Matter of Communication:

A communication from the International Association of Fire Engineers addressed to the Mayor, was received by the Council and ordered filed in the City Clerk's files.

2. In the Matter of Petition:

A petition was received from the Modesto Junk Company, asking permission to establish a junk yard upon the Southern Pacific Reservation between N and O Streets, facing 9th Street. Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1147-N.S.

authorizing the Modesto Junk Company to establish a junk yard as set out in their petition. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

3. In the Matter of Awarding Contract for the Improvement of Elmwood Ave:

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. 191 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	@	.17 per sq. ft.
Gutters	@	.20 per sq. ft.
Curb	@	.70 per lin ft.
Headers	@	.10 per lin ft.
Marbelite Standards and Foundations	@	70.00 each
G. E. Units complete	@	38.00 each
Connection Boxes	@	6.50 each
1" Galv. Conduit	@	.25 per lin ft.
1 1/2" Galv. Conduit	@	.28 per lin ft.
#8 B&S Cable	@	.165 per lin ft.
Corrugated Culverts	@	3.00 per lin ft.

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

RESOLUTION NO. 571-S.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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

4. In the Matter of Bids for the Paving and Re-surfacing of Tennis Courts in the City of Modesto

In pursuance of the advertisement of bids for the Improvement of the above mentioned tennis courts, the Standard Paving Company submitted their bid as follows:

Grading	@ \$	.01 per sq. ft.
Paving	@	.125 per sq. ft.
Re-surfacing	@	.02 per sq. ft.

The bid being duly considered, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1148-N.3.

accepting the bid of the Standard Paving Company for the improvement of tennis courts as set out in their proposal. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Re-surfacing Ninth Street, between the M.I.D. Lateral and Tully Road:

Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 293-N.3.

appropriating the sum of Three Thousand (\$3000.00) Dollars, for the re-surfacing of Ninth Street, from the M.I.D. Lateral to the Tully Road. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Fixing Tax Rate for the year of 1926-27:

Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 294-N.3.

fixing the rate of taxation in and for the City of Modesto for the fiscal year 1926-1927. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance Amending Section 7 a of Ordinance No. 267-N.3. relating to Sign Boards:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 295-N.3.

amending Section 7 a of Ordinance No. 267-N.3. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Trueblood, Mayor Elias

Noes: Councilman Ustick

Absent: Councilmen None

In the Matter of Public Liability and Property Damage Insurance:

Mr. A. T. Smith and some insurance agents of this City addressed a letter to the City Council quoting prices on liability insurance under consideration by the City. The above mentioned letter and quotations were referred to the City Attorney for his consideration.

In the Matter of Fleet Insurance for Automobiles:

In pursuance of the committee appointed some time ago by the Mayor to investigate the matter of fleet insurance for the City's automobiles, the committee, not being able to report at this time, the same was continued until the next regular meeting of the Council.

10. In the Matter of Resolution Fixing the Salary for the Caretaker of the City Dumps:  
Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1149-N.3.

fixing the salary of Charles Boyd, caretaker of the city's dumps, at \$110.00 per month, dating from September 1st, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11. In the Matter of Sale of One 12 ft. Highway Grader:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1150-N.3.

authorizing that a one 12 ft. highway grader be included in Resolution No. 1146-N.3. which provides for the sale of un-used personal property in the City of Modesto. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12. 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. 191, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 572-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Elmwood Avenue, from the southerly property line of Stoddard Avenue, north to the southerly property line of Lot 2, Block 554, Resolution of Intention No. 191. The foregoing resolution was regularly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The reports of the various departments for the month of August, 1926, were submitted to the Council and laid over until the next regular meeting.

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

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

Attest: H. E. Gregg  
City Clerk

September 22nd, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of September 8th, 1926, were read and approved as read.

In the Matter of Music in Restaurants:

Mr. C. E. Jackson, residing in the Donkin and Bacon Apartments, appeared before the City Council protesting against the playing of music in various restaurants and eating-houses after the hour of midnight. Mr. Cole from Cole's Hut Cafe also appeared before the Council and stated that, in as far as he was concerned, he was willing to abide by any ordinance or regulation that the City might impose upon eating-houses and restaurants in regard to the playing of music. This matter was taken under advisement by the City Council.

In the Matter of Communication from the League of California Municipalities:

A communication was received from the California League of Municipalities and placed before the Council which had to do with the gasoline tax coming up before the voters at the General Election of November. This communication was ordered filed in the City Clerk's files.

In the Matter of Final Adoption of Ordinance No. 293-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 8th day of September, 1926, and having been published as required by the Charter, coming on for final adoption this 22nd day of September, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 294-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 8th day of September, 1926, and having been published as required by the Charter, coming on for final adoption this 22nd day of September, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 295-N.3:

Inasmuch as the Council was undecided as to the advisability of passing this Ordinance at this time, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1151-N.3.

postponing the final adoption of Ordinance No. 295-N.3. until the next regular meeting of the Council. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6. In the Matter of Gasoline Pump for Rose Brothers:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1152-N.S.

granting permission to Rose Brothers to install a private gas pump at their place of business, 303 10th Street, under the supervision of the Fire Chief and City Engineer. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7. In the Matter of Petition for the Paving of Fourth Street:

A petition was presented to the City Council for the paving of Fourth Street, from 'H' Street to Sierra Drive. Which petition was referred to the City Engineer for verification as to the frontage.

8. In the Matter of 'D' 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. 192, 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. 192.

RESOLUTION NO. 573-S.P.

RESOLUTION ORDERING THE WORK NO. 192.

In accordance with the plans and specifications heretofore adopted on the 25th day of August, 1926, and pursuant to Resolution of Intention No. 192, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9. In the Matter of Constructing Raised Sidewalk on 10th Street:

The Modesto Terminal Company made an application to the City Council for permission to construct a raised sidewalk, eight feet wide, on Tenth Street, across Lots 24 to 52 inc., in Block 75, City of Modesto. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1153-N.S.

granting permission to construct the sidewalk as requested by the Modesto Terminal Company. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10. In the Matter of Adopting Budgets:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1154-N.S.

adopting the budget as planned by the Council of the City of Modesto for the fiscal year of 1926-1927. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on Motorcycle:

Pursuant to the advertising for bids for a motorcycle for use in the Police Department and this being the time set for the opening of the same and therebeing on file 2 bids, one from the Johnson Cyclery in the amount of \$414.00 and one from A. A. Autrand of 1028 H Street in the amount of \$500.00, Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1155-N.3.

accepting the bid of the Johnson Cyclery, being the lowest and best bid, for one Harley-Davidson Motorcycle for use in the Police Department and directing the City Clerk to return to the unsuccessful bidder his certified check which accompanied his bid. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Fleet Insurance for City Automobiles:

In pursuance of the appointing of a committee by the Mayor on July 14th, 1926, for the investigation of fleet insurance for the City's automobiles and in pursuance of a request of said committee to the various insurance agencies in the City of Modesto to file a bid with the City Council, stating the price at which they would undertake to cover the City's cars with fire, theft, property damage and public liability, the various insurance agencies filed their bids at this time. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1156-N.3.

referring the bids filed to the committee appointed by him in charge of this matter, a report to be made by the committee at the next meeting of the Council on September 29th, 1926.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Disturbances near the McPheeters Hospital on Tenth Street:

Dr. McPheeters appeared before the Council, protesting against the noise and disturbances near his hospital at the breaking up of the Saturday night dances at the Winter-garden. He asked the Council to give him some relief in this matter. After consideration of the same, the City Council informed Dr. McPheeters that they would take the matter under advisement and, if it was within their power to correct the conditions existing, they would do so.

