

HONORABLE CITY COUNCIL,

CITY OF SACRAMENTO,

DECEMBER 1st, 1921.

The Honorable City Council met in Regular Session on this date at 8.35 o'clock P. M., Mayor Elkus presiding and Roll Call being answered by following members of City Council:

Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- The Minutes of Regular Meeting of November 25th, 1921, were read and approved.

----- George H. Cutter addressed Council presenting deed from George H. Cutter, Carrie M. Cutter et als to the City of Sacramento of certain property for park purposes.

Referred to City Attorney and Committee on Development.

----- Following report was received:

November 30, 1921.

To The Honorable, The City Council,  
City of Sacramento.  
Members in Session:

For the better enforcement of the law and the protection of property, I recommend that the following parties be given the authority of special policemen for the districts stated opposite their names:

Sidney M. Keene	-	Hale Brothers Store,
A. J. McIntyre	-	Weinstock Lubin Company's Store.

Respectfully,

C. L. Seavey,  
City Manager.

Ordered filed.

----- Councilman Kiernan introduced the following Resolution:

RESOLVED that the position of Special Policeman be and the same is hereby created for the building known as Hale Bros., Store on the northwest corner of 9th and K Streets in the City of Sacramento, and

BE IT FURTHER RESOLVED, That Sidney M. Keene be and he is hereby appointed as said Special Policeman for said premises.

Councilman Kiernan moved that Resolution be adopted. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Councilman Kiernan introduced the following Resolution:

RESOLVED that the position of Special Policeman be and the same is hereby created for the building known as Weinstock Lubin Company's store at the southeast corner of 4th and K Streets in the City of Sacramento, and

BE IT FURTHER RESOLVED, That A. J. McIntyre be and he is hereby appointed as said Special Policeman for said premises.

Councilman Kiernan moved that resolution be adopted. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following report was received:

December 1, 1921.

To the Honorable, The City Council,  
City of Sacramento.  
Members in Session:

I wish to call your attention to the fact that Mr. R. A. Merkely of 1010 Yale Avenue, this City, who has during the past year leased for pasture and crops a portion of the Swanston-McKevitt tract comprising forty and one half acres more or less lying to the south and west side of the tract and contained therein, desires to re-lease the same land for one year from date December 18, 1921, for the sum of fifteen hundred dollars (\$1500), which he states is the amount hitherto paid for lease of this land.

Mr. Merkely states that he will agree to any improvements that might be contemplated being made by the City on or upon said leased premises during the time of the lease.

As Mr. Merkely is anxious to get the land prepared for seeding of a spinach crop, he is anxious to conclude a lease with the City as above outlined as soon as possible, providing the Council is agreeable to the re-leasing of this property.

Respectfully,

C. L. Seavey,  
City Manager.

Ordered filed and made a matter of record, and referred to Committee on Development.

----- A petition was received from the Liberty Theatre requesting license to conduct said Theatre for exhibition of motion pictures from and after date of November 26th, 1921. Ordered filed.

Councilman Kiernan moved that permit and license be granted. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Oath of office of Frank Marino as Special Policeman was ordered filed.

----- A communication was received from the Sacramento Realtors Association protesting against license for conducting bonding business in City of Sacramento.

Ordered filed and referred to City Manager.

----- A communication from the League of the Southwest relative to convention to be held in City of Riverside was read to Council and referred to City Manager.

----- Following report was received:

December 1, 1921.

Honorable Mayor and Members of the City Council:

With reference to communication of Nettie E. Evans, relating to carrying the case of Mc Kevitt and Swanston vs The City of Sacramento, to a higher court, I will say that I am still of the opinion that no material benefit can be obtained by a petition for a hearing of the case by the Supreme Court. The opinion by Justice Waste in the First District Court of Appeal, and concurred by Justices Richards and Carrigan, impresses me as a well-considered opinion, and goes fully and completely into every question involved.

