

MINUTES OF REGULAR MEETING
 HONORABLE CITY COUNCIL OF THE CITY OF SACRAMENTO.
 DECEMBER 2ND, 1938.

The Honorable City Council met in Regular Session on this date, MAYOR TOM B. MONK presiding and Roll Call answered by the following:

Councilmen Anderson, Arnold, Bidwell, Coughlin, Harry, Monk, Truesdale, Welsh.

ABSENT: Councilman Kunz.

Minutes of Regular Meeting of November 25th, 1938, were read and approved.

The following bids were received and referred to the City Manager for Report:

EIGHT-PILE DOLPHIN

| <u>BIDDER</u> | <u>AMOUNT OF BID</u> | <u>CHECK</u> |
|---|----------------------|--------------|
| M. A. Jenkins 3560 Broadway Sacramento, Calif. | \$1187.00 | \$ 60.00 |
| Lord & Bishop P. O. Box 812, Sacramento, Calif. | \$1150.00 | \$ 75.00 |

1188

LOTS 47 AND 48 "RIDGE PARK"

| <u>NAME</u> | <u>AMOUNT OF BID</u> | <u>DEPOSIT</u> |
|--|----------------------|----------------|
| George J. Harlan and Grace L. Harlan 4841-9th Ave., Sacramento, California. | Lot 47 \$400.00 | |
| | Lot 48 \$350.00 | \$100.00 |

1189

LOT 87 "MONTE VISTA"

| <u>NAME</u> | <u>AMOUNT OF BID</u> | <u>DEPOSIT</u> |
|---|----------------------|----------------|
| Louis Defazio and Christina Defazio, 4768 "J" St., Sacramento, California. | \$125.00 | \$ 50.00 |

Report of City Manager filed November 18th, 1938, submitting application of B. H. Bills for permit to conduct dancing on Wednesday and Saturday nights at the Marquis Hotel, located at 13th and "J" Streets, was considered.

1190

Councilman Coughlin moved that action on foregoing application be

2 BIDS

1 BID

1 BID

PERMIT B
H BILLS,
DANCING IN
RESTAURANT,
13TH & "J"
ST. CON'T
1 WEEK

continued one week. Seconded by Councilman Truesdale and carried by the following vote:

AYES: Councilmen Anderson, Coughlin, Harry, Monk, Truesdale, Welsh.
 NOES: Councilman Arnold
 ABSENT: Councilmen Bidwell, Kunz.

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolution recommending adoption:

RESOLUTION NO. 463 CITY COUNCIL

"RESOLUTION EXTENDING TIME RE DOCKET CALIF. 1981-F (Sewers in Business Section Alleys)

"WHEREAS, the contract between the City of Sacramento and J. W. Terrell for the construction of the above project provides that the same shall be completed in sixty consecutive days, commencing ten days from and after date of notice to begin work and provides that Ten Dollars (\$10.00) per day shall be paid as liquidated damages for each day over the time specified for completion, and

1191

"WHEREAS, for causes beyond control of the contractor, to-wit: underground structures and unseen obstacles under the ground, the work of completion has been delayed, and

"WHEREAS, the contractor has asked for an extension of the contract time for 21 days,

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, after due consideration,

"That the stipulation of time of completion, and of liquidated damages, in the contract is hereby waived.

"BE IT FURTHER RESOLVED AND ORDERED that the contractor have an additional 21 calendar days with which to complete said contract, same being considered a reasonable time."

Councilman Harry moved that foregoing Resolution be adopted. Seconded by Councilman Welsh and carried by the following vote:

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

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolutions recommending adoption:

RESOLUTION NO. 464 CITY COUNCIL

"Resolution accepting bid of Louis S. Ferretta and Lena M. Ferretta for W. 100' Lots 50 & 51, and all of Lot 52 "Alta Vista", in the amount of \$1000.00. (Reference is hereby made to original Resolution No. 464, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

ABSENT: Councilman Kunz.

RESOLUTION NO. 465 CITY COUNCIL

"Resolution accepting bid of Franklin Butler and Velma Butler for Lot 313 and N. 23' Lot 314 'Smith Tract No. 4', in the amount of \$500.00. (Reference is hereby made to original Resolution No. 465, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

ABSENT: Councilman Kunz.

