

REGULAR MEETING OF THE HONORABLE CITY COUNCIL

JULY 30, 1943.

The Honorable City Council met in Regular Session on this date.

MAYOR TOM B. MONK, presiding.

Roll Call was answered by the following: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan.

Absent: Councilmen Anderson and Harry.

Minutes of Regular Meeting of July 23, 1943 read and approved.

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In accordance with recommendation of City Manager filed July 23, 1943 the following Resolution was considered:

RESOLUTION NO. 227

WHEREAS, HARRY MORSE doing business as "MORSE LABORATORIES" has requested a lease upon certain property belonging to the City of Sacramento, described as follows, to-wit:

Beginning at a point on the northerly line of North "B" Street, of the City of Sacramento, which point is further described as being located N 18° 39' 30" E 40 feet and S 71° 18' E 605.33 feet from the center line intersection of North "B" and 7th Streets, of the City of Sacramento; thence from the point of beginning N 71° 18' W 80 feet along the northerly line of North "B" Street to a point; thence N 18° 39' 30" E. 81.04 feet to a point; thence by a curve to the right having a radius of 641.63 feet and whose chord bears N 72° 57' W 36.32 feet to a point; thence N 71° 18' W 166.36 feet along a line parallel to and distant 80 feet at right angles northerly from the northerly line of North "B" Street to a point; thence 18° 39' 30" E 722.80 feet to a point; thence S 71° 18' E 282.66 feet to a point; thence S 18° 39' 30" W 802.79 feet along a line parallel to and distant 605.33 feet at right angles easterly from the center line of 7th Street, produced to the point of beginning;

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and

WHEREAS, it is the sense of the City Council that it would be to the advantage and best interests of the City to lease same.

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

That Notice of Intention to lease said property be given as provided by the Charter; that said notice be in the words and figures following:

"NOTICE OF INTENTION TO MAKE A LEASE TO THE HIGHEST RESPONSIBLE BIDDER OF CERTAIN REAL PROPERTY HEREINAFTER DESCRIBED UPON TERMS AND CONDITIONS HEREINAFTER STATED; AND INVITING BIDS THEREFOR.

Notice is hereby given that the City of Sacramento intends to grant a lease of certain real property belonging to said City hereinafter described.

Each bidder shall be required to state the specific amount of annual rent which such bidder agrees to pay to the City of Sacramento for use of said described premises.

Bids will be received by the City Council in open session at its regular meeting room in the City Hall of said City at the hour of 8 o'clock P.M. on the 6th day of August, 1943.

The said lease will be awarded at public auction to the highest bidder or bidders at the highest annual rent bid therefor in accordance with the City Charter and with all the terms, conditions and covenants set forth in said proposed form of lease.

Bidders will be required to accompany each bid with a check certified by a responsible bank or cash in the sum of \$100.00, payable to the order of the City Controller, which check shall be held by the said City to secure the acceptance by the successful bidder of the lease as herein provided. Said sum shall be retained or forfeited to the City in case any successful bidder fails to accept said lease or to execute the same.

If the successful bidder shall accept said lease and execute the same, said cash deposit or certified check (as the case may be) shall be treated as the rent for the first month.

Forms of bids may be obtained upon application at the office of the City Clerk.

Each bidder shall submit to the City Council documentary and such other evidence as may be requested to establish his responsibility, experience, financial standing and general ability to carry out the provisions of the proposed lease.

Each successful bidder will be required to enter into a written lease in quadruplicate with the City of Sacramento, and which shall contain substantially the following terms, conditions and covenants:

PROPOSED FORM OF LEASE.

THIS AGREEMENT made in quadruplicate this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, BY AND BETWEEN THE CITY OF SACRAMENTO, a municipal corporation, as first party, and \_\_\_\_\_, as second party.

