

RESOLUTION NO. 764-N.S.

WHEREAS, the City Council has heretofore passed and adopted a Resolution of Intention being, Resolution of Intention No. 150 and awarded a contract for the paving of an intersection at 17th and "I" Streets, providing that the expense of paving such intersection shall be paid out of the Street Intersection Bond Fund, and

WHEREAS, it now develops that monies which were in the Street Intersection Bond Fund has all been used in paying for other street work and it is urgent and necessary that the intersection at 17th and "I" Streets be paved,

THEREFORE, Be It Resolved, that the City Auditor be and he is hereby authorized to transfer \$1285.89 from the General Fund to the Street Intersection Bond Fund for the purpose of meeting the expense of paving the intersection at 17th and "I" Streets, contract for which was awarded to the Standard Paving Company, Modesto, California.

The foregoing resolution was introduced by Councilman Boundey this 10th day of January 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

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RESOLUTION NO. 765-N.S.

WHEREAS, City Council of the City of Modesto, on the 27th day of December, 1922, passed Resolution of Intention No. 761-N.S. giving the jurisdiction of the City Sewer Farm to the Street Superintendent. After brief investigation the Street Superintendent reports that no better use can be made of the Sewer Farm than rented.

THEREFORE, Be It Resolved, that the City Sewer Farm be rented to Mr. Dye at the rate of \$75.00 per year, ^{from Jan. 1, 1923} and that the City Attorney be authorized to prepare the necessary papers for entering into a contract with Mr. Dye, for such rental.

AND BE IT FURTHER RESOLVED, that the City of Modesto retain the privilege of using said Sewer Farm for the purpose of pasturing municipally owned live stock.

The foregoing resolution was introduced by Councilman Boundey this 10th day of January 1923, and adopted by the following vote.

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

Noes: Councilmen None

Absent: Councilmen None

Attest:  _____

City Clerk

RESOLUTION NO. 766-N.S.

WHEREAS, J. S. West and Company have made an application to the City Clerk for the construction of a corrugated iron structure 45 x 70 feet in size, to be located on Block One Forty-one (141) of the City of Modesto, and

WHEREAS, said Block One hundred forty-one (141) is within the fire limits of the City of Modesto as now established, and

WHEREAS, the construction of said building does not comply fully with the details of said ordinance as to fireproof construction but is, nevertheless, in the opinion of this City Council "reasonable fire-proof" within the meaning of said ordinance.

NOW, THEREFORE, Be It Resolved that the application of said J. S. West and Company be approved and that the City Clerk be, and he is hereby authorized and directed to issue a permit to said J. S. West and Company for the construction of said building in accordance with its application.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1923 by Councilman Boundey, who moved its adoption, which motion being duly seconded, the ordinance was adopted by the following vote:

Ayes: Councilmen Oswald, Boundey, Marshall and Prewett

Noes: Councilman Mayor Elias

Absent: Councilmen None

Approved this 14th day of February, 1923

Sol P. Elias
Mayor

Attest: _____
City Clerk

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RESOLUTION NO. 767-N.S.

WHEREAS, the City of Modesto requires the immediate use of a Motorcycle for use in the police department,

THEREFORE, Be It Resolved, that the Commissioner of Public Supplies lease and hire one Motorcycle and Side Car for said purpose as follows:

One Henderson Four Cylinder Motorcycle & Side Car, To be leased and hired from A. A. Autrand at a rental of \$50.00 per month for the use thereof, said rental to be payable between the 1st and 15th of each month, with a stipulation or agreement that when the sum of \$550.00 shall have been paid on account of the rental of said property the said A. A. Autrand will upon the payment to him by the City of Modesto of the further sum of \$39.50, sell and deliver said Motorcycle and Side Car and transfer the title thereto, to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council, this 28th day of February, 1923, by Councilman Boundey and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman None

Attest: _____
City Clerk

RESOLUTION NO. 768-N.S.

WHEREAS, a letter addressed to the Mayor and Members of the City Council of Modesto by Mr. G. B. Shadinger, under date of February 28th, 1923, tenders his resignation as Director of Recreation for the City of Modesto and requests that it be accepted.

THEREFORE, Be It Resolved, that Mr. Shadinger's resignation be and is hereby accepted effective this 28th day of February, 1923.

The foregoing resolution was introduced by Mayor Sel P. Elias at a regular meeting of the City Council, City of Modesto, this 28th day of February, 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

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RESOLUTION NO. 769-N.S.

WHEREAS, a vacancy now exists in the office known as Director of Recreation by reason of resignation of Mr. G. B. Shadinger,

THEREFORE Be It Resolved, that Mr. J. G. Hazard be and he is hereby appointed as Director of Recreation of the City of Modesto.

The foregoing resolution was introduced by Mayor Elias at a regular meeting of the City Council this 28th day of February, 1923 and was lost by the following vote:

Ayes: Councilman Mayor Elias

Noes: Councilmen Boundey, Prewett, Oswald, Marshall

Absent: Councilmen None

Attest: _____
City Clerk

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RESOLUTION NO. 770-N.S.

WHEREAS, a vacancy now exists in the office known as Director of Recreation by reason of resignation of Mr. G. B. Shadinger,

THEREFORE, Be It Resolved, that Mr. James McGiffen be and he is hereby appointed as Director of Recreation of the City of Modesto.

The foregoing resolution was introduced by Mayor Elias at a regular meeting of the City Council, this 28th day of February, 1923, and was lost by the following vote:

Ayes: Councilman Mayor Elias

Noes: Councilmen Boundey, Prewett, Oswald, Marshall

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 771-N.S.

WHEREAS, a vacancy now exists in the office known as Director of Recreation by reason of resignation of Mr. G. B. Shadinger,

THEREFORE, Be It Resolved, that Mrs. Mable Carr Warren be and is hereby appointed to fill the position as Director of Recreation in the City of Modesto, and that her salary for the services performed in that capacity shall be \$100.00 per month, effective from March 7th, 1923.

The foregoing resolution was introduced at a regular meeting of the City Council, this 28th day of February, 1923, by Councilman Oswald and was adopted by the following vote:

Ayes: Councilmen Boundey, Marshall, Prewett, and Oswald

Noes: Councilmen *None

Absent: Councilmen None

* incorrect - see minutes for 2-28-23, Vol. 9

Attest: _____
City Clerk

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RESOLUTION NO. 772-N.S.

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

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

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

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

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

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

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

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

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

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RESOLUTION NO. 773-N/S.

A Resolution Authorizing a Transfer From the Water Fund to the General Fund.

WHEREAS, the moneys in the General Fund of the City of Modesto are rapidly becoming exhausted and it is deemed advisable at this time to transfer moneys from the Water Fund to the General Fund.

THEREFORE, Be It Resolved, that the City Auditor be and he is hereby authorized to transfer from the Water Fund to the General Fund \$25,000.00, which moneys shall be used to defray the general expenses of the City of Modesto.

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

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

Noes: Councilmen None

Absent: Councilman Marshall

Attest: _____

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RESOLUTION NO. 774-N.S.

A Resolution Authorizing the Transfer of Moneys from the General Fund to the Street Intersection Bond Fund.

WHEREAS, pursuant to passage of Resolution of Intention No. 143, and the work which was subsequently done, a claim has now been presented against the City of Modesto to cover the costs of this work. The Resolution of Intention under which this work was performed, provided that it should be paid for out of the Street Intersection Bond Fund and it now develops that there are no moneys in the Street Intersection Bond Fund.

THEREFORE, Be It Resolved that the City Auditor be and he is hereby authorized to transfer \$5672.11 from the General Fund to the Street Intersection Bond Fund, and that the moneys so transferred shall be used to pay for the costs of the work performed under Resolution of Intention No. 143.

The foregoing resolution was introduced at a special meeting of the City Council held March 21st, 1923, by Councilman Prewett, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen Marshall

Attest: _____

City Clerk

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RESOLUTION NO. 775-N.S.

WHEREAS in order to complete certain projects which were under way in the past, it was necessary to make expenditures of money in excess of the amount in the various funds provided for certain improvements and as a result it has left the accounts on the Auditor's books in a deficient condition,

AND WHEREAS, the work which was performed and the expenditure of the moneys in the completion of the various projects was authorized by the Council, and there appeared to be no source from which these funds can be reimbursed except from the General Fund,

NOW THEREFORE, Be It Resolved, that the City Auditor be and he is hereby authorized to make the following transfers from the General Fund to replenish the deficient funds as they now stand on his ledger.

| | |
|--|-------------|
| Storm Sewer Bond Fund..... | \$50,235.32 |
| Aviation Field and Fair Grounds Fund.... | 606.19 |
| Tree District Fund No. 61..... | 309.43 |
| Tree District Fund No. 70..... | 282.49 |
| Borden's Storm Sewer Fund..... | 61.27 |
| Total..... | 51,494.70 |

The foregoing resolution was introduced at a special meeting of the City Council held March 21st, 1923, by Councilman Osvald, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Marshall

Attest: _____
City Clerk

RESOLUTION NO. 776-N.S.

BE IT RESOLVED, BY THE COUNCIL of the City of Modesto as follows:

WHEREAS, there has been presented to this Council for its approval a certain map entitled "Map of Virginia Tract, Sub-tract No. 1, in the City of Modesto, surveyed in December, 1922, by M. B. Niven, C.E. and drawn by same party."

BE IT RESOLVED, that said map be approved by this Council, and the City Clerk be and he is hereby instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto. Date March 28th, 1923, by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 777-N.S.

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

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

RESOLVED, By the City Council of the City of Modesto that Assembly Constitutional Amendments Nos. 10 and 27 ought not to pass, and the Clerk of this Council is authorized and directed to memorialize the Stanislaus County delegation in both Assembly and Senate to oppose the passage of said Amendments Nos. 10 and 27, by transmission thereto of a copy of this resolution.

The foregoing resolution was introduced by Councilman Boundey this 28th day of March, 1925, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest:

City Clerk

RESOLUTION NO. 778-N.S.