RESOLUTION NO. 466 CITY COUNCIL

"Resolution accepting bid of Fred A. Nicklin and Agnes V. Nicklin for Lot 11 'Wright & Kimbrough College Plaza Tract', in the amount of \$400.00. (Reference is hereby made to original Resolution No. 466, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

RES. 463
 EXTENSION
 OF TIME,
 J W TERREL
 BUSINESS
 DIST SEWER,
 21 DAYS.
 ADOPTED.

RES. 464
 BID, LOUIS
 FERRETTA
 LOT 52,
 W 100'
 LOTS 50 &
 51, ALTA
 VISTA,
 \$1000.00
 ADOPTED.

RES. 465
 BID,
 FRANKLIN
 BUTLER,
 LOT 313 &
 N23' LOT
 314, SMITH
 #4, \$500
 ADOPTED.

RES. 466
 BID, FRED
 A NICKLIN,
 LOT 11, W
 K PLAZA TC
 \$400.00
 ADOPTED.

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

RESOLUTION NO. 467 CITY COUNCIL

"Resolution accepting bid of Chester E. Barr and Elvira J. Barr for Lot 90 'Wright & Kimbrough College Plaza Tract', in the amount of \$350.00. (Reference is hereby made to original Resolution No. 467, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

RESOLUTION NO. 468 CITY COUNCIL

"Resolution accepting bid of Ralph L. Wilder and Estelle M. Wilder for Lot 177 'Wright & Kimbrough Tract No. 33', in the amount of \$750.00. (Reference is hereby made to original Resolution No. 468, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

RESOLUTION No. 469 CITY COUNCIL

"Resolution accepting bid of Catherine Lawrence for Lots 70, 71 and 72 'Wright & Kimbrough Industrial Tract', in the amount of \$5000.00. (Reference is hereby made to original Resolution No. 469, Resolution Record 1938-1939, on file in the Office of the City Clerk."

1192

Councilman Anderson moved that foregoing Resolution be adopted. Seconded by Councilman Truesdale and carried by the following vote:

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

Councilman Kunz arrived.

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolutions recommending adoption:

RESOLUTION NO. 470 CITY COUNCIL

"RESOLUTION ACCEPTING GRANT DEED

"WHEREAS, MURL C. RINDFLEISCH, formerly MURL C. CARDOZA, has made, executed and delivered to the City of Sacramento a certain Grant Deed, conveying to the City of Sacramento the following real property in the City of Sacramento, County of Sacramento, State of California, bounded and particularly described as follows:

"A strip of land 50 feet in width, the northerly and southerly boundaries of said strip being 25 distant measured at right angles northerly and southerly, respectively, from the following described center line:

Beginning at a point on the east line of said Lot 4, from which an iron pipe monument marking the southeast corner of said Lot 4 and the northeast corner of 'Sierra View Terrace' (a plat of which is recorded in the office of the County Recorder of Sacramento County in Book 20 of Maps, Map No. 37) bears south, 0° 11' 30" West, 153.30 feet; thence from said point of beginning south, 89° 56' 50" west, 310.84 feet, to a point on the east line of forty-foot road shown on said plat of the 'Altamont Tract,' from which last mentioned point the northwest corner of Lot 113, as said lot is shown and so designated on said plat of 'Sierra View Terrace,' bears south, 0° 17' 40" west, 152.45 feet; and thence south, 89° 55' east, 5.00 feet.

1193

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the said Grant Deed be, and the same is, hereby accepted; the City Clerk being directed to attach certified copy hereof to the said Grant Deed, and record same in the office of the Sacramento County Recorder. "

Councilman Harry moved that foregoing Resolution be adopted. Seconded by Councilman Arnold and carried by the following vote:

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

RES. NO. 467
EID, CHESTER
E BARR, LOT
90, PLAZA
TCT, \$350.
ADOPTED.

RES. 468
EID, RALPH
WILDER,
LOT 177,
W & K 33,
\$750.
ADOPTED.

RES. 469
EID, CATHERINE
LAWRENCE,
LOTS 70, 71, 72
IND. TCT.
\$5000.00
ADOPTED.

RES. NO. 470
DEED MURL
C. RINDFLEISCH
50' STRIP,
EXTENSION
OF 8TH AVE.
ADOPTED.