The only possible feature of that opinion which might be qualified by the Supreme Court, would be the question of the reformation and specific enforcement of the contract to purchase the Swanston and McKevitt lands, and it is barely possible that the Supreme Court might grant a hearing on this question only, but it amounts to no more than a bare possibility.

The effect of a rehearing would be to have the case put on the calendar of the Supreme Court at its May term in Sacramento, 1922, at which time it would probably be re-argued and submitted to the Supreme Court for decision and I am thoroughly satisfied that on a full and complete consideration of that question by the Supreme Court, it would uphold the conclusions arrived at by the Justices of the District Court of Appeal, and the sole effect of the hearing in the Supreme Court would be to postpone the development of the Swanston and McKevitt lands for park purposes for probably another year.

A granting of a hearing in the Supreme Court does not necessarily mean that any different conclusion is going to be arrived at by the Supreme Court in its consideration of the matter, but only that the Supreme Court has determined the question to be of sufficient importance to warrant its consideration by that Court.

Respectfully,

Robt. L. Shinn,  
City Attorney.

Ordered filed and made a matter of record.

----- A petition was received from Fong Lim requesting City Council to re-instate license revoked for chop suey restaurant at premises No. 406 - L Street.

Referred to City Manager for report.

----- A petition was received from A. B. Atkinson requesting permit to erect building to be utilized as an ice plant at the southeast corner of 30th and S Streets in the City of Sacramento.

Ordered filed, and referred to Committee on Development, and Chairman Wilder of said Committee recommended that permit be granted.

Councilman Funke moved that permit be granted. Seconded by Councilman Kiernan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following report was received:

December 1st, 1921.

The Honorable City Council,  
City of Sacramento.

I herewith present for your approval map of district to be assessed for the construction of sewer in the alley between 34th and 35th Streets from R Street to a point approximately 720 feet north.

Respectfully submitted,  
Albert Givan,  
City Engineer.

Ordered filed.

Councilman Kiernan moved that foregoing map be approved. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented plans and specifications for improving "P" Street from alley 35th Street and Santa Ynez Way to west line of 35th Street and 3 ft. strip along southerly boundary of Lot "G" Wright & Kimbrough Subdivision #20 and alley 34th and 35th, and said alley produced southerly from center of R Street to a point 735 ft. northerly therefrom. Specifications read to Council

Councilman Kiernan moved that plans & specifications, be adopted. Seconded by Councilman Sullivan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

RESOLUTION OF INTENTION NO. 1570.

RESOLVED by the City Council of the City of Sacramento that the work hereinafter mentioned is of more than local and ordinary public benefit and that the public interest and convenience require that said work be done, and that it is the intention of the said City Council to order the same to be done in pursuance of an Act of the Legislature of the State of California, known as the "Improvement Act of 1911", approved April 7th, 1911, and the several Acts amendatory thereof and supplemental thereto, to-wit:

Improving P Street in the City of Sacramento, from the manhole in place at the alley between 35th Street and Santa Ynez Way to the westerly line of 35th Street, by excavating a trench and constructing therein a vitrified ironstone pipe sewer, and constructing two (2) concrete manholes complete with cast iron curbs and covers, and backfilling the trench.

[Faint, illegible text, likely bleed-through from the reverse side of the page]

Notice is hereby given to all persons interested that on the 22nd day of December, 1921, at 9 o'clock P. M., in the Council Chamber of the City Council of the City of Sacramento, in the City Hall, on I Street between 9th and 10th Streets, any and all persons having any objections to the proposed work and improvement may appear before the said City Council and show cause why said proposed work and improvement shall not be carried out in accordance with this Resolution:

All protests must be in writing and delivered to the City Clerk.

The City Engineer is hereby directed to make a diagram of the property affected or benefited by the proposed work and improvement, to-wit: the property described in this Resolution of Intention:

And the City Clerk is hereby directed to post this Resolution conspicuously for two (2) days near the door of the Council Chamber of the City Council; also to publish the same for two (2) days in the Sacramento Star a daily newspaper, as required by law.