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

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

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

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

Special Election or Consolidated Election Precinct No. 1

Special Election or Consolidated Election Precinct No. 2

Special Election or Consolidated Election Precinct No. 3

Special Election or Consolidated Election Precinct No. 4

Special Election or Consolidated Election Precinct No. 5

Special Election or Consolidated Election Precinct No. 6

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

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

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

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

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

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

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

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

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

defined as follows:

SPECIAL ELECTION PRECINCT NO. 7

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

SPECIAL ELECTION PRECINCT NO. 8

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

SPECIAL ELECTION PRECINCT NO. 9

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

SPECIAL ELECTION PRECINCT NO. 10

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

SPECIAL ELECTION PRECINCT NO. 11

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

SPECIAL ELECTION PRECINCT NO. 12

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

SPECIAL ELECTION PRECINCT NO. 13

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

The following places are hereby fixed and designated as and for the place of holding said election within the said City of Modesto, and the following named persons are hereby designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District, and will conduct the same, to-wit:
Special Election or consolidated election precinct No. 1

Poling Place: T. K. Beard's Garage, 1515 Needham Avenue

Inspectors: J. I. Jones

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

Clerks: Verona E. Payne, Lula R. Henley, Dora J. Russell

Special Election or Consolidated election precinct No. 2:

Polling Place: Garage 110 Kimble Street,

Inspectors: Verna McGee

Judges: Lillian Bundy and Lottie Young

Clerks: Mary Estes, Gertrude Ramont and Mary Drouillard

Special Election or Consolidated Election Precinct No. 3

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

Inspectors: A. M. Bfiggs

Judges: Mayme Cotton and Corda Stone

Clerks: Stanton Briggs, Eva Downer, and Lillie Elliott

Special Election or Consolidated Election Precinct No. 4

Polling Place: City Hall, 717--Tenth Street,

Inspectors: Fern Brainard

Judges: Joe Edwards and Geo. Utterback

Clerks: Minnie Kline, O.F. Fero, and Mary M. Perry

Special election or Consolidated election Precinct No. 5

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

Inspectors: A. W. Turpen,

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

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

Special election or consolidated election precinct No. 6

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

Inspectors: H.W. Atwood,

Judges: W. J. Nichols and Gertrude Robbins

Clerks: Mary Bowman, Anna Walsh, and Lillie Turpen

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

SPECIAL ELECTION PRECINCT NO. 7

Polling Place: Paradise School

Inspectors: Mrs. Mary Cullen

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

Clerks: Lucile Benoit, Clena Hansen, and Laura Sharp

SPECIAL ELECTION PRECINCT NO. 8

Polling Place: Ransom School

Inspector: Sam Montgomery

Judges: Louis Calais and F. L. Worsley

Clerks: Ella Van Buren, Elizabeth Hayworth and Fern Kelly

SPECIAL ELECTION PRECINCT NO. 9

Polling Place: Maple Hall, Salida

Inspectors: G. W. Prickett

Judges: J.G. Elmofe and Bessie M. Capps

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

SPECIAL ELECTION PRECINCT NO. 10

Polling Place: Sylvan Club house

Inspector: W. R. Mensinger

Judges: J. P. Melrose and Hester Drake

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

SPECIAL ELECTION PRECINCT NO. 11

Polling Place: Empire School

Inspectors: A. M. Bechtel,

Judges: J. D. Bonsack and Chas. Swanger

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

SPECIAL ELECTION PRECINCT NO. 12

Polling Place: Roy Morgan's Garage,

Inspectors: Carlana C. Morris

Judges: Maryon J. Bell and Mrs. Clara Dean

Clerks: Rev. Z. M. Needham, R. E. Lammiman, and L. R. Swain

SPECIAL ELECTION PRECINCT NO. 13

Polling Place: Fairview School

Inspectors: Mrs. Clara Rowe

Judges: Hattie Clay and Ila Rutherford

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

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

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

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

The foregoing resolution was introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly convened and held on the 28th day of March, 1923 by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Approved _____

Mayor

Attest: _____

City Clerk

RESOLUTION NO. 779-N.S.

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

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

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

Ayes: Councilmen Oswald, Boundey, Marshall, Pfewett, & Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: L. A. Love
City Clerk

RESOLUTION NO. 780-N.S.

Resolution Determining Result of Election.

WHEREAS, a General Municipal Election was held in and for the City of Modesto, and a General School Election in and for the Modesto City School District, on the 10th day of April, 1923; and

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

NOW THEREFORE, Be It Resolved, Certified and Declared by the Council of the City of Modesto that the said General Municipal Election in and for the City of Modesto, and said General School Election in and for said Modesto City School District, was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears that at said general municipal election in and for the City of Modesto the total number of votes cast was 2041 that there was but one candidate for Mayor, to-wit: Sol P. Elias, and that he received 1598 votes therefore; that the number of votes received by said Sol P. Elias is greater than one-half of the number of ballots cast at such election, and that said Sol P. Elias is elected

to the office of Mayor of the City of Modesto, and that a certificate of election to the office of Mayor of the City of Modesto be issued to said Sol P. Elias under the hand and seal of the City Clerk.

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

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

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

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

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

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

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

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

The foregoing resolution was introduced by Councilman Boundey, who moved its adoption, which motion being duly seconded, the resolution was upon roll call, adopted ^{April 11th 1923} by the following vote:

Ayes: Councilmen Osvald, Boundey, Prewett, Marshall and Mayor Elias
Noes: Councilmen None
Absent; Councilmen None

Attest: L. A. Love
City Clerk

.....

RESOLUTION NO. 781-N.S.

A RESOLUTION DECLARING THE RESULT OF A CERTAIN ELECTION IN AND FOR THE CITY OF MODESTO HELD ON THE 10th DAY OF APRIL, 1923.

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

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

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

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

NOW THEREFORE, it is by said City Council hereby found and declared that all of the acts and things required by law and the ordinances of this city relative to the calling conducting and holding of said election to be done and performed have been done and performed; that the proper and necessary resolution required by law was introduced and passed by a two-thirds vote of the City Council and approved by the chief executive of said municipality; that an ordinance containing all of the statements and things required by law to be contained therein calling said election was duly introduced, passed, approved and published

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of April, 1923, by Councilman Marshall, who moved its adoption, which motion, being duly seconded, it was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

.....

RESOLUTION NO. 783-N.S.

RESOLUTION DETERMINING RESULT OF ELECTION

WHEREAS, a General Municipal Election was held in and for the City of Modesto on the 24th day of April, 1923; and

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

NOW THEREFORE, Be It Resolved, Certified and declared by the Council of the City of Modesto that the said General Municipal Election in and for the City of Modesto, was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to and received by said Council; that the same have been properly canvassed; that from the returns so canvassed as aforesaid it appears that at said general municipal election in and for the City of Modesto the total number of votes cast was 813;

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

For A. N. Brown.....396 votes

George C. Nelson..... 68 "

T. B. Townsend.....338 "

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

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

RESOLUTION NO. 784-N.S.

WHEREAS, by Ordinance No. 245-N.S. the Council of the City of Modesto has heretofore determined to sell and dispose of that certain real property within and without the city limits acquired for the purpose of an Industrial Exposition Park, Aviation Field and Athletic Grounds, and

WHEREAS, the Modesto City School District desires to acquire a portion of said property for school property and school grounds and has offered to purchase the same from said City of Modesto at the rate of Five Hundred Dollars per acre.

NOW, THEREFORE, Be It Resolved, that the said City of Modesto sell and convey to the Modesto City School District for school purposes only that certain portion of the real property hereinabove referred to which is described by metes and bounds as follows:

Beginning at a point in the Southerly line of Tuolumne Boulevard, distant distant thereon 60' feet from the westerly line of Roselawn Avenue, and running thence easterly along said southerly line of Tuolumne Boulevard 440.00' feet; thence southerly and parallel with the said westerly line of Roselawn Avenue, 156.00' feet; thence easterly and parallel to the southerly line of Tuolumne Boulevard 15.00' feet; thence southerly and parallel to the westerly line of Roselawn Avenue, 416.70' feet; thence westerly and parallel to the southerly line of Tuolumne Boulevard 455.00' feet; thence northerly and parallel to the westerly line of Roselawn Avenue, 572.70' feet to the point of beginning, containing 5.928 acres. Said parcel of land being all of Block 329 and a portion of Block 324, according to the map of the City of Modesto, and including all streets and alleys within the exterior boundaries of the area hereinabove described. (Save and except the aviation hangar situated thereon)

For the price of Twenty-nine Hundred and Sixty-four Dollars (\$2,964.00), and that upon the payment by the Modesto City School District to the said City of Modesto of said sum of Twenty-nine Hundred and Sixty-four Dollars (\$2,964.00) a deed be executed and delivered by the Mayor and City Clerk of said City on behalf of said City conveying the title to said property to the Modesto City School District, provided, however, that said deed shall contain the following condition, which condition is hereby made a part of the sale, to-wit: "this deed of conveyance is made upon the express condition and understanding that the above described property shall be used for school purposes only, that is to say, for the construction and maintenance of school buildings and school grounds, and that said property shall not at any time be used for any other purpose, and that upon violation of this condition or upon the property ceasing to be used for school buildings or school grounds the same shall revert to and the title thereof shall revert in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the City Council, May 9th, 1923, by Councilman Prewett, who moved its adoption, which motion being duly seconded was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilman Mayor Elias

Attest: _____

City Clerk

RESOLUTION NO. 785-N.S.

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

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

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

.....

RESOLUTION NO. 786-N.S.

WHEREAS, Mr. Guy Johnson has asked for the privilege of making connection to the City Sewer from Lot 1 from the South Side Tract, according to map thereof on file in the office of the County Recorder and referring to Section 15, Ordinance No. 276.

BE IT RESOLVED, that the Council of the City of Modesto hereby grant permission to Mr. Guy Johnson to make connection with the City Sewer from Lot 1 of the South Side Tract as above described upon the payment into the City Treasury of \$25.00 for the privilege of making such connection and,

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

The foregoing resolution was introduced this 16th day of May, 1923, by Councilman Prewett and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

RESOLUTION NO. 787-N.S.

WHEREAS, the City of Modesto has among its stores certain useless personal property representing considerable value,

THEREFORE, Be It Resolved, that the City of Modesto dispose of said useless personal property consisting of,

- 1 E.C. & M. Automatic Compensator size No. 0 form A. Serial No. 63116 3 Phase, 60 Cycles, 220 Volts, 15 H. P. and protective panel.
 - 1 Induction motor, Serial No. 425915 General Electric Company, type 10-504 form K 1800 revolutions, 60 cycle 3 phase, 50 H.P., 103 Amps., 220 volts.
- (1 Manual compensator accompanies motor)

and the City Clerk be authorized to advertise the sale of these items to the highest bidder.

The foregoing resolution was introduced by Councilman Boundey this 23rd day of May, 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk

.....

RESOLUTION NO. 788-N.S.

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

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

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

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

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

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....
~~Resolution No. 788-N.S. - omitted see Page 186~~

RESOLUTION NO. 789-N.S.