In the Matter of Adopting Plans for the Paving of Ninth Street, from the M.I.D. Lateral to the Tully Road:

Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1157-N.3.

adopting plans and specifications as submitted for the paving of Ninth Street, from the M.I.D. Lateral to the Tully Road. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

15 In the Matter of Appropriating Money for the Purchase of a Tractor:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 296-N.S.

appropriating Three Thousand (\$3000.00) Dollars to be used for the purchase of a tractor by the City of Modesto. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

16 In the Matter of Reports:

The reports of the various departments for the month of August, 1926, were again laid over until the next regular meeting of the Council.

17 In the Matter of Adjournment:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1158-N.S.

adjourning the Council meeting until September 29th, 1926, at 7:30 O'clock.

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

Attest: H. E. Grapp  
City Clerk

Council, City of Modesto

September 29th, 1926

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

Absent: Councilmen None

18 In the Matter of Bids for the Paving of Ninth Street, from the E.I.D. Lateral #4 to the City Limits:

Pursuance to the advertising for bids for the paving of Ninth Street, from the E.I.D. Lateral #4 to the city limits, and this being the time set for the opening of the above mentioned bids and there being on file one bid by the Standard Paving Company, this bid was read to the Council and after due consideration of the same, Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1159-N.S.

awarding the contract to the Standard Paving Company for the above mentioned improvement.

Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

19 In the Matter of Permission to Use the Aviation Field:

Mr. Gray Leet, on behalf of the American Legion, asked the City Council's permission to use the Aviation Field on Armistice Day for a display of fireworks. Commissioner Ustick

introduced a resolution, being,

RESOLUTION NO. 1160-N.3.

granting permission to the American Legion to use the Aviation Field on Armistice Day for a display of fireworks. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

3. In the Matter of Report on Fleet Insurance:

Pursuant to the appointing a committee some time ago, for the investigation of fleet insurance to cover the City's motor equipment, the committee, at this time, submits the following report:

To the City Council, City of Modesto.  
Gentlemen:

Re: Fleet Insurance.

The undersigned, the Committee to which was referred the various bids covering Fleet Insurance on the city's Motor Equipment, the City's Contingent Liability for privately owned cars used in the city's business, and Fire and Theft Insurance, beg to report:

After a careful consideration of all of the policies, we recommend the acceptance of the policies submitted through the agency of Thompson & King, to-wit: Metropolitan Casualty Insurance Company - Policy AM 144944, Public Liability and Property Damage, Premium \$836.27, AM 144941, Contingent Liability \$241.15, Agricultural Insurance Company Policy 79599, Fire and Theft \$256.79.

4. We recommend that the Studebaker Touring Car #69855 and the Chandler Touring Car #58457 be eliminated from Policy #144944 and added to Policy #144941 with appropriate adjustment of premium. That the same cars be eliminated from the Fire and Theft Policy and that Theft Insurance be eliminated on the following cars, to-wit:

- 3 Seagrave Pumpers
- 1 Oldsmobile Hose Truck
- 1 Pope Hartford Chemical
- 1 Mack Flusher
- 1 Pageol - 3 ton Truck
- 1 Elgin Sweeper
- 1 Russell Fordson Grader
- 1 Holt Tractor
- 2 Sterling Trucks

Yours respectfully,

M. A. Trueblood  
E. J. Boundey  
H. E. Gragg  
A. J. Carlson  
Committee

Whereupon Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1161-N.3.

adopting the report as filed by the committee. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5. In the Matter of Use of Fair Grounds for a Building to be Used by the Boy's Band:

Mr. W. A. Harter appeared before the Council, on behalf of the Boys' Band, asking permission to use a portion of the Fair Grounds to erect a building thereon to be used by the Boys' Band. After due consideration of this matter, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1162-N.3.

granting a revokable permit to the Boys' Band for the use of a portion of the Fair Grounds on which to erect a building to be used by the Boys' Band and that the site for the above mentioned building be selected by the Commissioner of Public Health and Safety and that the building be erected under the supervision of the City Engineer and be so erected that it may be removed at the will of the Council. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6. In the Matter of Ordinance for the Appropriation of Additional Money for the Paving of Ninth Street, from the M.I.D. Lateral #4 to the City Limits:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 297-N.3.

appropriating \$500.00 additional or so much thereof as may be necessary for the paving of Ninth Street, from the M.I.D. Lateral #4 to the City Limits. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: H. E. Gregg  
City Clerk

Council, City of Modesto

October 5th, 1926

The Council met in special session called by the Mayor and written notices having been written and served to each Councilman as required by Ordinance No. 2-N.3. of the City of Modesto and there were present Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Absent: Councilmen None

The meeting was called for the purpose of ratifying the purchase of a certain piece of property namely, lots 29 to 32 inclusive, Ely 43 ft. in Block 113, to be used for library purposes, which the Board of Trustees of the Modesto City Library Board has contracted to purchase and for such other business as may come before the meeting.

7. In the Matter of Ratifying Property Purchased by the Modesto City Library Board of Trustees:

The Board of Trustees of the Modesto City Library appeared before the Council, informing them that they were about to purchase a certain piece of property from one Helen M. Parshall, namely, lots 29 to 32 inclusive, Ely 43 ft. in Block 113. The above mentioned property adjoins the present library property. They informed the Council that they had contracted to buy this property for a consideration of \$5350.00 and that it was their desire that the Council ratify their action in the above mentioned matter. Which was done by the following resolution, introduced by Mayor Elias, being,

RESOLUTION NO. 1163-N.3.

commending the Modesto City Library Trustees in their foresight in the acquiring of this property and ratifying their action in the purchase of the same for the above mentioned consideration of \$5250.00. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None  
Absent: Councilmen None

In the Matter of an Ordinance Appropriating Money for Purchase of Property for the Modesto City Library:

Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 298-N.3.

appropriating the sum of \$5250.00 for the purchase of the following property: lots 29 to 32 inclusive, the Ely 43 feet in Block 113, to be used for library purposes. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias  
Noes: Councilmen None  
Absent: Councilmen None

In the Matter of Petition for the Paving of Franklin Street:

A petition was presented to the Council for the paving of Franklin Street, from the southerly property line of Linden Street to the Northerly property line of Stanislaus Street. The above mentioned petition was referred to the City Engineer for verification of the frontage.