IN THE CITY COUNCIL: Sacramento, December 1st, 1921.

The foregoing Resolution was duly and regularly adopted on the day and year last above mentioned by the following vote:

AYES: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following report was received:

December 1st, 1921.

The Honorable City Council,  
City of Sacramento.

I herewith present for your approval map of district to be assessed for the improvement of 37th and 38th Streets North of H St and F Street from 37th to 38th Streets.

Respectfully submitted,  
Albert Givan, City Engineer.

Councilman Kiernan moved that foregoing map be approved. Seconded by Councilman Sullivan

and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented specifications for the improvement of 37th and 38th Streets north of H Street and F Street from 37th to 38th Street in accordance with Resolution of Intention No. 1571: Specifications read to Council.

Councilman Kiernan moved that specifications be adopted. Seconded by Councilman Sullivan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

RESOLUTION OF INTENTION NO. 1571.

RESOLVED, by the City Council of the City of Sacramento that the work hereinafter mentioned is of more than local and ordinary public benefit, and that the public interest and convenience require that said work be done, and that it is the intention of the said City Council to order the same to be done in pursuance of an Act of the Legislature of the State of California, known as the "Improvement Act of 1911", approved April 7th, 1911, and the several Acts amendatory thereof and supplemental thereto, to-wit:

[Faint, illegible text, likely a list of specifications or a detailed description of the street improvement project.]

Notice is hereby given to all persons interested that on the 29th day of December, 1921, at 9 o'clock P. M., in the Council Chamber of the City Council of the City of Sacramento, in

December 1st, 1921.

the City Hall, on I Street between 9th and 10th Streets, any and all persons having any objections to the proposed work and improvement may appear before the said City Council and show cause why said proposed work and improvement shall not be carried out in accordance with this Resolution.

All protests must be in writing and delivered to the City Clerk.

The City Engineer is hereby directed to make a diagram of the property affected or benefited by the proposed work and improvement, to-wit: the property described in this Resolution of Intention.

And the City Clerk is hereby directed to post this Resolution conspicuously for two (2) days near the door of the Council Chamber of the City Council; also to publish the same for two (2) days in the Sacramento Star, a daily newspaper, as required by law.

IN THE CITY COUNCIL: Sacramento December 1st, 1921.

The foregoing Resolution was duly and regularly adopted on the day and year last above mentioned by the following vote:

AYES: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following report was received:

December 1st, 1921.

Honorable City Council,  
City of Sacramento.

I herewith present for your approval map of district to be assessed for the improvement of 4th Avenue in the 28th Street Tract by the construction of concrete curbs and gutters in an asphalt pavement.

Respectfully submitted,  
Albert Givan,  
City Engineer.

Ordered filed.

Councilman Kiernan moved that foregoing map be approved. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented specifications for the improvement of 4th Avenue in the 28th Street Tract by construction of concrete curbs and gutters in an asphalt pavement in accordance with Resolution of Intention No. 1572. Specifications read to Council.

Councilman Kiernan moved that specifications be adopted. Seconded by Councilman Brown and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

RESOLUTION OF INTENTION NO. 1572.

RESOLVED, That it is the intention of the City Council of the City of Sacramento to order the following Street work to be done in pursuance of an Act of the Legislature of the State of California known as the Improvement Act of 1911, approved April 7th, 1911, and the several Acts amendatory thereof and supplemental thereto, to-wit:

Improving 4th Avenue, in the City of Sacramento, from the westerly line of Franklin Boulevard to the westerly end of said Avenue. by removing and disposing of all refuse and surplus material constructing concrete curb and gutter on official line and grade where the same does not exist on official line and grade; placing two (2) cast iron gutter drains and connecting same to manhole with six (6) inch vitrified ironstone sewer pipe; reconstructing one (1) concrete manhole in place by placing cover to grade; installing one (1) inch connections to City Water mains, in accordance with provisions of Ordinance No. 14, 4th Series, adopted by the City Council of the City of Sacramento on the 8th day of September, 1921, at places where shown on plan; grading the roadway and constructing thereon an asphaltic concrete pavement five and one-half (5½) inches in thickness.