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

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

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

The foregoing resolution was introduced this 13th day of June, 1923, by Councilman Boundey, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....
RESOLUTION NO. 790-N.S.

WHEREAS, application has been made for permit to change the slope of the roof to a small structure in the rear of the main building owned by Mr. Johnson in Block 56,

NOW THEREFORE Be It Resolved, that inasmuch as the fire hazard is in no way increased by this alteration, that Mr. Johnson be and he is hereby granted permission to make the alteration requested.

The foregoing resolution was introduced at a regular meeting of the City Council this 27th day of June, 1923, by Councilman Boundey and was adopted by the following vote:

Ayes: Councilmen Brown, Oswald, Prewett and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

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

Be It Resolved by the Council of the City of Modesto that, subject to the provisions of Article VIII of the Charter of the City of Modesto and to the exceptions herein noted, the executive and administrative powers, authority and duties in connection with the government of the City shall be and the same are hereby distributed among and assigned to the four departments specified in Section 33 of the Charter as follows:

(a) To the Commissioner of Finance and Revenue the supervision of the finances and revenues of the City of Modesto, including the preparation of the annual estimate or budget of the city's requirements and revenue, and including the management, supervision and control of such public charitable activities as may be engaged in by the City of Modesto. This commissioner shall be the representative of the City Government on the Modesto Relief Association.

(b) To the Commissioner of Public Health and Safety authority over and control of the fire department, the health department and the police department.

(c) To the Commissioner of Public Works authority over and control of the city engineer's department and the departments and offices associated and connected therewith, as provided for and subject to the provisions of Ordinance No. 237 N. S., including the water department, the sewer department, the lighting department and the street department of said City, as well as the inspections under any ordinances with relation to the construction, installation and inspection of building, plumbing, and electrical installations, subject however, to the general control of the entire council as to matters of general policy.

(d) To the Commissioner of Public Supplies authority over and control of the purchase of all supplies for the City of Modesto. No supplies shall be purchased by any department or officer or employee of said city until after a requisition be first made to and approved by said Commissioner of Supplies for such purchase. Thereupon it shall be the duty of said Commissioner of Supplies to purchase said supplies so required if in his judgment the purchase thereof is necessary, or to authorize the same to be done, provided, nevertheless, that this provision shall not apply to emergency cases nor to supplies purchased by the Council under ordinance or resolution. During the absence of the Commissioner of Public Supplies from the City of Modesto it shall be the duty of the Mayor to act in his stead. This Commissioner shall make or cause to be made annually an inventory of all supplies belonging to the City of Modesto. He shall submit to the Commissioner of Finance and Revenue, in time for inclusion in each year's budget, an estimate of the supplies that will be required during the ensuing fiscal year.

Each of the commissioners hereinbefore named shall be and they are hereby given authority over and control of the matters hereinbefore stated, subject, nevertheless, to the general control by the entire Council as to matters of general policy and subject to such restrictions as are or may be imposed by the provisions of the Charter of the City of Modesto or any ordinances that may be hereafter adopted.

(E) There is hereby created a Committee of Audit to be composed of the Commissioner of Finance and Revenue, the Commissioner of Supplies and the Mayor. It shall be the duty of said Committee of Audit to examine all bills and claims presented to the Council for payment and to pass upon all such bills or claims by either approving or rejecting the same prior to their audit by the Auditor.

All former orders and resolutions made or adopted by the Council in conflict with any of the provisions of this resolution are hereby revoked and repealed.

The foregoing Resolution was introduced by Councilman Boundey at a regular meeting of the Council of the City of Modesto held on the 27th day of June, 1923, and the motion to adopt the same being seconded by Councilman Brown the Resolution was carried and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 792-N.S.

A RESOLUTION RESCINDING AND REPEALING RESOLUTION NO. 736 N.S. AND ABOLISHING THE OFFICE OF RECREATION DIRECTOR

Be It Resolved by the Council of the City of Modesto that Resolution No. 736 N. S., adopted on the 23rd day of August, 1922, which resolution created the office of Recreation Director and prescribed his duties, be and the same is hereby repealed, and that the office of Recreation Director in said resolution created and provided for be, and the same is hereby abolished, vacated and discontinued. This resolution is passed and adopted pursuant to the authority given therefor in Section 27, Article VIII of the Charter of the City of Modesto.

The foregoing Resolution was introduced by Councilman Boundey, at a regular meeting of the Council of the City of Modesto held on the 27th day of June, 1923, and the motion to adopt the resolution being seconded by Councilman Brown, it was upon roll call adopted and carried by the following vote:

Ayes: Councilmen Boundey, Brown, and Mayor Elias

Noes: Councilmen Osvald, and Prewett

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 793-N.S.

Pursuant to published notices calling for bids for City Printing, and there being one bid, the Council proceeded to publicly open and declare the same. The bid was from the Modesto Morning Herald, which opened and read as follows:

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

For publication delinquent tax lists for the City of Modesto and delinquent assessment lists for street opening 75¢ per square for first insertion and 50¢ per

square for subsequent insertions."

BE IT RESOLVED, that the City Printing for the year beginning July 1st, 1923, be awarded the the Modesto Morning Herald at the prices named in their proposal.

The foregoing resolution was introduced this 27th day of June, 1923, by Councilman Boundey which upon roll call was adopted by the following vote;

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 794-N.S.

WHEREAS, in order to provide facilities for an industry and application having been made for extension of sewer and water lines in Block 139, by Ross Lumber Company and the recommendation having been approved,

BE IT RESOLVED, that the City Engineer be instructed to proceed and lay sewer and water lines into this block.

The foregoing resolution was introduced by Councilman Boundey at a regular meeting of the City Council this 27th day of June, 1923, and adopted by the following vote;

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

Noes: Councilmen None

Absent: Councilmen None

Attest: I _____
City Clerk

.....

RESOLUTION NO. 795-N.S.

WHEREAS, Modesto School District have made application to the City Clerk for permission to connect the Maze School situated outside the City Limits in the Maze Addition to the City Sewer,

NOW THEREFORE BE IT RESOLVED, that permission be and is hereby granted to the Modesto School to make connection with the City Sewer as requested providing payment of a \$25.00 fee is made to the City Clerk for the privilege of making this connection but that no annual rental be charged the School District for the use of the City Sewer.

The foregoing resolution was introduced this 27th day of June, 1923, by Councilman Prewett and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 796-N.S.

WHEREAS, the Modesto School District have applied for plumbers inspection for all plumbing done in the Maze School situated in the Maze Addition outside of the City Limits,

NOW THEREFORE, Be It Resolved, that the City Plumbing Inspector be and he is hereby authorized to make plumbing inspection throughout the Maze School in the same manner as all other plumbing inspections are made, within the City of Modesto, and that the regular fees for making inspections on this building be charged and that the collection thereof be made in the same manner as is made on inspections within the City Limits.

The foregoing resolution was introduced at a regular meeting of the City Council, held on the 27th day of June, 1925, by Councilman Prewett, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 797-N.S.

A Resolution providing for advertising for bids for the sale of portions of the Aviation Field and Fair Grounds.

WHEREAS, the Council of the City of Modesto has heretofore by Ordinance No. 245-N.S. authorized the sale of following described real property situate, lying and being within the City of Modesto, Stanislaus County, California and belonging to said City, to-wit: All of Blocks 313, 314, 315, 316, 321, 322, 324, 329, 330, 347, and 348, according to the official map or plat of the City of Modesto filed in the office of the Recorder of Stanislaus County, California in Vol. 10 of Maps, save and except Lots 5 and 6 in Block 324, and also lots 65, 66, 67, 68, and 73 of the First Addition to Sunset Acres, according to the map or plat of the same filed in the office of the County Recorder of Stanislaus County, California, and

WHEREAS, pursuant thereto the City of Modesto has sold to the Modesto City School District all of Block 329 and a portion of Block 324, more specifically described in the resolution authorizing said sale, and

WHEREAS, it is now desired to sell the balance of said property.

NOW THEREFORE, Be It Resolved that the City Clerk be and he is hereby authorized and directed to advertise for sealed bids for the sale of said property, said bids to be received not later than the second meeting of the Council in July, 1925, and then opened and considered. Bidders shall have the option of purchasing all of the remaining property belonging to the City of Modesto above described as a whole, or in subdivisions of not less than one block, if within the City Limits, and not less than one lot if a portion of the First Addition to Sunset Acres. The City of Modesto will reserve in said sale all streets, avenue, lanes, alleys and public places in said Aviation Field and Fair Grounds and adjacent to the property hereinabove described. Bidders will be required to state the amount they offer for said property either as a whole or in subdivisions as aforesaid, and each bid must be accompanied by a certified check on some solvent bank in the State of California for not less than ten per cent of the amount bid, as a guarantee that the purchaser will pay the balance of the purchase price upon delivery of deeds. The balance of the purchase price shall be payable upon delivery

of deeds to the purchasers.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of June, 1923, by Councilman Oswald, who moved its adoption and passage to print, which motion being duly seconded, it was carried and passed to print by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 788-B N.S.

A Resolution directing the City Clerk to advertise for bids for the sale of municipal bonds.

WHEREAS, as the result of certain proceedings heretofore taken and of an election held on the 10th day of April, 1923 the City of Modesto has been authorized to incur an indebtedness in the sum of \$55,000 for the purpose of the acquisition and construction of fire apparatus including buildings for municipal purposes to-wit: The use of the fire department as specified in the plans and specifications therefor filed with the City Clerk by the Chief of the Fire Department and has been authorized to issue bonds for the amount of said indebtedness,

NOW THEREFORE, Be It Resolved that the bonds evidencing such indebtedness in the sum of \$55,000 be offered for sale to the highest bidder, the bids for the purchase of said bonds to be received by the City Council of said City up to the hour of 7:30 o'clock P.M. on Wednesday, July 11th, 1923 at which time the City Council of the Council Chambers, 717--10th Street in the City of Modesto will open and consider said bids

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby directed to publish a notice to bidders pursuant to this Resolution in the Modesto Morning Herald, the official newspaper of the City of Modesto such notice to be published ten times the first publication to be not less than ten days before the time herein specified for the receipt and opening of bids. In addition to the matter herein above specified the resolution shall state that bidders may bid either for the entire issue of said bonds amounting to the sum of \$55,000 or for any portion thereof in sums of not less than \$1,000 or multiples thereof, that the legality of said bonds will be guaranteed by the City of Modesto and an abstract of the proceedings relating to the issuance thereof will be furnished, that all bids must be accompanied by a bidding bond executed by a responsible surety or by a certified check on some solvent bank in the State of California payable to the City of Modesto for an amount not less than 10% of the amount bid as a guarantee that the successful bidder will accept delivery of and pay the purchase price for said bonds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of June, 1923, by Councilman Oswald who moved its adoption which motion being duly seconded, the motion was carried and the resolution adopted upon roll call by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 798-N.S.