RESOLUTION NO. 471 CITY COUNCIL

"RESOLUTION ACCEPTING GRANT DEED

"WHEREAS, Sacramento City School District of Sacramento County (Sacramento City Unified School District) has made, executed and delivered to the City of Sacramento a certain Grant Deed, conveying to the City of Sacramento the following real property in the City of Sacramento, County of Sacramento, State of California, bounded and particularly described as follows:

"A strip of land of a uniform width of 25 feet measured westerly at right angles from the following described east boundary of said 10.23 acre tract: Beginning at a steel rod monument set on the south line of Fifth Avenue of the City of Sacramento from which a granite monument set at the intersection of the center line of Fifth Avenue with the center line of 65th Street (said monument being 20.0 feet west of the quarter-corner common to sections 15 and 16, Township 8 North, Range 5 East, M.D.B. & M.) bears North, 0° 17' 50" East, 21.50 feet; and thence North, 89° 51' East, 2136.25 feet; thence from said point of beginning south, 0° 17' 50" West, 844.95 feet to the northeast corner of that certain tract of land conveyed by George A. Brock to Lizzie Brock by deed dated May 24, 1935, and recorded in the office of the County Recorder of Sacramento County in Book 502 of Official Records at page 426.

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

"That the said Grant Deed be, and the same is, hereby accepted; the City Clerk being directed to attach certified copy hereof to the said Grant Deed, and record same in the office of the Sacramento County Recorder."

Councilman Harry moved that foregoing Resolution be adopted. Seconded by Councilman Arnold and carried by the following vote:

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

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolutions recommending adoption:

RESOLUTION NO. 472 CITY COUNCIL

"RESOLUTION ACCEPTING QUITCLAIM DEED

"WHEREAS, Wright and Kimbrough, a corporation, has made, executed and delivered to the City of Sacramento a certain Quitclaim Deed, conveying to the City of Sacramento the following real property in the City of Sacramento, County of Sacramento, State of California, bounded and particularly described as follows:

Lots Numbers 47 and 48, as shown on the official 'Plat of Wright & Kimbrough College Plaza Tract' recorded in the office of the County Recorder of Sacramento County, California, on March 8, 1928, in Book 19 of Maps, Map No. 40.

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

"That the said Quitclaim Deed be, and the same is, hereby accepted; the City Clerk being directed to attach certified copy hereof to the said Quitclaim Deed, and record same in the office of the Sacramento County Recorder."

Councilman Truesdale moved that foregoing Resolution be adopted. Seconded by Councilman Anderson and carried by the following vote:

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

RESOLUTION NO. 473 CITY COUNCIL

"RESOLUTION ACCEPTING QUITCLAIM DEED

"WHEREAS, Herbert Walter and Lillian Walter, his wife, have made, executed and delivered to the City of Sacramento a certain Quitclaim Deed, conveying to the City of Sacramento the following real property in the City of Sacramento, County of Sacramento, State of California, bounded and particularly described as follows:

"Lot 3102, as shown on the official 'Map No. 1 of Elmhurst' recorded in the office of the County Recorder of Sacramento County, California, on December 23, 1909, in Book 9 of Maps, Map No. 53.

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

"That the said Quitclaim Deed be, and the same is, hereby accepted; the City Clerk being directed to attach certified copy hereof to the said Quitclaim Deed, and record same in the office of the Sacramento County Recorder."

Councilman Truesdale moved that foregoing Resolution be adopted. Seconded by Councilman Anderson and carried by the following vote:

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

1193

1194

1194

RES. NO. 471, DEED SAC SCHOOL DIST, 25' STRIP, EXTENSION OF 60TH ST ADOPTED.

RES. NO. 472 DEED, W & K, LOTS 47 & 48, PLAZA TRACT. ADOPTED

RES NO. 473 DEED HERBERT WALTER, LOT 3102, ELMHURST, ADOPTED.

RESOLUTION NO. 474 CITY COUNCIL

"RESOLUTION ACCEPTING QUITCLAIM DEED

"WHEREAS, Herbert Walter and Lillian Walter, his wife; and Thomas A. Spalding and Elsie J. Spalding, his wife, have made, executed and delivered to the City of Sacramento a certain quitclaim deed, conveying to the City of Sacramento the following real property in the City of Sacramento, County of Sacramento, State of California, bounded and particularly described as follows:

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"Lots 3110, 3112 and 3113, as shown on the official 'Map No. 1 of Elmhurst' recorded in the office of the County Recorder of Sacramento County, California, on December 23, 1909, in Book 9 of Maps, Map No. 53.

"NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the said Quitclaim Deed be, and the same is, hereby accepted; the City Clerk being directed to attach certified copy hereof to the said Quitclaim Deed, and record same in the office of the Sacramento County Recorder."