All of said work shall be done in accordance with plans and specifications adopted for doing said work and now on file in the office of the City Engineer.

Notice is hereby given that serial bonds to represent unpaid assessments and bear interest at the rate of seven (7) per cent. per annum will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, the last installment of which bonds shall mature nine (9) years from the second day of July next succeeding nine (9) months from their date.

That the costs and expenses of said work and improvement shall be chargeable and charged upon the district of lands herein described which is hereby declared to be the district benefited by said work and improvement and which is to be assessed to pay the costs and expenses thereof. Said district is bounded and described as follows:

By lines enclosing all and only the tract of land owned by Louise R. Heilbron and Henry A. Heilbron, William A. Quass and Augusta M. Teichert, which said tract is adjacent to and adjoins the 28th Street Tract, hereinafter described, and Lots 1 to 19 inclusive of the 28th Street Tract as the same is shown on the official plat thereof on file in the office of the Sacramento County Recorder, all as shown on the plat of said district approved by the City Council and now on file in the office of the City Engineer.

Saving and excepting from the above bounden and described district the area of all public streets and alleys included therein.

Notice is hereby further given to all persons interested that on the 29th day of December 1921, at 9 o'clock P. M., in the Council Chamber of the City Council of the City of Sacramento, in the City Hall, on "I" Street, between 9th and 10th Streets, any and all persons having any objections to the proposed work and improvement may appear before the said City Council and show cause why said proposed work and improvement shall not be carried out in accordance with this Resolution.

And notice is hereby given that all persons objecting to said work are required to file their objections in writing, in the office of the City Clerk of the City of Sacramento, as required by law, stating how much frontage on said streets is represented by the party so objecting, and on what street the property so represented is located.

And the City Clerk is hereby directed to post this Resolution conspicuously for two days near the door of the Council Chamber of the City Council; also to publish the same for two days in the Sacramento Star, a daily newspaper, as required by law.

IN THE CITY COUNCIL:

Sacramento, December 1, 1921.

Adopted by the following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented and Councilwoman Lindley introduced the following Resolution:

WHEREAS the City Clerk has advertised inviting protests against the issuance of bonds upon the security of the unpaid assessments issued by the Superintendent of Streets for the improvement of 3rd Avenue, in the City of Sacramento, from the westerly line of Santa Cruz Way to the easterly line of 42nd Street, and Santa Cruz Way from the southerly line of 2nd Avenue to the northerly line of 4th Avenue, and fixed the time at 8.30 o'clock P. M., of November 25th, 1921, as the time for filing protests in the City Council, and

WHEREAS, no protests have been received,

THEREFORE BE IT RESOLVED that the City Council of the City of Sacramento hereby determines the amount of the assessments remaining unpaid to be Eight Thousand Twenty-nine and 33/100 Dollars (\$8,029.33) and that bonds be issued for this amount in annual series, the last installment of which shall mature nine (9) years from the second day of July next succeeding nine (9) months from their date.

BE IT FURTHER RESOLVED that each series shall represent Eight Hundred Two and 93/100 Dollars (\$802.93) which is an even annual proportion of the aggregate principal sum, and that two (2) bonds in the sum of Three Hundred Dollars (\$300.00) and that one (1) bond in the sum of Two Hundred Two and 93/100 Dollars (\$202.93) be issued in each series, and to each bond be attached coupons bearing interest at the rate of seven (7) per cent. per annum.

AND BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to advertise in the Sacramento Star, a daily newspaper published in the City of Sacramento for bids for the sale of said bonds, to be received on the 29th day of December, 1921.