WHEREAS, pursuant to Ordinance No. 230-N.S. the City of Modesto has maintained a Municipal Wood Yard which has been under the supervision and control of Captain Woodside of the Salvation Army,

AND WHEREAS, pursuant to Ordinance No. 90-N.S., the City of Modesto has heretofore contributed the sum of \$100.00 per month to the Chamber of Commerce, out of its Music and Promotion Fund,

AND WHEREAS, pursuant to a resolution heretofore adopted creating the office of Recreational Director and salary of \$100.00 per month provided therefor,

AND WHEREAS, it is now proposed to repeal said Ordinance No. 90-N.S. and said Ordinance No. 230-N.S. thereby abolishing said office of Recreation Director and discontinuing the appropriations heretofore made for all the said purposes,

AND WHEREAS, the policy involved in all of said proposals is of vital interest to all of the people of the City of Modesto.

THEREFORE, Be It Resolved, that the question of the repealing of each of said ordinances and said resolution be submitted to the qualified voters of the City of Modesto at an election to be called and held for that purpose. Said election to be advisory to the Council only, the Council nevertheless agreeing to comply with the result of said election. Said election shall be called by the Clerk who shall provide for as many polling precincts, and polling places and election officers as he shall deem necessary and whom shall supply the necessary supplies for said election.

The foregoing resolution was introduced by Councilman Oswald at a regular meeting of the Council, on the 27th day of June, 1923, and upon roll call the vote stood as follows:

Ayes: Councilman Oswald

Noes: Councilmen Boundey, Brown, Prewett and Mayor Elias

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 799- N.S.

Resolution of Award of the Sale of Municipal Bonds

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

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

WHEREAS, the said City Clerk did so advertise for bids for the sale of said bonds, which bids were to be opened on this 11th day of July, 1923, at 7:30 o'clock P.M. and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 800-N.S.

WHEREAS, application has been made by Mr. S. Rodesko, to maintain a Junk Yard in connection with his iron foundry at 517--7th Street which he now operates.

NOW THEREFORE, Be It Resolved, that the above party Mr. S. Rodesko be permitted to maintain and run a Junk Yard at the address above mentioned and that his place of business shall at all times be open to inspection by the Commissioner of Public Health and Safety under whose jurisdiction such Junk Yard shall be maintained.

The foregoing resolution was regularly introduced by Councilman Osvald this 11th day of July, 1923, and upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 801-N.S.

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

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

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

Ayes: Councilmen Boundey, Brown, Prewett and Osvald

Noes: Councilmen None

Absent: Mayor Elias

Attest: _____
City Clerk

RESOLUTION NO. 802-N.S.

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

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

| | |
|---|---------------|
| Material as per specification referred to in Notice to Bidders..... | \$5090.00 |
| Credit allowance for turning in of old 2 Circuit switchboard now in used in the City of Modesto..... | <u>250.00</u> |
| Net amount of bid..... | \$4840.00 |

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

Ayes: Councilmen Boundey, Brown, Oswald, and Prewett

Noes: Councilmen None

Absent: Mayor Elias

Attest: _____
City Clerk

.....

RESOLUTION NO. 803-N.S.

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

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

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

Ayes: Councilmen Oswald, Brown, Boundey, and Prewett

Noes: Councilmen None

Absent: Mayor Elias

Attest: _____
City Clerk

.....

RESOLUTION NO. 804-N.S.

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

The foregoing resolution was introduced by Councilman Boundey this 1st day of August, 1923, who moved its adoption and upon roll call it was adopted by the following vote:

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

Noes: Councilman Prewett,

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 805-N.S.

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

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

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

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

(1) The streets, alleys and public places, the use of which is authorized by this permit, are described as follows: Beginning at the power sub-station of the Modesto Irrigation District situated in Block 520 of the City of Modesto; thence along Enslin Avenue across Morris Avenue, through the alley in Blocks 523, 525, 526 and 527; through the alley in Blocks 506, 62, 61, 60, 59 and 58; thence along K Street from Twelfth Street to Washington Street, through the alley of Blocks 39 and 40, along Washington Street from First Street to Sixth Street; through the alley in Blocks 424, 425, 426 and 439; along Franklin Street facing Block 439; through the alley of Blocks B-1 and 2, and across G Street to the pumping station of the City of Modesto; along G Street from First Street to Eighth Street; through alley in Block 31 to F Street; along F Street from Sixth Street to the intersection of Seventeenth Street and Burney Street; through the alley in Blocks 71, 127, 126, 129 and M, across H Street between Seventeenth Street and Eighteenth Street to the Grammar School situated in Blocks 132 and 130; along Burney Street from F Street to H Street; across H Street through the alley in Blocks 580, 581 and 582 to Morris Avenue; along Morris Avenue to Blocks 602 and 603 to connect with the new Grammar School; thence along Morris Avenue to Elk Park to complete the circuit at Elk Park near Modesto sub-station; also all necessary feeders from the above trunk-lines to carry not

over 11000 volts.

(2) The said line on said location or route shall be constructed of wooden poles at least forty feet in length and at a distance apart so as to average twenty-six poles to the mile. The wires shall be of weather proof; copper wire, supported on pin type insulators attached to wooden cross-arms with a minimum wire clearance and ground clearance allowed by law; the type of construction to be standard throughout, the voltage to be carried on said wires to be 2300/4000, or higher voltage if required, and to be used as a distributing line.

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

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

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

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

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

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

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

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

The foregoing Resolution was introduced at a regularly adjourned meeting of the Council of the City of Modesto, held on the 1st day of August, 1923, by Councilman-Mayor Elias, who moved its adoption, which motion, being duly seconded, was carried and the Resolution

adopted by the following vote;

Ayes: Councilmen Bounden, Brown, Oswald, Prewett and Mayor Elias.

Noes; Councilmen none.

Absent: Councilmen none.

Approved August 1st, 1923.

Mayor of the City of Modesto.

Attest:

City Clerk.

RESOLUTION NO. 806- N.S.

WHEREAS, on Sunday evening, July 15th, a rope was stretched across 12th Street at "I" Street by the Police Department for the purpose of stopping traffic on 12th Street between "I" and "J" Streets, while certain ceremonies were being held in the Courthouse Park, and

WHEREAS, it appears that said rope was not plainly visible under the Street Lights, and inasmuch as no signal lights were hung on said rope one Mr. C. E. Line and his wife driving an automobile ran into it and before his automobile could be stopped damage was done to the car and personal injury sustained by Mrs. Line,

NOW THEREFORE, Be It Resolved, that Mr. C. E. line, be awarded damage in the amount of \$50.00 and that he in turn give the City a release from all further payment of claims of any nature whatsoever and that the City be held free and harmless of any other claim or damage happening from the above mentioned accident.

The foregoing resolution was introduced by Councilman Oswald this 8th day of August, 1923, and was adopted by the following vote:

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

Noes; Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 807- N.S.

WHEREAS, the Divine Providence has taken from us Mrs. William Falger one of the members of the Park Commission of the City of Modesto, and,

WHEREAS, Mrs. Falger in her life was one of the most active and conscientious members of the municipal Family, devoting her time and energy to the care and upbuilding of the Parks of this City, and also one of our most esteemed and progressive citizens of the City,

THEREFORE, Be It Resolved, that the City of Modesto deplores the loss of one of its most devoted servants of the City,

AND BE IT FURTHER RESOLVED, that the sympathy of this Council and the citizens of the City of Modesto, be extended to the surviving relatives.

BE IT FURTHER RESOLVED, that this resolution be spread in full on the minutes of the proceedings of this Council and that a copy thereof be transmitted to the surviving family.

The foregoing resolution was introduced by Mayor Elias, this 8th day of August, 1923, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk.

RESOLUTION NO. 808-N.S.

WHEREAS, Divine Providence has taken from us Mrs. William Falger one of the Members of the Park Commission of the City of Modesto and it now becomes necessary to appoint a new member to fill the position.

THEREFORE BE IT RESOLVED, that Mrs. Ora D. Bates be and she is hereby appointed as a member of the City Park Commission, in the City of Modesto to fill the vacancy caused ^{by} the passing of Mrs. William Falger.

The foregoing resolution was introduced by Councilman Brown this 8th day of August, 1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
City Clerk.

RESOLUTION NO. 809 -N.S.

A Resolution authorizing the construction of a sewer line to the Junior College Site.

BE IT RESOLVED, that the City Engineer be, and he is hereby authorized and instructed to build, construct and install a ten inch (10") sewer line from a point in the middle of Stoddard Avenue to connect with the Ninth Street sewer line at Commercial Street, a distance of approximately 1200 feet, more or less, so that the Junior College may have the use of said sewer for sanitary purposes. The said City Engineer is authorized to employ such labor, and under the direction and with the approval of the Commissioner of Public Supplies, to purchase such supplies in such quantities as may be necessary for the construction and installation of said sewer, provided, however, that no single purchase of supplies shall exceed the sum of Two Hundred Dollars in amount. The work herein authorized shall be commenced immediately and prosecuted with all due diligence in order that it may if possible be completed concurrently with the completion of the Junior College Building.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of August, 1923 by Councilman Boundey, who moved its adoption, which motion, being duly seconded, was carried and the Resolution adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett and Mayor Elias.
Noes: Councilmen none.
Absent: Councilmen none.

Attest: _____
City Clerk.

RESOLUTION NO. 810-N.S.

WHEREAS, certain plans and specifications have been prepared by Wieland & Wieland at the request of City of Modesto for two new fire houses to be erected out of moneys raised from the sale of a recent bond issue, and

WHEREAS, said plans and specifications have been carefully examined.

NOW THEREFORE By It Resolved, that this Council do hereby adopt the said plans and specifications as filed with the Chief of the Fire Department as being the plans and specifications for the two new fire houses to be erected, and that said specifications be adopted in full except the clause wherein the location is given upon which these fire houses are to be erected and the Council hereby reserves the right to change the location as specified to any other location that may present itself as being more desirable.

The foregoing resolution was introduced by Councilman Boundey this 8th day of August, 1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
City Clerk.

RESOLUTION NO. 811-N.S.

