

RESOLUTION NO. 545

RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO DIRECTING THE GIVING OF NOTICE OF THE FACT THAT APPLICATION HAS BEEN MADE FOR THE GRANT OF A FRANCHISE TO OPERATE MOTOR COACH LINES ON THE STREETS OF SAID CITY.

WHEREAS PACIFIC GAS AND ELECTRIC COMPANY, a California utility corporation, has filed with this City Council its application bearing date the 27th day of January 1939 for the grant to it, its successors and assigns, by said City Council of a franchise to operate motor coach lines for transporting passengers along routes therein mentioned; and

WHEREAS this City Council has required said applicant to deposit with the City Treasurer of said city, either in cash or by certified check payable to said city, the sum of two hundred and fifty dollars (\$250.00) as a guarantee of good faith of the applicant and as a fund out of which to pay all expenses incurred by the city connected with said application, including the cost of publication in the event that said franchise is awarded applicant or be not awarded at all; and

WHEREAS said Pacific Gas and Electric Company has made the deposit required by said City Council as hereinbefore recited;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Sacramento that Friday, the 3 day of March 1939 at the hour of 8:15 o'clock A.M. and the Council Chamber of said City Council in the City Hall, in the said City of Sacramento, be and they

are hereby fixed as the time and place for a public hearing of said application; that the applicant or any person to whom said franchise shall be granted shall within ten (10) days after the passage of the ordinance granting same file a bond running to the city, to be approved by the City Council, in the penal sum of one thousand dollars (\$1,000.00) conditioned as set forth in the notice hereinafter ordered to be published; and that the City Clerk of said city be and he is hereby directed to publish for ten successive days (Sundays and legal holidays excepted) a notice in the official organ of said city in the words and figures following, to-wit:

"NOTICE OF APPLICATION FOR FRANCHISE.

NOTICE IS HEREBY GIVEN by the City Council of the City of Sacramento that PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, has made application to said City Council for the grant to it, its successors and assigns, of a franchise for the term of thirty-five (35) years to operate motor coach lines for transporting passengers in said city along the routes and on the conditions mentioned in said application. Said application is on file with the City Clerk and may be referred to for further particulars.

NOTICE IS HEREBY FURTHER GIVEN that the date of said application is the 21 day of January 1939; that Friday the 3 day of March 1939 at the hour of 9:15 o'clock .M., and the Council Chamber of said City Council in the City Hall, in said City of Sacramento, have been fixed by said City Council as the time and place for a public hearing upon said application; that at the said time of

hearing, or at any time prior thereto, any person having made the necessary deposit with the City Treasurer may submit an offer or bid, or offers or bids, in writing for the said franchise upon terms which he deems of better advantage to the city than the terms of the said application; that any person may at the time of said hearing, or at any time prior thereto, file with the City Clerk of said city a bid or offer in writing for said franchise upon the same terms as set forth in said application; that each bidder must, before making the bid or offer, deposit with the City Treasurer in cash or by a certified check a sum of money equal to that deposited by the applicant, to-wit, two hundred and fifty dollars (\$250.00), as a guarantee of the good faith of the bidder and as a fund out of which to pay all expenses incurred by the city in connection with the application, including the cost of publication, in the event that the franchise be awarded to such bidder; that upon the franchise being awarded all deposits by unsuccessful bidders or by the applicant, if the franchise be awarded to some other person, shall be returned; that the deposit of the successful bidder shall be retained until the approval and filing of the bond hereinafter provided for, whereupon the remainder of the deposit, after the payment therefrom of the expenses incurred by the city in connection with the advertising and awarding

of such franchise, shall be returned; that at the time hereinabove appointed the City Council will proceed to hear and consider such application and all remonstrances and protests, if any, against the granting of such franchise, and all bids and offers submitted as aforesaid; that if in the judgment of the City Council no sufficient reason appears why the franchise requested should not be granted, it will, within sixty (60) days after said hearing, grant to the applicant, or to any bidder, a franchise in conformity with the terms of the application or any bid, or such modification thereof as the City Council shall deem to be for the public interest, and upon the terms and conditions of Article XXII of the Charter of the City of Sacramento applicable thereto, or the Council may deny the franchise or readvertise for offers or bids; that said franchise, if granted, shall be granted by an ordinance to be adopted by the City Council as specified and set forth in said Article XXII of said Charter; that the applicant or person to whom said franchise shall be granted shall, within ten (10) days after the passage of the ordinance granting the same, file a bond running to the City of Sacramento, to be approved by the City Council, in the penal sum of one thousand dollars (\$1,000.00) conditioned that such bidder shall well and truly observe and faithfully perform each and every term and condition of such franchise and that in the

event that a breach is made in such conditions of the franchise the whole amount of the penal sum therein named shall be forfeited to the city; and that in case such bond shall not be filed the grant of such franchise shall be set aside and any money deposited in connection with the awarding of such franchise shall be forfeited and the franchise may, in the discretion of the City Council, be readvertised as hereinbefore provided.

Dated at Sacramento, California, this \_\_\_\_\_ day of \_\_\_\_\_ 1939.

\_\_\_\_\_  
City Clerk of the  
City of Sacramento."

The foregoing resolution was duly passed by the City Council of the City of Sacramento at its meeting held on the 27th day of January 1939 by the following vote:

AYES: Councilmen Anderson, Arnold, Bidwell, Coughlin  
Harry, Kunz, Monk, Truesdale, Welsh

NOES: Councilmen None

ABSENT: Councilmen None

*Jim Monk*  
Mayor of the City of Sacramento

Attest:

*H. G. Denton*

City Clerk