Councilwoman Lindley moved that Resolution be adopted. Seconded by Councilman Kiernan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented and Councilman Kiernan introduced the following Resolution:

RESOLVED by the City Council of the City of Sacramento that

WHEREAS no bids having been received for the purchase of the bonds issued against the security of the unpaid assessments against the property assessed for the improvement of 36th Street from V Street to Y Street, that the City Treasurer be and is hereby to deliver said bonds to McGilivray Construction Co., the contractor who performed the work.

Councilman Kiernan moved that Resolution be adopted. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- City Manager presented and Councilwoman Lindley introduced the following Resolution:

WHEREAS, The City Clerk has advertised inviting protests against the issuance of bonds upon the security of the unpaid assessments issued by the Superintendent of Streets for the improvement of Second Avenue in the City of Sacramento, from the easterly line of 24th Street to the westerly line of Franklin Boulevard, and fixed the time at 8.30 o'clock P. M., of December 1st, 1921, as the time for filing protests in the City Council; and

WHEREAS, no protests have been received,

THEREFORE BE IT RESOLVED that the City Council of the City of Sacramento hereby determines the amount of the assessments remaining unpaid to be Eleven Thousand Three Hundred Fifty-three and 7/100 Dollars (\$11,353.70) and that bonds be issued for this amount in annual series, the last series of which shall mature nine (9) years from the second day of July next succeeding nine (9) months from their date.

AND BE IT FURTHER RESOLVED that each series shall represent One Thousand One Hundred Thirty-five and 37/100 Dollars (\$1,135.37) which is an even annual proportion of the aggregate principal sum and that three (3) bonds in the sum of three Hundred Dollars (\$300.00) and one (1) bond in the sum of Two Hundred Thirty-five and 37/100 Dollars (\$235.37) be issued in each series, and to each bond be attached coupons bearing interest at the rate of seven (7) per cent per annum,

AND BE IT FURTHER RESOLVED that the City Clerk be and is directed to advertise in the Sacramento Star, a daily newspaper published in the City of Sacramento, for bids for the sale of said bonds to be received on the 29th day of December, 1921.

Councilwoman Lindley moved that foregoing Resolution be adopted. Seconded by Councilman Kiernan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following report was received:

December 1, 1921.

To the Honorable, The City Council,  
City of Sacramento.  
Members in Session:

Because of a technical error made by the Byron Jackson Iron Works in submitting their bid for a pumping unit for Sump #1, I recommend that the Council rescind its action in accepting said bid, and that the City Clerk be instructed to re-advertise for bids for this equipment.

Respectfully,

C. L. Seavey,

City Manager.



Ordered filed and made a matter of record.

Councilman Kiernan moved that foregoing report be adopted. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

Councilman Kiernan moved that bid of Byron-Jackson Iron Works for foregoing pumping unit be rejected, and check returned. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

Councilman Brown moved that Clerk be directed to advertise for bids for foregoing pumping unit, in accordance with specifications adopted by City Council, bids to be received at Meeting of December 15th, 1921. Seconded by Councilman Anderson and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

A petition was received from property owners requesting the improvement of the alley between 4th and 5th Avenues from 34th to 35th Streets. Referred to City Manager.

Wright & Kimbrough presented deed to the City of Sacramento of right of way to construct and maintain sewer pipes underground and through the south four feet of lots Nos. 1513 to 1543 inclusive and the north four feet of lots Nos. 1419 to 1431 inclusive, all of said lots being designated on Plat of Wright & Kimbrough Tract No. 30.

On recommendation of City Manager, Councilman Funke moved that City Clerk be directed to record said deed. Seconded by Councilman Kiernan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

City Manager Seavey addressed Council reporting that he had conferred with Rev. Rader relative to request for appropriation for American Center work, and that both had agreed that the City could not appropriate money for some of the purposes desired, which would be renovating building, etc., and that he was obtaining data and would render a report, which in his opinion, would remedy problem of unemployed persons in the City of Sacramento during the winter months.