Councilman Truesdale moved that foregoing Resolution be adopted. Seconded by Councilman Anderson and carried by the following vote:

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

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Bidwell moved that the City Clerk be instructed to advertise for the sale of the following properties, bids to be received December 9th, 1938:

Lots 23, 920, 921, 1915, 1919, 2617, 3102, 3110, 3112 and 3113 "Elmhurst"

Lot 12 "Orange Hill"
Lots 12,13,24,25,36,37,49,60,66 "Ridge Park"
Lots 68 and 84 "Ridgewood"
Lots 124,125,231,232,240,241,263 and S. 43.33'
Lot 267 "Smith Tract No. 4"

1195

Lot 3, Block 26 "South Sacramento"
Lots 47,50,63,83 and 84 "Wright & Kimbrough College Plaza Tract"

Seconded by Councilman Anderson and carried by the following vote:

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

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolution recommending adoption:

RESOLUTION APPROVING ASSESSMENT DIAGRAM NO. 2348

"RESOLVED, by the City Council of the City of Sacramento, that the Diagram of the district to be assessed for the costs and expenses of improving the alley between 'O' and 'P' Streets, from the easterly line of 16th Street, to the westerly line of 17th Street, in the City of Sacramento, as provided in Resolution of Intention No. 2348, be, and the same is, hereby approved; and the City Clerk be, and he is, hereby directed to notify the Superintendent of Streets in writing of such approval.

1196

Councilman Kunz moved that foregoing Resolution be adopted. Seconded by Councilman Harry and carried by the following vote:

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

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Bidwell moved that Contract with J. W. Terrell for the construction of Sewers in William Land Park having been completed to the satisfaction of the Engineering Department, be accepted as of December 2nd, 1938. Seconded by Councilman Anderson and carried by the following vote:

1197

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

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Anderson moved that Specifications for the purchase of One (1) Four-Door Sedan Type Automobile for use of the Police Department, be approved, and the City Clerk instructed to advertise for bids, to be received December 9th, 1938. Seconded by Councilman Truesdale and carried by the following vote:

1198

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

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Kunz moved that Specifications for the purchase of One (1) Six or Eight Cylinder, Four-Door, Sedan Type Automobile for use of the Police Department, be approved, and the City Clerk instructed to advertise for bids, to be received December 16th, 1938. Seconded by Councilman Coughlin and carried by the following vote:

1199

RES.NO.474
DEED,
HERBERT
WALTER,
LOTS 3110,
3112 & 3113
ELMHURST,
ADOPTED.

AUTHORIZING
SALE OF
CITY OWNED
LOTS, BIDS
DEC. 9TH,
APPROVED.

RES. APPROVING ASSESSMENT DIAGRAM NO. 2348, IMP ALLEY O & P, 16-17 STS. ADOPTED.

COMPLETION OF WORK, J W TERRELL, LAND PARK SEWER, APPROVED.

SPECS, 1-4 DOOR SEDAN, POLICE DEPT. BIDS, DEC. 9, APPROVED.

SPECS, 1-4 DOOR SEDAN, POLICE DEPT. BIDS DEC. 16, APPROVED.

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

1200

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Harry moved that Specifications for the purchase of One (1) Standard Four-Door Sedan Type Automobile for use of the Engineering Department, Electrical Division, be approved, and the City Clerk instructed to advertise for bids, to be received December 9th, 1938. Seconded by Councilman Welsh and carried by the following vote:

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

Together with Report on Subject, which was ordered filed, City Manager presented the following Resolution recommending adoption:

RESOLUTION NO. 475 CITY COUNCIL

"RESOLVED, by the City Council of the City of Sacramento now appearing upon the tax records as a lien against the following described property owned by the Veterans' Welfare Board, be and the same are hereby deleted:

Lot 21 Land Drive Ter Unit #1
Virgil A and Sophie E. Pierini

Lot 411 Elmhurst
Hans D.P. and Paula Hoerner

Lot 12 Jenkins Oaks Addn
Land Park Corp.

Lot 731 Swanston Park #2
Ralph P. Furtado

Lot 288 Swanston Park #1
A. Bruce Asbury

Lot 2250 W & K 24 Addn
F. H. Metcalf

Lot 115 Land Drive Ter Unit #2
Land Drive Terrace Inc.