WHEREAS, it is deemed urgent and necessary that a desirable location be procured for the purpose of erecting a fire house in the northeasterly portion of the City of Modesto,

THEREFORE Be It Resolved, that Commissioner T. H. Prewett be and he is hereby authorized to make an investigation of the most desirable properties for that purpose in that district and if possible to procure three lots-- lots 8, 9, and 10 in Block 200, or 3 other lots near this locality on the best terms possible, to be paid for out of moneys raised through the sale of bonds voted at a recent bond issue for the purchase of additional fire equipment and fire apparatus.

The foregoing resolution was introduced by Councilman Oswald at a regular meeting, August 8th, 1923, which upon roll call was adopted, by the following vote:

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

Noes: Councilmen None.

Absent: Councilmen None.

Attest: _____
City Clerk

RESOLUTION NO. 812- N.S.

WHEREAS, the Oldsmobile Roadster used by the Chief of the Fire Department was partly paid for out of municipal funds and partly out of funds privately raised or contributed by the members of the Fire Department and their friends; and

WHEREAS, it is or soon will be necessary to provide another car for the Chief of the Fire Department, to replace the one now in use; and

WHEREAS, the members of the fire department propose and have offered to furnish and provide for the use of the Chief of the Fire Department in the performance of his duties a new six cylinder car, of five passenger capacity, without cost to the City, except for maintenance and repairs, provided the City will permit the present car to be sold and the proceeds applied on the purchase price of the new car.

NOW THEREFORE, Be It Resolved, that the offer of the Members of the Fire Department be accepted; that the City relinquish all its rights to the Oldsmobile Roadster, and authorize the Members of the Fire Department to sell the same and apply the proceeds on the price of the new car, or to trade it in on the new car, the new car to belong to the Members of the Fire Department, and their successors, collectively, and not to the City, but to be used solely by the Fire Chief in his official capacity, but to be maintained and repaired by and at the expense of the City.

The Commissioner of Public Supplies is authorized to execute on behalf of the City such papers as may be necessary to accomplish a legal transfer of the present car.

The foregoing resolution was regularly introduced, August 8th, 1923, by Councilman Oswald, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 813- N.S.

WHEREAS, a building is being constructed by George Covell on lots 15 and 16, in Block 67, and it is determined that a building of the size and design of this building requires a two

inch water tap for efficient water service.

THEREFORE Be It Resolved, that the City Clerk be and he is hereby authorized to issue a permit for a two inch water tap to serve the building on the location above mentioned and that the City Engineer be and he is hereby instructed to install such tap upon payment of a fee of \$27.00 to the City Clerk by the applicant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1923, by Councilman Boundey, who moved its adoption, which motion, being duly seconded; was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen None.

Absent: Councilmen None.

Attest: _____
City Clerk.

RESOLUTION NO. 814-N.S.

WHEREAS, due to remodeling of the Washington Street School it now appears that a larger water tap than the water tap formerly used is urgent and necessary.

THEREFORE, Be It Resolved, that the City Clerk be and he is hereby authorized to issued a permit for a 1½ inch water tap to serve the Washington Street School upon the payment of \$24.00 for fees, and that the City Engineer be and he is hereby instructed to make the tap in accordance with his general practice.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1923, by Councilman Boundey, who moved its adoption, which motion, being duly seconded; was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk.

RESOLUTION NO. 815- N.S.

WHEREAS, this being the time for receiving and opening bids for the construction of two new fire houses in the City of Modesto, pursuant to published notice and the bids having been opened and examined, and

WHEREAS, it appears that the lowest figure quoted for the construction of these buildings is considerably in excess of the amount appropriated for the cost.

THEREFORE, Be It Resolved, that all the bids submitted and opened at this meeting be rejected, and that the architect be instructed to revise the plans and specifications for the buildings referred to in order that they may be built for less money.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1923, by Councilman Boundey, who moved its adoption, which motion, being duly seconded; was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen None.

Absent: Councilmen None.

Attest: _____
City Clerk.

RESOLUTION No. 816-N.S.

WHEREAS, pursuant to a contract made by and between the City of Modesto and the Gamswell Fire Alarm Telegraph Company for furnishing the City of Modesto with the latest and most improved fire alarm signaling apparatus, it becomes necessary under the terms of this contract that the Gamswell Fire Alarm Telegraph Company execute a bond in favor of the City of Modesto to guarantee faithful performance in the fulfilling of this contract,

AND WHEREAS, a bond has been submitted in the amount of \$1500.00 written by the American Surety Company of New York, and has been carefully examined,

NOW THEREFORE, Be It Resolved, that the above mentioned bond, be and it is hereby approved this 22nd day of August, 1923,

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1923, by Councilman Prewett, who moved its adoption, which motion, being duly seconded; was upon roll call carried and the resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 817-N.S.

A Resolution authorized the Commissioner of Public Supplies to rent a delivery car for the Public Works Department;

WHEREAS, the City of Modesto requires the immediate use of an auto truck for the use of the Public Works department, and

WHEREAS, the said Commissioner of Public Supplies has heretofore made an arrangement with the Frank H. Reid Motor Company for the lease and hire of a Chevrolet light delivery motor truck with utility express body, at a rental of One Hundred and Twenty-five Dollars (\$125.00) for the month of August; One Hundred Eighty-one and 30/100ths Dollars (\$181.30) for the month of September; and One Hundred Dollars (\$100.00) per month thereafter for six months, and the said Frank H. Reid Motor Company has agreed that upon the payment of said rental it will sell, transfer and deliver said motor truck to the City of Modesto and has agreed to accept as rental for the month of August a certain Ford automobile now used by the Public Works department at the price of One Hundred and Twenty-five Dollars (\$125.00)

NOW THEREFORE, Be It Resolved that the action of the Commissioner of Public Supplies as hereinabove recited be ratified and approved, and that the contract made by him pursuant thereto and transferring title to said Frank H. Reid Motor Company of said Ford automobile for the consideration hereinabove stated be also ratified and approved.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1923, by Councilman Brown, who moved its adoption, being duly seconded, was upon roll call carried and the Resolution adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 818-N/S.

WHEREAS, application has been made by J. Chermoto to maintain a Junk Yard at 709--
"G" Street in connection with a second hand store which he operates.

NOW THEREFORE, Be It Resolved, that the above party J. Chermoto be permitted to
maintain and run a Junk Yard at the address above mentioned and that his place of business
shall at all times be open to inspection by the Commissioner of Public Health and Safety
under whos jurisdiction such Junk Yard shall be maintained.

The foregoing resolution was introduced by Councilman Prewett this 22nd day of
August, 1923, and upon roll was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Prewett, Oswald, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
CITY CLERK

.....

RESOLUTION NO. 819-N.S.

WHEREAS, a map has been filed with the City Clerk accompanied by a letter from the
City Planning Commission recommending that a tract of land in the north east side of the
City and known as Block 605, be approved by the City Council, and that the map be accepted.

NOW THEREFORE, Be It Resolved, that the map as submitted and drawn by Mr. Geo. H.
Freitas in two sheets and known as "Map of Block 605 of the City of Modesto", be and is
hereby approved,

The foregoing resolution was introduced by Mayor Elias, this 22nd day of August,
1923, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
City Clerk

I, L. A. Love, do hereby certify that the above resolution is a true and correct
copy of the original Resolution No. 819-N.S. passed by the City Council, Wednesday evening,
August 22nd, 1923.

City Clerk

.....

RESOLUTION NO. 820-N.S.

WHEREAS, certain evidence produced, it appears that several buildings have some time
in the past been built in the Johnson-Jones Addition along a certain alley in such a manner
that the buildings are overlapping their property lines and extend varying distances

into the alley,

AND WHEREAS, this condition causes certain people considerable inconveniences in that the alley is not of sufficient width directly opposite these buildings to permit unobstructed traffic,

NOW THEREFORE, Be It Resolved, that the City Clerk be and he is hereby instructed to write the property owners of such property and request that they move all such buildings back on to their own property and that no part of such buildings shall extend over into the alley.

The foregoing resolution was regularly introduced by Councilman Brown, at a regular meeting of the Council, on the 12th day of September, 1923, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Osvald

Attest: _____
City Clerk

.....

RESOLUTION NO. 821-N.S.

WHEREAS, a letter has come to this Council from Mr. A. T. McKinley tendering his resignation as a Park Commissioner of the City of Modesto and in view of the fact that it is his desire to be relieved from the responsibility of this position,

NOW THEREFORE, Be It Resolved, that his resignation be and is hereby accepted, effective September 1st, 1923,

The foregoing resolution was introduced by Councilman Brown at a regular meeting of the Council held this 12th day of September, 1923, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Osvald

Attest: _____
City Clerk

.....

RESOLUTION NO. 822-N.S.

WHEREAS, a contract has been awarded to the Seagrave Company for furnishing the City of Modesto with certain fire fighting apparatus,

AND WHEREAS, as a part of this contract it becomes necessary for the Seagrave Company to furnish a bond for faithful performance of their contract and a bond has now been presented and appears to be properly executed,

NOW THEREFORE, Be It Resolved, that this Council do hereby approve of the bond from the Seagrave Company and that said bond shall be held with the contract until the equipment has all been properly delivered.

The foregoing resolution was regularly introduced this 12th day of September, 1923, by Councilman Prewett, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Osvald

Attest: _____
City Clerk

.....

RESOLUTION NO. 823-N.S.

WHEREAS, certain plans and specifications for fire houses prepared by Wieland & Wieland and previously adopted by the Council under Resolution No. 810-N.S. and bids having been received and rejected and new plans and specifications having been ordered drawn,

AND WHEREAS, the new plans and specifications have been presented to this Council and carefully examined,

NOW THEREFORE, Be It Resolved, that this Council do hereby adopt said plans and specifications as amended and file with the Chief of the Fire Department as being the plans and specifications for the two new fire houses to be erected and that said plans and specifications be adopted in full except the clause wherein the location is given upon which these fire houses are to be erected and the Council hereby reserves the right to change the location as specified to any location that may present itself as being more desirable.

The foregoing resolution was regularly introduced this 12th day of September, 1923, by Councilman Boundey, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilman Osvald

Attest: _____
City Clerk

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RESOLUTION NO. 824-N.S.

RESOLVED, that A. J. Carlson, act as City Clerk pro tem of the Council at this meeting in absence of City Clerk, L. A. Love, the resolution upon roll call was adopted this 26th day of September, 1923, by the affirmative vote of all members present.

Attest: _____
City Clerk, Pro tem

.....

RESOLUTION NO. 825-N.S.