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

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

Attest: *H. E. Gragg*  
City Clerk

Council, City of Modesto  
October 13th, 1926

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

In the Matter of Minutes:

The minutes of the regular meeting of September 22nd, the adjourned meeting of September 29th, and the special meeting of October 5th, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of September, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$18721.20
Water Fund.....	5423.90
Library Fund.....	1027.05
Bond Red. & Int.....	162.52
St. Bond Fund.....	280.08
Miscellaneous.....	2166.51
Total.....	\$27781.06

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 Thompson & King:

A communication was received from Thompson & King expressing to the Council their appreciation for the fleet insurance which has been awarded their firm. The above

communication was read to the Council and ordered filed.

In the Matter of Communication from Mrs. Susan C. Carman:

Mrs. Carman addressed a communication to the City Council, stating that she had tripped and fallen upon sidewalks in Modesto at the corner of Tenth and K Streets on June 19th, 1926, breaking her arm. She asked the City Council to pay her doctor bill for the injury sustained. The above communication was read to the Council and referred to the City Attorney for his attention.

In the Matter of Ordinance Prohibiting Music in Certain Places after Midnight:

Councilman Ustick introduced an ordinance, being,

ORDINANCE NO. 299-N.S.

prohibiting music being played in any restaurant or other place where food and refreshments are served in the City of Modesto after the hour of midnight until the hour of 3 o'clock the following morning. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 295-N.S:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 8th day of September, 1926, coming up for final adoption this 13th day of October, 1926, but the Council being undecided regarding certain features of this ordinance, it was laid over until the first regular meeting in November.

In the Matter of Final Adoption of Ordinance No. 296-N.S:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 22nd day of September, 1926, and having been published as required by the Charter, coming on for final adoption this 15th day of October, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 297-N.S:

The foregoing ordinance, having been introduced and ordered printed at a special meeting of the Council on the 29th day of September, 1926, and having been published as required by the Charter, coming on for final adoption this 13th day of October, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 298-N.S:

The foregoing ordinance, having been introduced and ordered printed at a special meeting on the 5th day of October, 1926, and having been published as required by the Charter, coming on for final adoption this 13th day of October, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

8  
In the Matter of Protesting on Assessment on Alley in Block 110:

In pursuance of the publishing of the filing of assessments on the Alley in Block 110, 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 Boundey introduced a resolution, being,

RESOLUTION NO. 574-S.P.

confirming the proceedings and ordering the warrant on the paving of the Alley in Block 110, under Resolution of Intention No. 190. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9  
In the Matter of Awarding Contract for the Improvement of 'D' 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. 192 and all due and legal proceedings having heretofore been 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, Standard Paving Company, which when opened, read as follows including the action of the Council in said matter:

Paving	©	\$	.17 per sq. ft.
Grading	©		.05 per sq. ft.
Headers	©		.10 per lin ft.
Manholes	©		90.00 each
Brick Inlets	©		25.00 each
8" pipe	©		1.05 per lin ft.
6" pipe	©		.95 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. 575-S.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, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

10  
In the Matter of Franklin Street Proceedings:

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

RESOLUTION NO. 576-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 Franklin Street, from the northerly property line of Stanislaus Street to the

northerly property line of Linden Street extended and produced, be paved between the gutter and center line of Franklin Street 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 the east side to the official grade with a 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 corrugated iron culverts and cement concrete base be constructed across Locust Street on the easterly curb line of Franklin Street.

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Modesto at a regular meeting held thereof October 13th, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in my office on the same day, and recorded on page 173 of the record.

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. 577-3.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, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 578-3.P.

RESOLUTION OF INTENTION NO. 193

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 Franklin Street, from the northerly property line of Stanislaus Street to the northerly property line of Linden Street extended and produced, be paved between the gutter and center line of Franklin Street 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 the east side to the official grade with a cement concrete curbing, and to further construct cement concrete gutters six (6) inches in thickness, and alley approaches five (5) inches in thickness; excepting therefrom any of said work already done to the official line and grade.

That corrugated iron culverts and cement concrete base be constructed across Locust Street on the easterly curb line of Franklin 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 the plans; providing, however, that any duplication in such description shall be ignored.

Attention is called to the Warrenite-Bitulithic License Mixture Agreement of Warren Brothers' Company of Boston, Mass., 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 7 inclusive and 22 to 28 inclusive of Block 421; Lots 1 to 7 inclusive and 22 to 28 inclusive of Block 426; Vol. 10 of Maps, pages 421 and 426, 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 10th day of November, 1926, 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 by the City Council of the said City.

The Street Superintendent shall cause to be conspicuously posted along the line of the 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 held thereof the 13th day of October, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in my office on the same day, and recorded on page 174 of the record.

Attest: H. B. Tragg  
City Clerk

In the Matter of West Side Lighting Proceedings:

Proceedings were presented to the Council by the City Engineer for the improvement of First Street to 8th Street inclusive, between the north curb line of Sierra Drive and the east curb line of Washington Street, "C" Street to "N" Street inclusive, including Blocks V, A, and F between the north curb line of Sierra Drive, all of First Street, and the east side of Washington Street, as more fully described in the Resolutions pertaining to such work which are as follows:

RESOLUTION NO. 579-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 First Street to 8th Street inclusive, between the north curb line of Sierra Drive and the east curb line of Washington Street, "C" Street to "N" Street inclusive, including Blocks V, A, and F between the north curb line of Sierra Drive, all of First Street, and the east side of Washington Street be illuminated, including Cast Iron Posts, Modesto Type No. 5, with wires, cables, globes, lamps, refractors, conduit, disconnecting potheads with ground support, and necessary lighting appliances, be installed on said streets, excluding therefrom all the existing electrolier lighting system already completed.

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Modesto at a regular meeting held thereof the 13th day of October, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in my office and recorded on the same day on page 176 of the record.

Attest: H. E. Cragg  
City Clerk

-- Engineer's Estimate --

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

RESOLUTION NO. 580-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, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Cragg  
City Clerk

RESOLUTION NO. 581-S.P.

RESOLUTION OF INTENTION NO. 194.

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 First Street to 8th Street inclusive, between the north curb line of Sierra Drive and the east curb line of Washington Street, "C" Street to "N" Street inclusive, including Blocks V, A, and F between the north curb line of Sierra Drive, all of First

Street, and the east side of Washington Street be illuminated, including cast iron posts, Modesto Type No. 5, with wires, cables, globes, lamps, refractors, conduit, disconnecting potheads with ground support, and necessary lighting appliances, be installed on said streets, excluding therefrom all the existing electrolier lighting system already completed.

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 their 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: Lots 1 to 32 inclusive of Blocks 1, 2, 3, 4, 5, 8, 9, 10, 13, 13, 14, 16, 17, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, the southeasterly 802 feet by 290 feet of Block 146, all of Blocks 145, 144, 143, 142, 141, 140, and 138, the southeasterly 880 feet by 140 feet of Block 139, all of Blocks 11, 12, 3, F, Y, V, and 134;

Lots 1 and 2 inclusive of Block A

Lots 1 to 11 and 29 to 32 inclusive of Block W

Lots 1 to 14 and 25 to 32 inclusive of Block X

Lots 1 to 7 inclusive and 32 of Block Z

Lots 1 to 28 inclusive of Block 6

Lots 1 to 25 inclusive of Block 7

Lots 5 to 21 inclusive of Block 19

Lots 6 to 20 inclusive of Block D

Lots 11 to 16 inclusive of Block E

Lots 1 to 9 and 25 to 32 inclusive of Block 22; as per Map of Record in the County Recorder's Office, Vol. 10 of maps, Stanislaus County Records, recorded March 18, 1920.