E40.5' of N $\frac{1}{2}$ Half Acre Lot 49 So Sac
Wm. H. and Ethel E. Griffin

Lot 692 Swanston Park #2
John H. and Elizabeth L. Schacht

Lot 77 Carly Park
Curtis H. Cutter and Leita C. Cutter

N $\frac{1}{2}$ of S $\frac{1}{2}$ Lot 1; V-W--22-23
Raymond and Myrette Greer

Lot 66 Blk 12 Maple Park
Isabell E. Bolt

Lot 552; N $\frac{1}{2}$ Lot 553 W & K Tct #19
Frank Channeson and Hazel M. Channeson

Lot 29 Eastmont
Enoch E. and Irma J. Seitz

E $\frac{1}{2}$ Lot 323; W38.04' Lot 324 Swanston Park #1
Edward Lee

Lot 126; E10' Lot 127 W & K College Tct
College Inv Co

Lot 7 Land Park Tct Unit #1
Land Park Corp

Lot 41 Harding Place
John and Georgia Petrotta

W $\frac{1}{2}$ Lot 226; E $\frac{1}{2}$ Lot 227 W & K College Tct
College Inv Co

Lot 26 Blk 9 Maple Park
Danny and Emma Palagi

Councilman Welsh moved that foregoing Resolution be adopted. Seconded by Councilman Harry and carried by the following vote:

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

1202

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Anderson moved that Plans and Specifications for the installation

SPECS,
1-4 DOOR
SEDAN,
ELECTRICAL
DIV, BIDS
DEC. 9,
APPROVED.

RES. NO. 475
CANCEL
TAXES,
VETERANS'
WELFARE
BOARD,
ADOPTED.

PLANS &
SPECS,
FLOODLIGHTING,
MCCLATCHY
SOFT COURT
FIELD, BIDS
DEC. 9,
APVD.

of a floodlighting system for the McClatchy Soft Ball Field, be approved, and the City Clerk instructed to advertise for bids, to be received December 9th, 1938. Seconded by Councilman Bidwell and carried by the following vote:

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

1203

Petition of property owners requesting the improvement of 2nd Avenue, 59th to 61st Streets, was ordered filed and referred to the City Manager for Report.

Communication from Neil H. McAllister resubmitting application of Otto Allen for a permit to conduct dancing in conjunction with a restaurant business now established at No. 1117-8th Street was read and ordered filed.

1204

Councilman Bidwell moved that the City Clerk be instructed to advise applicant to file a new application for presentation to the City Council. Seconded by Councilman Truesdale and carried by the following vote:

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

Hearing having been set for this date and no protests having been received, City Manager presented the following Resolutions recommending adoption:

"RESOLUTION OF REPORT BY LEGISLATIVE BODY ON INVESTIGATION REPORT HEARING NO. 2352

"WHEREAS, the City Council of the City of Sacramento did, on the 7th day of October, 1938, direct the preparation of an investigation report under the provisions of Section 3 of the 'Special Assessment Investigation, Limitation and Majority Protest Act of 1931,' covering the proposed improvement of 'S' STREET, from the easterly line of 53rd Street, to the westerly line of 55th Street, in said City of Sacramento, which Report has been duly prepared and filed, and was, on the 21st day of October 1938, duly approved by this Council; and

"WHEREAS, this Council has heretofore ordered that the hearing on said Report should be held by itself; and

"WHEREAS, it appears from the affidavit of the Clerk of this Council on file that notice of said hearing has been duly and legally given in the time, form, manner and to the persons, all as provided in Section 6 of said Act above mentioned;

1205

"NOW, THEREFORE, IT IS HEREBY RESOLVED, FOUND AND DETERMINED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

"That said City Council hereby makes the following report upon said hearing, within ten days after the conclusion thereof, viz:

1. That the hearing upon said Investigation Report has been held on the 2nd day of December, 1938, at the hour of 8:15 o'clock P.M. at the City Council Chamber in the City Hall on 'I' Street, between 9th and 10th Streets, in the City of Sacramento, and was fully completed and concluded on said last mentioned date;

2. That at the commencement of said hearing, and before protests were considered, the Investigation Report above referred to (except as to the maps or plats attached thereto, and the assessed valuations and true valuations of assessments and estimated assessments upon individual parcels of land) was read and explained to those assembled in attendance at said hearing;

3. That the approximate number of persons in attendance at said hearing was _____;

4. That the number of protests made against the proposed improvement described in the Report was None;

5. That no written protests were filed at or before the time fixed for said hearing; and

6. That no oral protests were made at or during the progress of said hearing.

Councilman Kunz moved that foregoing Resolution be adopted. Seconded by Councilman Harry and carried by the following vote:

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

RESOLUTION DETERMINING THAT LIMITATION OF INDEBTEDNESS MAY BE EXCEEDED NO. 2352.