WITNESSETH: That first party, for and in consideration of the rents and covenants hereinafter set forth, does hereby lease unto second party that certain

RES 227  
Authorizing lease of incinerator prop. Bids-August 8th Adopted.

parcel of real estate in the County of Sacramento, State of California, described as follows, to-wit:

Beginning at a point on the northerly line of North "B" Street, of the City of Sacramento, which point is further described as being located N 18° 39' 30" E 40 feet and S 71° 18' E. 605.33 feet from the center line intersection of North "B" and 7th Streets, of the City of Sacramento; thence from the point of beginning N. 71° 18' W. 80 feet along the northerly line of North "B" Street to a point; thence N 18° 39' 30" E. 81.04 feet to a point; thence by a curve to the right having a radius of 641.63 feet and whose chord bears N 72° 57' W 36.32 feet to a point; thence N 71° 18' W. 166.36 feet along a line parallel to and distant 80 feet at right angles northerly from the northerly line of North "B" Street to a point; thence 18° 39' 30" E 722.80 feet to a point; thence S 71° 18' E. 282.66 feet to a point; thence S 18° 39' 30" W 802.79 feet along a line parallel to and distant 605.33 feet at right angles easterly from the center line of 7th Street, produced to the point of beginning.

TO HAVE AND TO HOLD the above described real estate unto second party and assigns for and during the term of five years from and after the date hereof, upon the following terms and conditions:

1: Second party shall pay as annual rental for said premises the sum of \$100.00 per month; first party reserving the right to at any and all times enter upon said premises and view the same and take such action as may be necessary to protect its rights.

2: Upon the expiration of the term hereof, or sooner termination thereof second party shall surrender said premises to first party in as good order and condition as they now are, reasonable wear and tear excepted.

3: That second party shall not commit, nor permit to be committed on said premises any public nuisance.

4: That despite the term herein mentioned, first party shall have the right, upon 90 days written notice, to cancel this lease and take possession of said premises in the event it needs same for necessary and continuous public use.

5: If it be necessary to obtain priorities and/or critical materials for the purpose contemplated by second party, a period of 90 days will be allowed without the payment of rent by second party to give second party time to obtain said priorities and/or critical materials. If within said period he is unable to obtain same, he may at his option cancel this lease and surrender the premises.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written by the respective proper officers first thereunto duly authorized.

CITY OF SACRAMENTO,  
a municipal corporation,  
By: Tom B. Monk,  
Mayor

Attest:  
H. G. Denton,  
City Clerk.

By \_\_\_\_\_"

Councilman Kunz addressed the City Council requesting that Paragraph 4 providing for 180 days written notice for cancellation of lease by the City of Sacramento be changed to 90 days and moved that foregoing Resolution as amended be adopted; seconded by Councilman Arnold and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

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

ORDINANCE NO. 986, FOURTH SERIES

AN ORDINANCE REPEALING ORDINANCE NO. 629 FOURTH SERIES, PASSED JULY 12, 1934; ORDINANCE NO. 696, FOURTH SERIES, PASSED APRIL 23, 1936, AND ORDINANCE NO. 754, FOURTH SERIES, PASSED OCTOBER 21, 1937, AND MAKING THIS AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

Councilman Arnold moved that foregoing Ordinance be brought to an immediate vote; seconded by Councilman Klumpp and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

Councilman Arnold moved that foregoing Ordinance be adopted; seconded by Councilman Klumpp and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

Ord.986  
REPEALING  
FUEL DEAL-  
ERS LI.  
ADOPTED.

REPORT COM  
TROLLER &  
TREASURER  
AS OF JUNE  
30, 1943.  
FILED.

ORD. 987  
FIXING  
TAX RATE  
FISCAL YR  
1943-44  
OLD CITY  
\$2.05.  
ADOPTED.

ORD. 988  
FIXING TAX  
RATE FOR  
FISCAL YR  
1943-44  
ANNEXED  
TERRITORY  
\$2.04.  
ADOPTED.

RES 228  
RELATING  
TO COMPEN-  
SATION OF  
EMPLOYEES  
FOR OVER-  
TIME WORK.  
ADOPTED.