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

The City Council hereby orders that the costs and expenses of printing of all Resolutions, Affidavits, and Notices of Improvement in this proceedings, be paid out of the treasury of the City of Modesto, and that the Superintendent of Streets, in making the assessment herein provided for costs and expenses of said printing, shall first deduct from the whole cost and expenses and part thereof, as is hereby ordered to be paid out of the Municipal Treasury, as aforementioned.

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 nine years from the second day of July next succeeding ten months from their date.

Notice is hereby given that on the 10th day of November, 1920, 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 held thereof the 13th day of October, 1926, by the following vote, to-wit:

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

Noes: Councilmen None

Absent: Councilmen None

Thereupon it was filed in my office and recorded on the same day, and recorded on page 177 of the Record.

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. 192, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 582-J.P.

approving the assessment district as outlined in the assessment map for the improvement of "D" Street, from the southerly property line of 9th Street to the northerly property line of 8th Street. Resolution of Intention No. 192. The foregoing resolution was regularly seconded and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg  
City Clerk

In the Matter of Stretching Banner Across 10th Street at I Street:

Mr. C. D. Van Dersen of the Borden Milk Company appeared before the Council, asking permission to stretch an election banner across Tenth Street at I Street. Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1164-N.S.

granting permission to Mr. Van Dersen to place the above mentioned banner across 10th Street at the intersection of 10th and I Streets. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The reports of the various departments for the months of August, 1926, and September, 1926, were reviewed by the Council and ordered filed.

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

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

Attest: H. E. Gregg  
City Clerk

Council, City of Modesto  
October 27th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of October 13th, 1926, were read and approved as read.

In the Matter of Communication from Thwing & Powell:

A communication was received from Thwing & Powell, insurance agents of this City, re-arranging rates on insurance policies and inclosing a refund check for \$1.86 covering return premium under policy #5059 and a check for \$49.65 covering policy #17811, together with indorsements covering these refunds to be attached to policies.

In the Matter of Communication from H. D. Tatman:

Mr. H. D. Tatman, in a letter to the Council, notified them that he acquired title to property in Block 421, Lots 1 and 2, and that he was favorable to the paving of Franklin between Linden Street and Stanislaus Street.

In the Matter of Final Adoption of Ordinance No. 299-N.3:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 13th day of October, 1926, and having been published as required by the Charter, coming on for final adoption this 27th day of October, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Ordinance Providing for Supervision and Regulation of Motor Busses in the City of Modesto:

The above ordinance was presented to the Council on October 13th, 1926, and referred to the City Attorney. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1165-N.3.

postponing action upon the above mentioned ordinance until the City Attorney had had further time to review the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

5. In the Matter of Communication from C. W. Maze:

A communication was received from C. W. Maze, asking permission to connect to the city water and sewer system at his property situated on the west side of Franklin Street, between Locust and Stanislaus Streets. Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1166-N.S.

granting permission to C. W. Maze to connect to the city's water and sewer system when all rules and regulations governing the same have been complied with. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6. In the Matter of Protests on 'W' Street Lighting:

The opinion of the Council was that this matter should be continued until the second regular meeting in November. The same was so ordered.

7. In the Matter of Intersection at Linden and Franklin Streets:

Mr. Wilson called the attention of the Council to the fact that approaching the intersection of Franklin and Linden Streets when coming from the east, the school grounds on the opposite side of the street gave a person driving an automobile the impression that the street was continuous. As a result, several automobiles have gone over into the school grounds. It was his opinion that some sort of a signal should be placed there in order to warn motorists that the street ended at that point. This matter was referred to the City Engineering Department with instructions from the Council to investigate and see if the conditions spoken of could not be remedied.

8. In the Matter of Oil Burners:

Fire Chief Wallace reported to the Council that a great many gravity feed oil burners were being installed in the City of Modesto contrary to the city ordinance regulating the same. From a general discussion of this matter it was learned that, by reason of the fact that these oil burners were being installed contrary to the City Ordinance, thousands of dollars of insurance were being voided. Before taking any action upon this matter, the City Council instructed Fire Chief Wallace to get into communication with the Board of Underwriters and get their view upon the matter of oil burners as affecting insurance. It is hoped by the next meeting of the Council, that an ordinance may be submitted to the Council that will regulate the installation of oil burners satisfactorily to the City Council and likewise to the residents who contemplate using them.

9. In the Matter of Ordinance Creating Boulevard Stops:

Commissioner Ustick introduced an ordinance, being,

ORDINANCE NO. 300-N.S.

creating certain boulevard stops in and for the City of Modesto. Which ordinance was passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10. In the Matter of Renting Garage at Firehouse No. 3:

Fire Chief Wallace informed the Council that he had an application for renting the garage at Firehouse No. 3 for a rental fee of \$3.00 per month. Mayor Elias introduced a

resolution, being,

RESOLUTION NO. 1167-N.S.

instructing the Fire Chief to rent the garage at Firehouse No. 3 for a sum of \$3.00 per month, the Fire Chief to collect the money and turn it into the City Treasury. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11. In the Matter of Building Living Quarters at the City Dumps:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1168-N.S.

instructing the City Engineering Department to procure material and hire the necessary labor to build a small cottage at the Dumps to be used by the caretaker of the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12. In the Matter of Ordinance Appropriating Money for Purchase of a Sand Trap:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 301-N.S.

appropriating \$1500.00 or so much thereof as may be necessary for the purchase and installation of a sand trap at #8 well. Which ordinance was passed to print by the following vote:

Ayes: Councilmen Boundey, Ustick, Trueblood, Mayor Elias

Noes: Councilman Brown

Absent: Councilmen None

13. In the Matter of Changing the Parking Angle on J Street between 9th and 11th Streets:

Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1169-N.S.

authorizing the Public Works Department to change the parking angle from 45 degrees to 30 degrees on J Street, between 9th and 11th Streets. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: HE Gagg  
City Clerk

November 10th, 1926

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of October 27, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of October, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$19050.82
Water Fund.....	4141.77
Library Fund.....	6530.08
Bond Rd & Int.....	35.56
St. Bond Fund.....	583.07
Total.....	\$30341.30

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 Water Taps:

Owing to the fact that throughout the City there are places where more than one consumer is on the same tap which condition has been a great source of annoyance to the water collection office as well as to the property owners, the City Clerk recommended that, if possible, something should be done to correct the same. The above matter was referred to the City Attorney and the City Engineer with a view of working out some plan for correcting the above mentioned condition.