"WHEREAS, the City Council of the City of Sacramento did, on the 7th day of October, 1938, direct the preparation of an Investigation Report under the provisions of Section 3 of the 'Special Assessment Investigation, Limitation and Majority Protest Act of 1931,' covering the proposed improvement of 'S' STREET, from the easterly line of 53rd Street, to the westerly line of 55th Street, in the City of Sacramento; and

1205

"WHEREAS, said Report having been duly prepared and filed, a hearing was held thereon by this body in the manner provided in said Act above referred to; and

"WHEREAS, this Council has heretofore and on the 2nd day of December, 1938, adopted its resolution of Report on said last mentioned hearing, which said Res-

PETITION
IMP 2ND AVE
59TH TO
61 ST ST.
REF. TO
CITY MGR.

COM,
McALLISTER
& JOHNSON
RE DANCE
PERMIT,
OTTO ALLEN,
1117-8TH
ST. REF.
BACK TO CITY
MGR.

RES REPORT
OF LEG. BODY
#2352, IMP
S, 53RD TO
55TH ST.
ADOPTED.

RES DETER-
MINING LIM.
OF INDEBTEDNESS
#2352, IMP
S, 53RD TO
55TH ST.
ADOPTED.

olution of Report was on the same day filed with the Clerk of this Council, all in the time, form and manner required under the provisions of Section 8 of said Act above referred to; and

"WHEREAS, less than thirty days having expired since the date of filing of the report under Section 8 of said Act above referred to;

"NOW, THEREFORE, IT IS HEREBY RESOLVED, FOUND AND DETERMINED by the City Council of the City of Sacramento as follows, to-wit:

"1. That the public interest, convenience and necessity require the doing and making of the public improvement set forth and described in said reports above referred to, and substantially in the manner therein set forth;

"2. That the project consisting of the proposed improvement above referred to is feasible, and that the lands to be assessed to pay the costs and expenses of the proposed improvement will be able to carry the burden of the proposed assessment;

"3. That the estimated total amount proposed to be assessed upon any and all lots or parcels of land for the costs and expenses of said proposed improvement will cause the limitation of indebtedness established and set forth in said Act above referred to to be exceeded; and that it is the intention of this Council that said limitation shall be exceeded in accordance with the provisions of Section 10 of said Act;

"4. That no majority protest in writing has been filed by the owners of property proposed to be assessed to pay the costs and expenses thereof against the proposed improvement above referred to, or any part thereof, in the manner provided in Section 13-a of said Act above referred to;

"5. That it is hereby ordered that proceedings for the making of said proposed improvement be undertaken pursuant to the provisions of the 'Improvement Act of 1911,' approved June 7, 1911, and the several acts amendatory thereof and supplemental thereto; and that the bonds to be issued shall be in pursuance of the provisions of the 'Improvement Bond Act of 1915,' approved June 11, 1915, and the several acts amendatory thereof and supplemental thereto."

Councilman Kunz moved that foregoing Resolution be adopted. Seconded by Councilman Harry and carried by the following vote:

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

1206

Communication from the World Federation of Municipalities, Dorchester, Massachusetts, urging the stimulation of local initiative and the will for Peace in towns and cities and extending best wishes for the coming Centennial in 1939, was read and ordered filed.

COM, WORLD FEDERATION OF MUNICIPALITIES RE PEACE, FILED.

1207

Order of the Railroad Commission, Decision No. 31496, Application No. 22354, relative to the construction of a Spur across Third Street for the Farmers Market, under provisions of Resolution No. 418, adopted October 28th, 1938, was read and ordered filed.

ORDER RAILROAD COM, SPUR TRACK ACROSS 3 RD ST. FILED.

1208

Communication from Jos A. Shires, Denver, Colorado, relative to the air conditioning of the city during winter and summer, was read and ordered filed.

COM, JOS A SHIRES RE AIR CONDITIONING OF CIT FILED.

Before Adjournment Council carefully compared bids received on this date with record kept by City Clerk and found record and bids to be similar in every particular.

Council Adjourned at hour of 8:22 P.M.

APPROVED BY CITY COUNCIL ON DATE OF DECEMBER 9TH, 1938.

Samuel Monk
MAYOR

ATTEST:

H.G. Drutler

CITY CLERK.