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Report of City Manager submitting Controller's Report of Cash Balances for the period ending June 30, 1943, together with verified Treasurer's Report of the same date was read and ordered filed.

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

ORDINANCE NO. 987, FOURTH SERIES

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AN ORDINANCE VIXING THE RATE OF SPECIAL TAX TO BE LEVIED AND LEVYING A SPECIAL TAX TO PROVIDE FOR THE SEMI-ANNUAL INTEREST ACCRUING JULY 1, 1943, AND JANUARY 1, 1944, UPON BONDS ISSUED PRIOR TO NOVEMBER 8, 1910, AND DESIGNATED AND KNOWN AS "OLD BONDS," TO PROVIDE FOR THE REDEMPTION OF SUCH BONDS AS MAY COME DUE AND PAYABLE ON JULY 1, 1943, AND JANUARY 1, 1944.

Councilman Scollan moved that foregoing Ordinance be brought to an immediate vote; seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

Councilman Scollan moved that foregoing Ordinance be adopted; seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

ORDINANCE NO. 988, FOURTH SERIES

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AN ORDINANCE VIXING THE RATE OF TAXES TO BE LEVIED, AND LEVYING THE SAME FOR THE FISCAL YEAR 1943-44, AND TO PROVIDE FOR THE PAYMENT OF INTEREST ON AND THE REDEMPTION OF BONDS ISSUED BY THE CITY OF SACRAMENTO SUBSEQUENT TO NOVEMBER 8, 1910.

Councilman Mitchell moved that foregoing Ordinance be brought to an immediate vote; seconded by Councilman Kunz and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

Councilman Mitchell moved that foregoing Ordinance be adopted; seconded by Councilman Kunz and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen, and Scollan. ABSENT: Councilmen Anderson and Harry.

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

RESOLUTION NO. 228

RESOLUTION RELATING TO PAYMENT OF OVERTIME COMPENSATION

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO: That every city employee compensated on a monthly basis who is required and ordered to work on his day off shall receive overtime pay based on his regular rate of pay for all such overtime. BE IT FURTHER RESOLVED that the City Controller approve payrolls and make payment accordingly.

Councilman Arnold moved that foregoing Resolution be adopted; seconded by Councilman Mitchell and carried by the following vote:

AYES: Councilmen Arnold, Klumpp, Kunz, Mitchell, Monk, Nielsen and Scollan. ABSENT: Councilmen Anderson and Harry.

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July 30, 1943

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INVITATION  
LAUNCHING  
OF SHIP  
BARGE  
JUL 31, '43  
FILED.

Communication from the Sacramento Chamber of Commerce inviting Members of the City Council to attend the launching of the fourth barge at the Steinbrenner Shipyard Saturday, July 31st at 8:30 A.M. was read and ordered filed.

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REPORT  
SUP'T REC.  
RE CAMP  
SACRAMENTO  
FILED.

Report of Acting Superintendent of Recreation with reference to attendance at Camp Sacramento was read and ordered filed.

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COM.COMMI-  
TEE  
AMERICAN  
PRINCIPLES  
& FAIR  
PLAY RE  
RESETTLE-  
MENT OF  
JAPANESE.  
FILED.

Communication from Fresno Branch Committee on American Principles and Fair Play protesting action of the City Council opposing the release of Japanese from Relocation Centers was read and ordered filed.

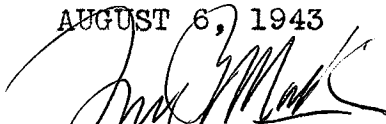
Councilman Arnold addressed the City Council stating that members of the Police and Fire Departments should be allowed holidays on same basis as other City Employees.

Councilman Arnold was requested by the Chair to re-present foregoing matter upon return of City Manager Sherwin.


Council adjourned at hour of 8:20 o'clock p.m.

APPROVED BY CITY COUNCIL ON DATE OF

AUGUST 6, 1943

  
MAYOR

ATTEST:

  
CITY CLERK.