In the Matter of Oil Burners:

Chief Wallace reported to the City Council that he had not had sufficient time in which to investigate this matter thoroughly and carefully. He asked the Council that this matter be laid over until the next regular meeting of the Council. The same was so ordered.

In the Matter of Ordinance No. 295-N.S:

By order of the Council, this matter was laid over until the next regular meeting.

In the Matter of Final Adoption of Ordinance No. 300-N.S:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 27th day of October, 1926, coming up for final adoption this 10th day of November, 1926, and having been published as required by the Charter, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 301-N.S:

The foregoing ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 27th day of October, 1926, and having been published as required by the Charter, coming on for final adoption this 10th day of November, 1926, it was finally adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Adjusting Assessment Between Felix Anaya and A. S. Dingley et ux:  
Mayor Elias introduced a resolution, being,

RESOLUTION NO. 583-S.P.

correcting the assessment roll concerning the assessment between Felix Anaya and A. S. Dingley et ux. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Bids on Tractor:

The City, having heretofore advertised for bids on a tractor and this being the time fixed in accordance with published notices for receiving and considering said bids and there being only one bid on file, that of L. F. Grimsley, Inc., the Council proceeded to open and canvass the same as follows:

One "Caterpillar" "30" Tractor complete either with seat on top or seat on rear, equipped with canopy top. Amount,.....\$3,000.00  
F.O.B. San Leandro, California.

After due consideration by the City Council of the bid received for said tractor, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1170-N.S.

accepting the bid of L. F. Grimsley, Inc., and authorizing the City Clerk to draw a warrant in the amount of Three Thousand (\$3,000.00) Dollars payable to L. F. Grimsley, Inc., when the above mentioned tractor shall have been accepted by the City Engineer and Commissioner of Public Works. Also authorizing the City Clerk to return to the unsuccessful bidder the certified check which accompanied the bid. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Franklin 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. 193, 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. 193.

RESOLUTION NO. 584-S.P.

RESOLUTION ORDERING THE WORK NO. 193.

In accordance with plans and specifications heretofore adopted on the 13th day of October, 1926, and pursuant to Resolution of Intention No. 193, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9 In the Matter of Meters:

City Engineer reported that, in his opinion, there were several places in the City where there was a considerable waste of water due to the fact that they were not on a meter. Whereupon Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1171-N.S.

authorizing the City Engineer that whenever, in his opinion, it was advisable to install a meter that he should proceed to do so. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

10. In the Matter of Bus Ordinance:

By order of the Council, this matter was continued until the next regular meeting.

11 In the Matter of Protests on West Side Lighting:

In pursuance of the publishing of Resolution of Intention No. 194 on October 13th, 1926, certain persons interested in that work 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 and found that said persons so making protests against said work proposed to be ordered as aforesaid, were less than one-half of the owners of the property, Councilman Ustick introduced a resolution, being,

RESOLUTION NO. 585-S.P.

overruling the protests and ordering the work to continue. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12. In the Matter of West Side Lighting 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. 194, 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 written protests of the work therein described having been made and delivered as permitted by said Act and having been overruled, the Council proceeded to order the work done and the improvement made as set forth in Resolution of Intention No. 194.

RESOLUTION NO. 586-S.P.

RESOLUTION ORDERING THE WORK NO. 194

In accordance with certain plans and specifications heretofore adopted on the 13th day of October, 1926, and pursuant to Resolution of Intention No. 194, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

13 In the Matter of Putting in Sidewalks:

Mr. Stanley Kerr living on 5th Street between G and H Streets, informed the Council that there were no sidewalks on Lots 17, 18, Block 24, owned by the Estate of Sam Tripliss.

on Lots 27, 28, Block 24, owned by G. M. Bowman. The City Engineer also reported that there were stretches of sidewalk on 10th Street that needed to be put in as follows: Lots 25, 26, Block 67, owned by Martha E. Tucker and Eva M. McMahon and Lots 23 to 27, Block 67, owned by S. J. Koumias. Whereupon Councilman Boundey introduced a resolution,

RESOLUTION NO. 1172-N.S.

instructing the City Clerk to notify the above mentioned property owners that this sidewalk must be put in. Otherwise, the City would have to order the sidewalks in and charge it to the property. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Property Purchase for use of the Library:

Pursuant to an Ordinance authorizing the purchase of a certain piece of property known as the Ely 43 ft. of Lots 29, 30, 31, 32, Block 113, from Helen M. Parshall, in the City of Modesto, and the deed of conveyance having passed from the above mentioned party to the City of Modesto, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1174-N.S.

authorizing that said deed of conveyance be accepted by the City of Modesto and that said City of Modesto consent to the execution and recordation of the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Reports:

The reports of the various departments for the month of October, 1926, were submitted to the City Council. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1173-N.S.

ordering the above reports filed in the City Clerk's files. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: H. E. Gregg  
City Clerk

November 24th, 1926

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

Absent: Councilman Trueblood

In the Matter of Minutes:

The minutes of the regular meeting of November 10th, 1926, were read and approved as read.

1. In the Matter of Bus Ordinance:

By order of the Council, this matter was laid over until the next regular meeting.

2. In the Matter of Ordinance No. 295-N.S.:

By order of the Council, this matter was laid over until the next regular meeting.

3. In the Matter of 'H' Street Lighting Proceedings:

By order of the Council, this matter was laid over until the 2nd meeting in December, 1926.

4. In the Matter of Protesting on Assessment on Elmwood Avenue:

In pursuance of the publishing of the filing of assessments on Elmwood 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 Boundey introduced a resolution, being,

RESOLUTION NO. 587-S.P.

confirming the proceedings and ordering the warrant on the paving of Elmwood Avenue, under Resolution of Intention No. 191. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

5. In the Matter of Protesting on Assessment on 'D' Street:

In pursuance of the publishing of the filing of assessments on 'D' Street, 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 Boundey introduced a resolution, being,

RESOLUTION NO. 588-S.P.

confirming the proceedings and ordering the warrant on the paving of 'D' Street, under Resolution of Intention No. 192. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

6. In the Matter of Awarding Contract for the Improvement of Franklin 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. 193 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 that of the Standard Paving Company, which when opened, read as follows including the action of the Council in said matter:

Grading	@	\$ .05 per sq. ft.
Paving	@	.17 per sq. ft.
Approaches	@	.20 per sq. ft.
Gutters	@	.20 per sq. ft.
Curb	@	.70 per lin ft.
Culvert	@	3.00 per lin ft.