BEFORE THE CITY COUNCIL OF THE CITY OF MODESTO, COUNTY OF STANISLAUS,

STATE OF CALIFORNIA

.....

In the Matter of the Application

- of -

CENTRAL PACIFIC RAILWAY COMPANY
(a Corporation)

For Franchise

.....

Resolution Fixing Time and
Place for Hearing Application
and Directing Publication
thereof.

WHEREAS, Central Pacific Railway Company, a Corporation, has this day filed its Petition and Application with this, the City Council of the City of Modesto, County of Stanislaus, State of California, praying for a franchise granting to it, its successors in interest and assigns, a franchise for the term and period of Fifty (50) years, the right, privilege and permission to construct, lay down, maintain and operate a Railroad Track of standard gauge, and to pass with, and operate cars thereon, and to carry freight and passengers thereover, for hire, along and upon certain streets, and portions of streets, and other places in the City of Modesto, County of Stanislaus, State of California, particularly described in said petition, as follows, to-wit:

Beginning at a point in the center line of the Central Pacific Railway Company's maintrack as it now exists through the City of Modesto, said point being distant 220 feet more or less, in a Northwesterly direction from the intersection point of the Westerly line of "O" Street in the City of Modesto, produced, and the center line of said Main Line; thence in a Northwesterly direction with switch and turnout to the left, angle 5° 44', for 210 feet to a point 18 feet Southwesterly, and measured at right angles from center line of said maintrack, thence Northwesterly and parallel to said maintrack for 10 feet; thence to the right for 110 feet with reverse curves radius (458.594 feet) to a point 13 feet Southwesterly and measured at right angles from center line of said main track; thence parallel to said main track Northwesterly for 340 feet, more or less, to the Easterly line of Arch Street in said City of Modesto, thence continuing across Arch Street., and parallel to said main track to private property; thence continuing parallel to said maintrack 815 feet, more or less, to the Westerly City limits of the said City of Modesto; thence with curve to the right through switch angle 6° 22' to end of siding, located on spur track from said main line to California Sorghum Syrup Company's plant, being in all 4150 feet.

And WHEREAS, this City Council proposes to grant the same:

THEREFORE, Be It Resolved: The Wednesday, the 10th day of October, 1923, at the hour of 7:30 o'clock P.M. of said day at the Chambers of this City Council of the aforesaid City of Modesto, in the City Hall in said City of Modesto, Be, and the same hereby is, fixed as the time and place for hearing said Petition and Application, at which time and place any persons, or any person, may appear and show cause, if any they have, why the aforesaid Ordinance should not be granted.

BE IT FURTHER RESOLVED: That the Clerk of this City Council publish notice of said Petition and Application in "The Modesto Morning Herald, a newspaper of general circulation printed and published daily in the City of Modesto, State of California, which said publication shall be for one time prior to the 10th day of October, 1923.

Attest: _____
City Clerk, pro tem

Dated: This 26th day of September, 1923

RESOLUTION NO. 826-N.S.

WHEREAS, in pursuance to a previous resolution of this Council and to "Notice to Bidders" given in accordance therewith the Council has this day received (this being the date set for bids) two bids for the construction of two fire houses of the cottage type for the City of Modesto as follows;

One from Randolph and Ward for the sum of \$13920.00 with an addition of \$200.00 in event a surety bond is required and one from A. J. Jones for the sum of \$15890.00, and

WHEREAS, bond of said bids are in regular form,

AND WHEREAS, the bid of Randolph and Ward in the sum of \$14120.00 with surety bond is the lowest and best bid,

NOW THEREFORE, Be It Resolved, that the bid of Randolph and Ward for the construction of said two fire houses be accepted and the Mayor and City Clerk are hereby directed and authorized to enter into a contract with Randolph and Ward for the construction of said fire houses in accordance with the Notice to Bidders and plans and specifications and the bid of said Randolph and Ward, and,

BE IT FURTHER RESOLVED, that the bid of A. C. Jones be rejected and that his certified check in the amount of \$1540.00 be returned to him.

The foregoing resolution was regularly introduced by Councilman Boundey, at a regular meeting of the City Council, September 26th, 1923, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
CITY CLERK pro tem

.....

RESOLUTION NO. 827-N.S.

A Resolution authorizing the sale of useless personal property belonging to the City of Modesto.

WHEREAS, the City is the owner of the improvements on the so-called Municipal Aviation Field and Fair Ground and Athletic Field consisting of an aeroplane hanger, a grandstand one set of bleachers and a six foot board fence, and

WHEREAS, by reason of a decision heretofore reached to sell the athletic field, aviation field and fair grounds said personal property has become unnecessary for the use of the city.

NOW, THEREFORE, Be It Resolved, that all of said personal property be sold at public auction upon advertising for five days as specified in the Charter; that said auction shall be held at the office of the City Council in the City Hall on Wednesday, the 3rd day of October, 1923, at the hour of seven-thirty o'clock P.M.; that the initial bids shall be sealed and shall be accompanied by a deposit equal to ten per cent of the

of the price bid; that after said sealed bids have been opened the said personal property will be offered for sale to the highest oral bidder, and in event there are no oral bidders then it will be struck off to the highest written or sealed bid. Ten per cent of the amount bid must be deposited upon the acceptance of the bid, and the balance upon delivery of property. The buyer will be required to take the property as it stands and remove the same from its present location at his own expense. Bids may be either for all of the property hereinabove specified, or for the aviation hanger, grandstand, bleachers or wooden fence separately.

The foregoing Resolution was introduced by Councilman Oswald at a regular meeting of the Council of the City of Modesto held on the 26th day of September, 1923, and its adoption being duly moved and seconded, it was adopted by the following vote, to-wit:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
City Clerk pro tem

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RESOLUTION NO. 828-N.S.

WHEREAS, the petition filed by L. V. Howers and others has been received setting forth the necessity for sidewalks around a portion of Block X in the City of Modesto, and that particular property in Block X fronting on 4th, 5th, and "E" Streets.

THEREFORE, Be It Resolved, that the City Clerk notify the owners of property in said Block X, to be effected by said proposed sidewalks to install the same within 60 days of such notice or in default of which the Council will start proceedings under the "Improvement Act of 1911" for the construction of such sidewalks at the expense of the property owner.

The motion to adopt the resolution being duly seconded it was upon roll call carried by the following vote:

Ayes: Councilmen Boundey, Brown, Oswald, Prewett, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Attest: _____
City Clerk Pro tem

.....

RESOLUTION NO. 829-N.S.

WHEREAS, N. E. DeYoe has tendered to the City of Modesto a deed of conveyance sufficient in form, together with a certificate of title, showing that he is the owner thereof, conveying to the City of Modesto Lots 8, 9, and 10 in Block 200 of the City of Modesto, according to the map or plat thereof on file in the Recorder's Office of Stanislaus County, California in Vol. 10 of Maps, and

WHEREAS, said property is necessary for the use of the City of Modesto for the construction of a fire house.

NOW THEREFORE, Be It Resolved, that said deed be accepted and that a warrant be drawn in favor of said N. E. DeYoe for the sum of \$825.00, the purchase price thereof.

The foregoing resolution was regularly introduced by Councilman Boundey at a regular meeting of the City Council, September 26th, 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk Pro tem

.....

RESOLUTION NO. 850-N.S.

WHEREAS, pursuant to published notice calling for sealed bids for 5000 feet of fire hose for the City of Modesto, and this being the time set for determining said bids, it now appears that of the bids submitted the bid of the American Rubber Company is the lowest and best bid,

THEREFORE, Be It Resolved, that the contract for furnishing 5000 feet of 2 inch fire hose be awarded to the American Rubber Company for the above mentioned quantity of their "specification" fire hose at \$.80 per lineal foot, less 2% discount for cash.

BE IT FURTHER RESOLVED, that the delivery of this hose shall be at the option of the fire chief within the next four months.

The foregoing resolution was introduced by Councilman Boundey who moved its adoption this 3rd day of October, 1923, and which upon roll call was adopted by the following vote:

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

Noes: Councilmen Oswald

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 851-N.S.

WHEREAS, the oral bids tendered by W. H. Blizzard in the amount of \$350.00 for all the material in the grandstand and fence on the City Aviation Field and the bid of F. T. Ramsey for plumbing are too low,

THEREFORE, Be It Resolved, that all bids for above mentioned material be and are hereby rejected.

The above resolution was regularly introduced this 3rd day of October, 1923, and upon roll call was adopted by the affirmative vote of all members.

Attest: _____
City Clerk

.....

And WHEREAS, this City Council proposes to grant the same:

THEREFORE, BE IT RESOLVED: That Wednesday, the 14th day of November, 1923, at the hour of 7:30 o'clock P.M. of said day, at the Chambers of this City Council of the aforesaid City of Modesto in the City Hall of said City of Modesto, be, and the same hereby is, fixed as the time and place for hearing said Petition and Application, at which time and place any persons, or any person, may appear and show cause, if any they have, why the aforesaid Ordinance should not be granted.

BE IT FURTHER RESOLVED: That the Clerk of this Council publish notice of said Petition and Application together with the Ordinance asked for by said Petitioner, in the Modesto Morning Herald, a newspaper of general circulation printed and published daily in the City of Modesto, State of California, which said publication shall be for ten successive issues of said newspaper, prior to the said 7th day of November, 1923,

The foregoing resolution was regularly introduced this 10th day of October, 1923, by Councilman Boundey, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 834-N.S.

WHEREAS, pursuant to a request of interested parties, a proposed ordinance was drawn to further regulate the operation and licensing of skating rink, and

WHEREAS, other interested parties have protested against the passage of such an ordinance on the grounds that it would be discriminatory and unfair,

THEREFORE, Be It Resolved, that the proposed ordinance together with the petitions affecting it be laid on the table indefinitely.

The foregoing resolution was introduced by Councilman Boundey this 10th day of October, 1923, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 835-N.S.

WHEREAS, the budgets of the various departments of the City have previously been submitted for their requirements for 1923 and 1924, and

WHEREAS, such budgets after having been amended are presented for further consideration,

BE IT RESOLVED, that the budgets as amended for the period 1923-24 be adopted.

The foregoing resolution was regularly introduced at a regular meeting of the City Council this 24th day of October, 1923, by Councilmen Boundey, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, and Mayor Elias

Noes: Councilmen Brown and Prewett

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 836-N.S.

WHEREAS, it is deemed expedient and advisable to change the salary of the department head in charge of the various departments known as the City Engineer, Street Superintendent, Building Inspector and Sewer Inspector, as outlined in Ordinance No. 237-N.S.