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

RESOLUTION NO. 589-S.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, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

7. 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. 193, was presented to the Council for approval. Upon a close scrutiny of this assessment map, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 590-S.P.

approving of the assessment district as outlined in the assessment map for the improvement of Franklin Street, from the northerly property line of Stanislaus Street to the northerly property line of Linden Street. Resolution of Intention No. 193. The foregoing resolution was regularly seconded and adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

In the Matter of Adjournment:

8 Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1176-N.S.

that when the Council adjourn, it adjourn to meet in adjourned regular session on December 1st, 1926, at the Council Chamber at 7:30 P.M. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

9 In the Matter of Awarding Contract for the Lighting of the West Side:

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. 194 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 thirteen bids which when opened, read as follows including the action of the Council in said matter:

STANDARD PAVING COMPANY

Modesto Stds. Type #5 & foundations	@	\$70.00 each
Westinghouse Paragon Senior Tops	@	40.00 each
Connection Boxes	@	2.19 each
1½" Conduit	@	.28 per lin ft.
1" Conduit	@	.19 per lin ft.
#8 B.&S. lead covered cable	@	.075 per lin ft.
Westinghouse Disc. Potheads	@	6.84 each

HILD ELECTRIC & MFG. COMPANY

303 Cast Iron Posts & foundations	\$17,851.49
303 Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 ampere lamps	11,543.37
Connection Boxes (139)	458.34
No. 8, B. & S. Lead Covered Cable 80,416 Lin Ft.	6,581.95
1½" Conduit (12,750 Lin ft.)	4,526.32
1" Conduit (46,760 Lin ft.)	12,802.28
Disconnecting Potheads (303)	3,200.78
For complete installation according to plans and specifications	56,964.53

E. A. TAGGARD

Cast Iron Posts & Foundations 303	@ 17,000.00
Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 ampere lamps 303	@ 11,250.00
Connection Boxes 139	@ 200.00
No. 8 B. & S. Lead Covered Cable 80,416'	@ 8,000.00
1½" Conduit 12,750'	@ 4,200.00
1" Conduit 46,760'	@ 11,753.00
Disconnecting Potheads 303	@ 2,350.00
Total	54,753.00

H. C. REID & COMPANY

Cast Iron Posts & Foundations	@ 40.00 each
Westinghouse Paragon Senior Tops & 2500 Lumen 6.6 amp. lamps	@ 40.00 each
Connection Boxes	@ 2.00 each
#8 B. & S. Lead Covered Cable	@ .12 per ft.
1½" Conduit	@ .25 per ft.
1" Conduit	@ .20 per ft.
Disconnecting Potheads	@ 6.00 each

OSBORN ELECTRIC COMPANY

Cast Iron Posts & Foundations each	46.00 each
Westinghouse Paragon Senior tops and 2500 lumen 6.6 amp. lamps each	33.00 each
Connection Boxes each	4.00 each
No. 8 B. & S. Lead covered cable	.10 per ft.
1½" Conduit	.30 per ft.
1" Conduit	.25 per ft.
Disconnecting potheads	6.00 each
Total cost of complete job based on the quantities given in specifications	49,867.60

ROBINSON ELECTRIC

Cast Iron Posts & Foundations (303)	@ 62.22 each
Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 amper lamps (303)	@ 34.66 each
Connection Boxes (139)	@ 2.67 each
No. 8 B. & S. Lead Covered Cable 80,416'	@ .098 per ft.
1½" Conduit 12,750'	@ .314 per ft.
1" Conduit 46,760'	@ .228 per ft.
Disconnecting Potheads (303)	@ 7.94 each

VALLEY ELECTRICAL SUPPLY COMPANY

Cast Iron Posts & Foundations	(303)	@	48.00 each
Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 Am- pere lamps	(303)	@	34.50 each
Connection Boxes	(139)	@	4.60 each
No. 8 B. & S. Lead Covered Cable	80,416'	@	0.115 per ft.
1½" Conduit	12,750'	@	0.205 per ft.
1" Conduit	46,760'	@	0.27 per ft.
Disconnecting Potheads	(303)	@	6.50 each

Total cost of quantities as per specifications \$53,368.19

A. C. RICE

303 Cast Iron Posts & Foundations	each	\$53.75	16,286.25
303 Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 ampere lamps	each	37.00	11,211.00
139 Connection Boxes	each	4.00	556.00
80,416 lin ft. No. 8 B. & S. Red Covered Cable	per ft.	.10	8,041.16
12,750 lin ft. 1½" Conduit	per ft.	.30	3,825.00
46,760 lin ft. 1" Conduit	per ft.	.20	9,352.00
303 Disconnecting Potheads	each	8.20	2,484.60
Total			\$51,756.01

F. J. O'SHAUGHNESSY

Item #1	\$ 22,000.00
Item #2	10,500.00
Item #3	4,450.00
Item #4	7,000.00
Item #5	3,000.00
Item #6	3,000.00
Item #7	2,500.00
Total	\$ 52,450.00

NEWBERRY-PEARCE ELECTRIC COMPANY

303 Cast Iron Posts & Foundations	@	\$ 19.50 each
303 Westinghouse Tops	@	15.00 each
139 Connection Boxes	@	1.40 each
80416 Lineal Feet #8 B. & S. Lead Cable	@	.10 per lin ft.
12750 Lineal Feet 1½" Conduit	@	.50 per lin ft.
46760 Lineal Feet 1" Conduit	@	1.20 each
Total		\$ 50,507.20

GON J. FRANKE ELECTRIC

303 Cast Iron Posts & Foundations	\$ 17,751.75
303 Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 ampere Lamps	10,362.30
139 Connection Boxes	367.58
70,416 ft. No. 8 B. & S. Lead Covered Cable	6,927.07
12,750 ft. 1½" Galv. Conduit	4,664.15
46,760 ft. 1" Galv. Conduit	13,947.35
303 Disconnecting Potheads	1,999.80
Total	\$ 55,920.00

WALKER & MARTIN

303 Cast Iron Posts & Foundations	\$63.00 each	\$19,089.00
303 Westinghouse Paragon Senior Tops and 2500 Lumen 6.6 ampere lamps	32.00 each	8,696.00
Connection Boxes	3.50 each	486.50
No. 8 B. & S. Lead Covered Cable 80,416 ft.	.09½ per ft.	7,639.52
1½" Conduit	.25 per ft.	3,187.50
1" Conduit	.16 per ft.	7,481.60
Disconnecting Potheads	6.00 each	1,818.00
Total		\$49,389.12

LOS ANGELES ELECTRIC WORKS

Furnish and install in accordance with plans and specifications for \$56,300.00

The Council, desiring more time in which to consider the above bids, Mayor Elias introduced a resolution, being,

## RESOLUTION NO. 591-S.P.

postponing the awarding of the contract on the Westside Lighting until Wednesday, December 1st, 1926, at the adjourned regular meeting of the Council. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

In the Matter of Fourth Street Paving:

Proceedings were presented to the Council by the City Engineer for the improvement of Fourth Street, from the northerly property line of Sierra Drive to the center line of 'H' Street, as more fully described in the Resolution pertaining to such work which are as follows:

RESOLUTION NO. 592-3.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 Fourth Street, from the northerly property line of Sierra Drive to the center 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 a 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 corrugated Iron culverts and cement concrete bases be constructed across 4th Street on the northerly and southerly curb lines of 'F' Street and the southerly curb line of 'H' 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 November 24th, 1926, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

Thereupon it was filed in my office on the same day, and recorded on page 188 of the record.

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. 593-3.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, by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

Attest: H. E. Gragg  
City Clerk

RESOLUTION NO. 594-3.P.