THEREFORE, Be It Resolved, that the salary for that official be raised \$100.00 per month and that his salary from November 1st, 1923, shall be at the rate of \$300.00 per month instead of \$200.00 per month.

The foregoing resolution was introduced at a regular meeting this 24th day of October, 1923, by Councilman Boundey, which upon roll call was adopted by the following vote:

Ayes: Councilmen Boundey, Oswald, and Mayor Elias

Noes: Councilmen Prewett and Brown

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 837-N.S.

WHEREAS, two days November 11th, and 12th, 1923, have been set aside for the celebration of Armistice Day in the City of Modesto under the auspices of the American Legion and in order to further their plans.

Be It Resolved, that the City Council cooperate with the American Legion and enlist the cooperation of the departments in the City of Modesto to work with the American Legion to the end of making the celebration a successful one.

Be It Further Resolved that the privilege of selling articles on the streets of the City on those days be restricted in so far as possible to all but American Legion Eggs or others in connection with them, and that the electrical department be authorized to connect up a string of colored lights in the Courthouse Park, that they also have the use of the Aviation Field for the landing of aeroplanes and that the Council permit the Fire Department Employees to join them in their parade and render any other service or

grant any other privilege that would materially assist them in their program.

The foregoing resolution was regularly introduced this 24th day of October 1923, by Councilman Boundey, which was carried by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 838-N.S.

WHEREAS, A letter from the Modesto Irrigation District was presented to the Council offering to furnish light and power to the City of Modesto on the basis outlined in the contract as presented.

THEREFORE, Be It Resolved, that the City of Modesto enter into a contract with the Modesto Irrigation District for electrical energy for a period of one year as outlined in the contract to be dated October 31st, 1923, and on file in the office of the City Clerk.

The foregoing resolution was regularly introduced this 24th day of October, 1923, by Councilman Boundey and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 839 -N.S.

WHEREAS, demand has been made upon the City Council that action be taken to extend the sewer line into the Virginia Tract.

THEREFORE, Be It Resolved that the City Engineer be and is hereby instructed to extend sanitary sewer lines into the Virginia Tract giving service to Blocks 454, 455, 469, and 468, and that an amount approximately \$3670.00 be set aside with which to complete this project.

BE IT FURTHER RESOLVED, that the Commissioner of Public Supplies be and he is hereby instructed to purchase the necessary supplies necessary to complete the project above mentioned.

The foregoing resolution was introduced this 24th day of October, 1923, by Councilman Prewett, which was upon roll call adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 840-N.S.

WHEREAS, for the sake of public safety it is deemed advisable and necessary that public liability and property damage insurance be carried by the City of Modesto on its Fire Equipment and Police Department Equipment,

THEREFORE, Be It Resolved, that Commissioner of Finance be and he is hereby instructed to procure the necessary insurance for the City of Modesto against public liability and property damage for the equipment in use in the Fire Department and Police Department of the City of Modesto.

The foregoing resolution was introduced this 24th day of October, 1923, and upon roll call was adopted by the following vote;

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 841-N.S.

WHEREAS, a claim in the amount of \$30.00 has been presented to this Council by A.N. Frost for labor which he claims be performed under the auspices of the Modesto Athletic Association during which time the fence and grand stand were constructed on the Aviation Field and Fair Ground Site of the City of Modesto,

AND WHEREAS, said Modesto Athletic Association have failed through financial inability to pay the claim of A. N. Frost,

AND WHEREAS, this claim is now presented to the City of Modesto for payment and the City Council having considered the matter and feeling that it is in no way an obligation that they are obliged to assume,

THEREFORE, Be It Resolved, that the claim as presented be disallowed.

The foregoing resolution was introduced by Councilman Boundey this 14th day of November, 1923, and was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 842-N.S.

BEFORE THE CITY COUNCIL OF THE CITY OF MODESTO, COUNTY OF STANISLAUS STATE OF CALIFORNIA

.....

IN THE MATTER OF THE APPLICATION

-of-

CENTRAL PACIFIC RAILWAY COMPANY
(a Corporation)

For a Franchise

Resolution Finding Due Publication of
Notice of Time and Place for Hearing.

.....

RESOLVED; That it appearing to the satisfaction of this, the City Council of the City of Modesto, County of Stanislaus, State of California, by the Affidavit of Bertha Roxby one of the printers and publishers of "Modesto Morning Herald", a newspaper of general circulation, printed and published daily in the aforesaid City of Modesto, that the notice given by the City Clerk of Modesto fixing Wednesday, the 14th day of November, 1923, at the place of the meeting of this City Council in the City Hall of said City of Modesto, at the hour of 7:30 o'clock P.M. of said day, as the time and place for hearing said Application and Petition of said Petitioner, and at which time and place any person or persons may appear and show cause, if any they have, why the said Ordinance should not be granted, and make objections and protests in relation thereto, has been published in ten successive issues of said "Modesto Morning Herald", and which said publication was completed not less than Twenty and not more than Thirty days before the date hereof, and which said publication was in the manner required by law, and in accordance with the Resolution of this, the City Council of the City of Modesto, which said Resolution was duly passed and adopted at a regular meeting of this City Council, held on the 10th day of October, 1923,

BE IT FURTHER RESOLVED: That this, the City Council of the City of Modesto, County of Stanislaus, State of California, does find, and it has hereby found as a fact, that the aforesaid notice given by the City Clerk of the City of Modesto, has been published for the time, and in the manner required by law.

The foregoing resolution was regularly introduced this 14th day of November, 1923, by Councilman Osvald and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF MODESTO, COUNTY OF STANISLAUS

STATE OF CALIFORNIA

.....

IN THE MATTER OF THE APPLICATION)

-of-)

CENTRAL PACIFIC RAILWAY COMPANY)

For Franchise.)

Resolution Passing Ordinance to Print.

.....

WHEREAS, Central Pacific Railway Company, a Corporation, did on the 10th day of October, 1923, file its Petition and Application with this, the City Council of the City of Modesto, County of Stanislaus, State of California, praying for an Ordinance granting to said corporation, its successors and assigns, the right, privilege and permission to construct, lay down, maintain and operate for the term of Twenty-five years a railroad track of standard gauge for the transportation of freight and passengers for hire, together with the right, privilege and permission to pass with and operate locomotives propelled by steam or any other lawful motive power, and to run cars thereon and thereover, together will all the necessary mechanical appliances, turnouts, switches, and wyes, side tracks, spur tracks and equipments for the cars over, along upon and across certain roads, streets, portions of streets and other places in the City of Modesto, County of Stanislaus, State of California, and,

WHEREAS, on said 10th day of October, 1923, said Central Pacific Railway Company, a corporation, presented to, and there was filed with, this, the City Council of the City of Modesto, an Ordinance in accordance with the prayer of its said Petition, and on said 10th day of October, 1923, at a due and regular meeting of this City Council of the said City of Modesto, this City Council did, by a Resolution duly and regularly passed and adopted, fix Wednesday the 14th day of November, 1923, at the hour of 7:30 o'clock P.M. of said day at the place of meeting of this City Council in the City Hall in the aforesaid City of Modesto, or as soon thereafter as said meeting could be heard, as the time and place for hearing the said Application and Petition of said Petitioner, at which time and place any person or persons, might appear and show cause, if any they have, why the said Ordinance should not be granted, and make objections and protests in relation thereto, and in and by said Resolution it was ordered that the City Clerk of the City of Modesto, give said notice by publication for Ten successive issues in the "Modesto Morning Herald", a newspaper of general circulation, printed and published daily in the aforesaid City of Modesto, and

WHEREAS, at this, a duly and regularly held regular meeting, of this, the City Council of the City of Modesto, duly and regularly held at its place of meeting at the City Hall in said City of Modesto on this 14th day of November, 1923, an Affidavit was filed proving that the said notice given by the City Clerk of the time and place for the hearing of said Petition and Application, had been published for and in Ten successive issues of said "Modesto Morning Herald", and which said publication was completed not less than Twenty days, and not more than Thirty days, prior to this 14th day of November, 1923, and which said notice contained a full, true and correct copy of the proposed Ordinance hereinbefore referred to, and

WHEREAS, a Resolution finding said fact having been duly and regularly passed at

this meeting of the City Council of the City of Modesto, and said Ordinance, which is Ordinance No. 261-N.S. having been duly considered at this meeting of the City Council of said City of Modesto, and no objections or protests to the granting of the same having been made or filed with this City Council, and it appearing to the satisfaction of this City Council that said Central Pacific Railway Company, a Corporation, is entitled to have its said Ordinance granted, and that said Ordinance is just, legal and proper;

NOW THEREFORE, Be It Resolved: That the aforesaid Ordinance No. 261-N.S. be, and the same hereby is, ordered to be published One time in the "Modesto Morning Herald" a newspaper of general circulation printed and published daily in the City of Modesto, County of Stanislaus, State of California, and that after such publication, not less than Five days from date hereof said Ordinance shall be put upon its final passage.

The foregoing resolution was regularly introduced by Councilman Osvald, November 14th, 1923, and adopted by the following vote;

- Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 844-N.S.

WHEREAS, Mr. B. Schulman has appealed to the Council to cancel a delinquent tax which the City shows to be against his property, viz. lots 17 to 21, in Block D, by reason of a tax sale record showing the taxes unpaid on lots 17 to 21 to Block 137 for the year 1893 and,

WHEREAS, the tax sale record bears a memorandum over the signature of a previous City Auditor to the effect that the property in question is now known as Block D,

AND WHEREAS, investigation reveals that the tax sale record is erroneous,

THEREFORE, Be It Resolved, that the City Clerk be and he is hereby instructed to Cancel the tax sale appearing on page 87, Volume 1, of Tax Sales, and thus clear the records.

The foregoing resolution was regularly introduced this 14th day of November, 1923, by Councilman Boundey, and adopted by the following vote;

- Ayes: Councilmen Boundey, Brown, Osvald, Prewett, and Mayor Elias
- Noes: Councilmen None
- Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 845-N.S.

WHEREAS, L. A. Love, City Clerk, Auditor, Assessor, Treasurer, and Tax Collector, for the City of Modesto, has this day tendered his resignation to these offices, effective December 1st, 1923, citing that the commercial world offers broader and better prospects than are offered in municipal employment and urging that he be replaced immediately,

THEREFORE, Be It Resolved, that the resignation of Mr. Love be accepted with the regrets of this Council.

The foregoing resolution was introduced this 14th day of November, 1923, by Councilman Boundey, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 846-N.S.