RESOLUTION OF INTENTION NO. 195

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 Fourth Street, from the northerly property line of Sierra Drive, to the center 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 a 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 corrugated iron culverts and cement concrete bases be constructed across 4th Street on the northerly and southerly curb lines of 'F' Street and the southerly curb line of 'H' 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 Brothers' Company of Boston, Mass., and on file in the office of the City Clerk of the City of Modesto.

And whereas said contemplated work is in the opinion of said City Council, of more than local or ordinary importance, 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 inclusive of Block 10; Lots 17 to 32 inclusive, of Block 15; Lots 17 to 32 inclusive, of Block 14; Lots 17 to 32 inclusive, of Block 13; Lots 28 to 32 inclusive, of Block X; the northerly 400 feet by 140 feet of Blocks 11 and 12; Vol. 10 of Maps, pages 10, 11, 12, 13, 14, 15, and X, 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 December, 1926, 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 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 by the City Council of said City.

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 Council of the City of Modesto at a regular meeting thereof held the 24th day of November, 1926, by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

Thereupon it was filed in my office on the same day, and recorded on page 189 of the record.

Attest: H. E. Gragg  
City Clerk

In the Matter of Paying Salary of City Engineer During His Illness:

Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1175-N.S.

authorizing the City Treasurer to pay the salary of the City Engineer during his illness until he shall have been ordered by the City Council to do otherwise. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

In the Matter of Adjournment:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1177-N.S.

adjourning the Council until Wednesday, December 1st, 1926, at 7:30 P.M. in the Council Chamber. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias

Noes: Councilmen None

Absent: Councilman Trueblood

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

Attest: H. E. Gragg  
City Clerk

December 1st, 1926

The Council met in adjourned regular session this date pursuant to resolution duly introduced and duly adopted at the Council meeting of November 24th, 1926, and there were present Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Absent: Councilmen None

In the Matter of Awarding Contract for the West Side Lighting District:

Pursuant to the opening of bids on November 24th, 1926, for the lighting of the West Side District, this being the time set for the awarding of the contract but owing to conditions arising which the Council had not yet satisfied themselves with, the awarding of the contract was laid over until the regular meeting of December 8th, 1926. Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 595-.3P.

postponing the awarding of the contract on the West Side Lighting District until the regular meeting of December 8th, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Billboard Ordinance;

Mayor Elias introduced an ordinance, being,

ORDINANCE NO. 302-N.3.

entitled "An Ordinance regulating and relating to the construction, maintenance and use of billboards in the City of Modesto, and licensing and regulating the occupation of maintaining billboards and outdoor advertising, providing penalties for the violation of the same, and repealing all ordinances or parts thereof in conflict therewith. Which ordinance was ordered published and passed to print in conformity with the provisions of the Charter, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

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

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

Attest: *H. E. G. G.*  
City Clerk

Council, City of Modesto  
December 8th, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of November 24th, 1926, and the adjourned regular meeting of December 1st, 1926, were read and approved as read.

In the Matter of Claims:

The claims for the month of November, 1926, were duly audited and withdrawals were made from the following fund accounts as follows:

General Fund.....	\$18,794.61
Water Fund.....	2,992.11
Library Fund.....	939.21
Bond Red & Int.....	37.89
St. Bond Fund.....	353.47
Total.....	\$23,117.29

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 Hawkins & Hawkins:

The law firm of Hawkins & Hawkins addressed a communication to the City Council asking that a certain tax sale being Tax Sale #53 against Lots 4, 5, Block 86, in the City of Modesto, be cancelled by an order from the Council. Mr. Hawkins claimed that through a tax sale some years ago, the City had received taxes upon this property. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1178-N.3.

instructing the City Tax Collector to cancel upon his records, Tax Sale #53. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of LeHane Property:

Mr. W. C. LeHane, who owns a small triangular piece of ground fronting on G Street and Sierra Drive in Block 3, asked the City Council to buy this particular piece of property. After some discussion of this matter by the Council, it was decided that it would not be advisable, at this time, to purchase the above mentioned piece of property.

In the Matter of Ordinance on Motor Buses:

This matter was again laid over until the next regular meeting of the Council.

In the Matter of Rejection of Ordinance No. 295-N.3:

The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council held on the 25th day of August, 1926, and having been published as required by the Charter, coming on for final adoption this 8th day of December, 1926, it was rejected by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Final Adoption of Ordinance No. 302-N.3. being "An Ordinance regulating and relating to the construction, erection, maintenance and use of billboards in the City of Modesto, and licensing and regulating the occupation of maintaining billboards and outdoor advertising, providing penalties for the violation of the same, and repealing all ordinances or parts thereof in conflict therewith:

The foregoing ordinance, having been introduced and ordered printed and published at the adjourned regular meeting of the Council held on December 1st, 1926, as required by the Charter, coming on for final adoption, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1179-N.S.

finally adopting said Ordinance No. 302-N.S. Which resolution, upon roll call, was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

6. In the Matter of Bids on Sand Trap:

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

WESTERN PIPE & STEEL COMPANY:

1 Riveted steel sand trap 55 $\frac{1}{2}$ " O.D. by 15' 11-1/8" long overall; 3/4" steel plate, complete with nozzles, flanges, couplings, manhole and deflection plates, as shown on blueprint.  
FOR SUM OF.....\$1280.00

WATER WORKS SUPPLY COMPANY:

1 Steel sand trap as per plans on file.  
COST.....\$1554.00

THE MOORE DRY DOCK COMPANY:

1 Sand trap in accordance with drawing submitted.  
FOR SUM OF.....\$1498.00

After due consideration by the City Council of the bids received for said sand trap, the bid of the Western Pipe & Steel Company was considered the lowest and best bid. Whereupon Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1180-N.S.

accepting the bid of the Western Pipe & Steel Company and rejecting all other bids and instructing the City Clerk to return to the unsuccessful bidders their certified checks and authorizing the Mayor and City Clerk to enter into a contract with the Western Pipe & Steel Company for the purchase of one (1) sand trap as per their bid. Also instructing the City Clerk to draw a warrant in favor of the Western Pipe & Steel Company when the above mentioned sand trap shall have been received and accepted by the City Engineer and Commissioner of Public Works. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

7. In the Matter of Lamp Contract:

A contract for the supplying to the City lamps for the ensuing year was submitted by the Modesto Electric Company and the same was referred to the City Engineer to be reported on at the next meeting of the Council.

8. In the Matter of Awarding Contract on Lighting of West Side:

Pursuant to Resolution No. 595-S.P. postponing the awarding of the contract on the west side lighting until the regular meeting of December 8th, 1926, after further consideration of the bids submitted on the above mentioned improvement on November 24th, 1926, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 596-S.P.

awarding the contract to the H. C. Reid & Company of San Francisco, California. Which resolution was, upon roll call, declared adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

9. In the Matter of Storm Sewer for Capitol Heights Addition:

Councilman Boundey brought to the attention of the Council the need of a storm sewer in the Capitol Heights Addition. This matter was discussed at some length by the Council and by Mr. Barnett and Mr. Wentz, residents of this district, who expressed themselves as being heartily in favor of establishing a storm sewer in this addition. The City Council also expressed its opinion as being favorable to providing a storm sewer for this district if the majority of the property owners in the affected district was favorable to the same.