WHEREAS, a request has been made upon this Council by the Assistant City Electrician, George Potts, for an increase in salary,

AND WHEREAS, it appears that the duties and responsibilities of this officer warrants an increase,

THEREFORE, Be It Resolved, that effective December 1st, 1923, the salary of the Assistant City Electrician be and is hereby made \$250.00 per month.

The foregoing resolution was introduced this 14th day of November, 1923, by Councilman Prewett, which upon roll call was lost by the following vote:

Ayes: Councilmen Prewett, and Brown,

Noes: Councilmen Osvald, Boundey and Mayor Elias

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 847-N.S.

WHEREAS, a request has been made upon this Council for an increase in the salary of one of its department heads, and

WHEREAS, other department heads of the City appeared to be as deserving of an increase as the department heads who asked for an increase and out of fairness to all other department heads and employees it would not be right to make one increase without considering others.

THEREFORE, Be It Resolved, that the following changes in the salary list be made and become effective December 1st, 1923.

| | | | | | |
|----------------------|------|----------|----|----------|-----------|
| Increase Fire Chief | from | \$175.00 | to | \$200.00 | per month |
| " Chief of Police | " | 175.00 | " | 200.00 | " " |
| " City Clerk | " | 300.00 | " | 325.00 | " " |
| " Asst. Engineer | " | 175.00 | " | 200.00 | " " |
| " Asst. Electrician | " | 200.00 | " | 225.00 | " " |
| " Capt. of Police | " | 150.00 | " | 175.00 | " " |
| " Asst. Street Supt. | " | 175.00 | " | 200.00 | " " |

Increase Asst. Treasurer & Tax Collector from \$120.00 to \$130.00 per month

" " City Clerk " 130.00 " 140.00 " "

All Police employees and Fire Department employees to be increased to \$130.00 per month plus \$10.00 per year providing the employee remain in the service until a maximum of \$150.00 is reached.

The foregoing resolution was introduced by Councilman Osvald which upon roll call was lost this 14th day of November, 1923, by the following vote:

Ayes: Councilman Osvald

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

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 848-N.S.

WHEREAS, George Potts, Assistant City Electrician, has this day tendered his resignation to the City Council of the City of Modesto, to become effective, December 1st, 1923,

THEREFORE, Be It Resolved, that this Council accept the resignation as tendered to become effective on the date mentioned.

The foregoing resolution was introduced this 14th day of November 1923, by Councilman Boundey, which upon roll call was not carried by the following vote:

Ayes: Councilmen Boundey and Mayor Elias

Noes: Councilmen Brown, Prewett, and Osvald,

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 849-N.S.

WHEREAS, a request has been made upon this Council for an increase in the salary of one of its department heads and,

WHEREAS, other department heads of the City appeared to be as deserving of an increase as the department heads who asked for an increase and out of fairness to all other department heads and employees it would not be right to make one increase without considering others.

THEREFORE, Be It Resolved, that the following changes in the salary list be made and become effective December, 1st, 1923:

| | | |
|----------|---------------------------------|-------------------------------------|
| Increase | Fire Chief | from \$175.00 to \$225.00 per month |
| " | City Clerk | " 300.00 " 350.00 " " |
| " | Chief of Police | " 175.00 " 225.00 " " |
| " | Asst. City Engineer | " 175.00 " 225.00 " " |
| " | Asst. City Electrician | from \$200.00 to \$250.00 per month |
| " | Captain of Police | from \$150.00 to \$175.00 per month |
| " | Asst. Street Supt. | " 175.00 " 200.00 " " |
| " | Asst. City Clerk | " 130.00 " 140.00 " " |
| " | Asst. Treasurer & Tax Collector | " 120.00 " 130.00 " " |

All employees of the Fire Department and Police Department to be increased to \$130.00 per month.

The foregoing resolution was introduced by Councilman Oswald, which upon roll call was lost, this 14th day of November, 1923, by the following vote:

Ayes: Councilman Oswald

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

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 850-N.S.

WHEREAS, a vacancy will exist in the offices of City Clerk, City Assessor, City Auditor, City Treasurer and City Tax Collector on December 1st, by reason of the resignation of the man now in charge of these offices and it is urgent and necessary that another man be appointed in charge of the office enumerated.

THEREFORE, Be It Resolved, that F. J. Rossi, be and he is hereby appointed to fill the office of City, Clerk, Assessor, City Auditor, City Treasurer and City Tax Collector, effective December 1st, 1923.

The foregoing resolution was introduced this 23rd day of November 1923, by Mayor Elias which upon roll call was not adopted by the following vote:

Ayes: Councilman Brown and Mayor Elias

Noes: Councilmen Boundey, Prewett, and Oswald

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 851-N.S.

WHEREAS, a vacancy will exist in the offices of City Clerk, City Assessor, City Auditor, City Treasurer, and City Tax Collector, on December 1st, by reason of the resignation of the man now in charge of these offices and it is urgent and necessary that another man be appointed in charge of the office enumerated.

THEREFORE, Be It Resolved, that H. E. Gragg, be and he is hereby appointed to fill the offices of City Clerk, City Assessor, City Auditor, City Treasurer and City Tax Collector, effective December 1st, 1923.

The foregoing resolution was introduced this 23rd day of November, 1923, by Councilman Oswald, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 852-N.S.

WHEREAS, the owners of the following described real property in the City of Modesto, to-wit: Lots one to four, inclusive, in block 71; lot 32 in Block 81; lot 18 in Block 82, are desirous of having electroliers, similar to those installed on recently paved streets, installed at the corner of 11th and G Streets in said City, and have deposited with the City Treasurer the estimated cost thereof, to-wit: \$450.00 and have asked the City to install the same;

THEREFORE, Be It Resolved that the City Engineer be and he is hereby authorized and directed to install said electroliers, particularly as shown on the attached plan; and that the cost of such installation be paid out of the said fund of \$450.00 now in the hands of the City Treasurer, and that said sum be disbursed in the payment of the costs of said electroliers.

The foregoing resolution was introduced by Councilman Boundey at a special meeting of the City Council, held on the 23rd day of November, 1923, and, its adoption being duly moved and seconded, it was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

I hereby certify that the foregoing resolution was adopted by the vote aforesaid at a special meeting of the Council of the City of Modesto, held on Nov. 23rd, 1923.

City Clerk

.....
RESOLUTION NO. 853-N.S.

WHEREAS, City Engineer McCarton reported the granting of a two inch water tap to the Richfield Oil Company and desired to have the City Council confirm his action as per resolution No. 524-N.S. on file in the City Clerk's Office.

THEREFORE, Be It Resolved, that the City Council does hereby confirm the action of the City Engineer in granting a two inch water tap to the Richfield Oil Company.

The foregoing resolution was regularly introduced this 12th day of December, 1923, by Councilman Boundey, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

RESOLUTION NO. 856-N.S.

WHEREAS, Councilman Oswald brought up the matter of insuring the Chief of Police's Car,
THEREFORE, Be It Resolved, that Councilman Oswald be instructed to take the proper steps
to have the Chief of Police's Car insured for property damage and public liability.

The foregoing resolution was introduced by Mayor Elias this 12th day of December, 1923,
and which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 857-N.S.

WHEREAS, the Council discussed at some length the dismantling of hangar, grandstand,
and fences of the Aviation Field,

THEREFORE, Be It Resolved, that the City Engineer be given authority to dismantle the
above described buildings in a good workman like manner and to use the material from the same
in construction of warehouses and fences and other City property as required and to store
the balance of the material if there be any and to file with the City Clerk an inventory of
all said material.

The foregoing resolution was introduced this 12th day of December, 1923, by Councilman
Boundey, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 858-N.S.

WHEREAS, upon the recommendation of the City Engineer, the Council deems it advisable to
acquire a road drag or harrow for use upon unpaved streets,

AND WHEREAS, the Edward R. Bacon Company, having such a drag on hand at Modesto has offered
to rent the same to the City at a rental of \$200.00 a month, until a total sum of \$440.00 shall
have been paid at which time the Edward R. Bacon Company, will transfer title to the City, in
accordance with their written proposal on file with the Clerk,

THEREFORE, Be It Resolved, that the City hire or rent said drag on the terms and conditions
above specified and that the Mayor be authorized and directed to execute a rental contract with
said Edward R. Bacon Company in accordance herewith.

The foregoing resolution was introduced this 12th day of December, 1923, by Councilman
Boundey, which upon roll call was adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 859-N.S.

WHEREAS, the Council was appraised of the fact that the policy for Compensation Insurance, taken through the State Compensation Insurance Fund, would expire on January 13th, 1925,

THEREFORE, Be It Resolved, that the City Clerk be given authority to renew the above described Compensation Insurance Policy for the ensuing year, and is hereby authorized to draw a warrant in the amount of \$1585.38, to cover the premium on the above described policy.

The foregoing resolution was regularly introduced by Councilman Boundey, this 26th day of December, 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

.....

RESOLUTION NO. 860-N.S.

WHEREAS, two bills were presented by the Seagrave Company in payment of the two Seagrave pumping engines purchased by the City as per contract on file in the City Clerk's Office,

THEREFORE, Be It Resolved, that the City Clerk is hereby given authority to draw a warrant in the amount of \$23725.00 in full payment of the two bills presented by the Seagrave Company.

The foregoing resolution was regularly introduced by Councilman Boundey, this 26th day of December, 1923, and adopted by the following vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____
City Clerk

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RESOLUTION NO. 861-N.S.

RESOLVED, that effective from and after the adoption of this resolution, the prices to be paid by water consumers for connections with the Modesto City Water System shall be as follows:

For each three-quarter (3/4) inch tap or connection, ten (\$10.00) dollars;

For each one (1) inch tap or connection, fifteen (\$15.00) dollars;

For each one and one-half (1 1/2) inch tap or connection twenty-four (\$24.00) dollars;

For each two (2") inch tap or connection, twenty-seven (\$27.00) dollars.

No tap or connection larger than two (2) inch shall be permitted until the location for such tap has been investigated and approved by the City Engineer.

All fees herein provided for shall be payable at the office of the City Clerk in advance.

Each consumer desiring a connection or tap hereafter shall provide a shut-off on

his own property two (2) feet from the City shut-off.

Water service shall not be furnished any consumer until the requirements of this Resolution have been complied with.

The foregoing resolution was introduced this 26th day of December, 1923, by Councilman Prewett, who moved its adoption which motion being duly seconded was carried by the following

vote:

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

Noes: Councilmen None

Absent: Councilmen None

Attest: _____

City Clerk