10. In the Matter of Purchasing Hay:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1181-N.3.

instructing the Commissioner of Public Supplies to purchase the necessary requirements of hay for the ensuing year. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11. In the Matter of Petition for the Making of the Alley between H and I and Tenth and Eleventh Streets, a One-way Thoroughfare:

A petition was submitted to the Council by several property owners abutting on the above mentioned alley, asking that the City Council make this alley a one-way thoroughfare. The above mentioned petition was referred to the Commissioner of Public Health and Safety asking that his recommendation upon this petition be submitted at the next regular meeting of the Council.

In the Matter of Reports:

The reports of the various departments for the month of November, 1926, were reviewed by the Council and ordered filed in the City Clerk's office.

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

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

Attest: H. E. Gugg  
City Clerk

December 22nd, 1926.

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

Absent: Councilmen None

In the Matter of Minutes:

The minutes of the regular meeting of December 8th, 1926, were read and approved as read.

In the Matter of Ordinance on Motor Busses:

This matter was again laid over until the next regular meeting of the Council.

In the Matter of Lamp Contract:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1182-N.3.

awarding the lamp contract for the ensuing year to the Modesto Electric Company and authorizing the Mayor and City Clerk to sign a contract for the same. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Making a One-way Traffic in Alley between H and I and 10th and 11th Streets:

Commissioner of Public Health and Safety Ustick not being ready to submit his report on this matter, the same was laid over until the next regular meeting of the Council.

In the Matter of Ordinance on Oil Burners:

Commissioner Ustick introduced an ordinance, being,

ORDINANCE NO. 303-N.3.

an ordinance adding a new section to the Building Code of the City of Modesto with relation to the storage of flammable oils for heating purposes. Which ordinance was ordered published and passed to print in conformity with the provisions of the Charter, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Annulment of H Street Lighting:

Pursuant to an action of the Council on December 8th, 1926, laying this matter over until the 2nd regular meeting in December, at which time the Council again postponed action upon this matter until the next regular meeting of the Council.

In the Matter of Fourth 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. 195, 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. 195.

RESOLUTION NO. 597-3.P.

RESOLUTION ORDERING THE WORK NO. 195.

In accordance with certain plans and specifications heretofore adopted on the 24th day of November, 1926, and pursuant to Resolution of Intention No. 195, was introduced and regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Resignation of City Engineer McCarton:

Mr. F. W. McCarton, City Engineer of the City of Modesto, filed with the City Council the following resignation:

To the Mayor and Council  
City of Modesto  
At your insistent request, I hand you herewith  
my resignation as City Engineer of Modesto, to  
take effect at your pleasure.

F. W. McCarton

Whereupon Commissioner Boundey introduced a resolution, being,

RESOLUTION NO. 1183-N.3.

accepting the above resignation as filed by City Engineer F. W. McCarton, same to be effective December 31st, 1926. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of No-parking Space at 922 H Street:

Commissioner Ustick reported to the Council that Mr. E. Taylor, whose place of business is 922 H Street, requested that a no-parking space be provided in front of his place of business. After consideration of this matter by the City Council, Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1184-N.3.

creating a no-parking space in front of Mr. Taylor's place of business at 922 H Street during the time in which he is loading and unloading merchandise at his place of business. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

In the Matter of Defective Electric Wiring in the City of Modesto:

Commissioner Ustick reported that it had been called to his attention by the Fire Department and the Electrical Department that, during their round of inspection, they had discovered a great many places where the wiring was defective and dangerous. Whereupon Commissioner Ustick introduced a resolution, being,

RESOLUTION NO. 1185-N.3.

authorizing the Electrical Department to notify all property owners and tenants wherever the electric wiring is found defective that they will be given a reasonable length of time in which to correct and make safe said defective wiring. Otherwise the same will be condemned by the City Electrician. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

0  
In the Matter of Ordinance Appropriating Money for Purchase of Transformers:

Commissioner Boundey introduced an ordinance, being,

ORDINANCE NO. 304-N.3.

appropriating the sum of \$3200.00 for the purchase of transformers for the Westside Lighting District. Which ordinance was ordered published and passed to print in conformity with the provisions of the Charter, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

11  
In the Matter of Furnishing Electric Current and Maintaining the Electroliers around the Courthouse Block:

Pursuant to an agreement and understanding some time ago between the City Engineer's office and the Board of Supervisors relative to the lighting and maintaining of the electroliers around the Courthouse park for the sum of \$500.00 per year, Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1186-N.3.

instructing the City Attorney to prepare a contract for the lighting and maintaining of electroliers around the Courthouse park for the sum of \$500.00 per year, and present the same to the Board of Supervisors for their signatures. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

12  
In the Matter of Sidewalk on Fifth Street for Lots 27, 28, Block 24:

It was reported to the City Council that pursuant to an order of the Council at the first meeting of November ordering Mr. G. M. Bowman to put in sidewalk on his Lots 27, 28, Block 24, situated on Fifth Street, that this order had not been carried out and that the sidewalk had not yet been put in. Whereupon the City Council instructed the City Clerk to write Mr. Bowman another letter requesting him to comply with the previous order of the Council within the next 30 days.

13  
In the Matter of Fixing Time for the Collection of Licenses as Specified in Billboard Ordinance No. 302-N.3:

Mayor Elias introduced a resolution, being,

RESOLUTION NO. 1187-N.3.

fixing January 1st, 1927, as the date for the beginning of licenses to be paid by billboard owners as per Section 4 of Billboard Ordinance No. 302-N.3. Which resolution was regularly adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

14  
In the Matter of Flood Water on the Highway Opposite the Detention Home:

A committee from the Dry Creek Improvement Club appeared before the City Council and asked that some relief be given the residents residing on the Dry Creek route on account of the flood water at this particular place after a heavy rain. Mayor Elias informed the committee that every effort would be made by the City Council to relieve the above mentioned condition.

15.  
In the Matter of Report:

The report of the Police Court was reviewed by the Council and ordered filed in the City Clerk's files.

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

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

Attest: H E Gragg  
City Clerk

Council, City of Modesto  
December 23th, 1926.

The Council met in special session at the call of the Mayor, written notices having been delivered or mailed to each member of the Council as required by Ordinance No. 2-N.3. of the City of Modesto and there were present Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Absent: Councilmen None

The meeting was called for the purpose of filling the vacancy in the City Engineer's office caused by the resignation of City Engineer McCarton.

In the Matter of Appointing and Designating a City Engineer:

There being a vacancy in the City Engineers' office caused by the resignation of City Engineer F. W. McCarton, Councilman Boundey introduced a resolution, being,

RESOLUTION NO. 1188-N.3.

appointing F. J. Rossi as City Engineer of the City of Modesto, said appointment to become effective January 1st, 1927, and to remain in effect until the further order of the Council. Which resolution was regularly adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, 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