Following bids were received for the improvement of 37th Street from the southerly line of Y Street to the northerly line of 4th Avenue in accordance with Resolution Ordering Work No. 1566:

	McGill.Con.Co.	C. & H. Con.
Per linear foot of concrete curb and gutter combined.....	95.....	94
Per linear foot of concrete curb alone.....	50.....	48
Per concrete manhole complete with cast iron curb and cover.....	\$57.00.....	59.00
Per cast iron gutter drain complete in place.....	9.75.....	9.50
Per linear foot of six (6) inch vitrified ironstone sewer pipe in place.....	1.10.....	1.09
Per linear foot of eight (8) inch vitrified ironstone sewer pipe in place.....	1.25.....	1.24
Per cubic yard of excavation (grading) in roadway.....	2.50.....	1.85
Per cubic yard of filling (grading) in roadway.....	1.50.....	1.50
Per square foot of asphaltic concrete pavement complete in place...	2.27.....	225
Per 1-inch water service lead.....	\$21.00.....	\$21.00
Amount of Bond.....	\$2500.00.....	\$2300.00

Referred to City Manager.

Following bids were received for cast iron water pipe and fittings in accordance with advertisement adopted by City Council:

2500 1 in. ft. 6-in. Cast Iron Class "B" Water Pipe (to conform to the Standards of the American Water Works Association) 12 ft. lengths,	U. S.-American	-Nat.Cast
1/2 dozen 6-in. Cast Iron Solid Sleeves,	Cast Iron	Cast Iron Pipe
1/2 dozen 6-in. Cast Iron 45-degree Ells, B and S,	Co.	Co.
1/2 dozen 6-in. Cast Iron 90-degree Ells, B and S,		
To be delivered on or before date of.....	January 10th, 22.-	Dec. 12th, 21.- Feb. 15th 22.
For the lump sum of.....	\$2169.00	\$1981.55 \$1977.36
R. D. Wood & Company .....	Jan. 20th, 22.	\$2699.38

Referred to City Manager.

City Attorney Shinn addressed Council and stated that the presence of City Manager, City Clerk and himself was necessary in Supreme Court on date of December 5th, 1921 in action of L. H.

Spaulding versus M. J. Desmond and City of Sacramento, and that the City Clerk be authorized to present certain records to said Supreme Court.

Councilman Brown moved that the City Manager, City Attorney and City Clerk be authorized to attend Supreme Court in hearing of said action, City Clerk being authorized to present necessary records to said Supreme Court and that necessary expenses be paid by City of Sacramento. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- Following Ordinance was finally considered:

ORDINANCE NO. \_\_\_\_\_ FOURTH SERIES.

An Ordinance amending Sections Nos. 36, 73, 76, 78 80, 82, 83, 88, 98 and 100 of Ordinance No. 18, Fourth Series, passed September 22nd, 1921, and entitled; "An Ordinance providing for licensing and regulating the carrying on of certain professions, trades, callings and occupations; providing a penalty for the violation of this Ordinance and making this an Emergency Measure, to take effect October 1st, 1921."; also adding a new section to said Ordinance, the same being numbered Section 73 $\frac{1}{2}$ , relating to fish markets and repealing Section 29 of said Ordinance No. 18, Fourth Series.

Councilman Brown moved that section 36 of Ordinance be amended by providing license of \$5.00 per quarter in Second Paragraph thereof. Seconded by Councilman Bidwell and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan.

Absent: Councilman Wilder.

Councilman Bidwell moved that new section be added to said Ordinance No. 18 - 4th Series, to be known as Section 73 $\frac{1}{2}$ . Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan.

Absent: Councilman Wilder.

Councilman Bidwell moved that Section 29 of Ordinance 18 - 4th Series be repealed. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan.

Absent: Councilman Wilder.

Councilman Bidwell moved that Ordinance as amended be adopted. Seconded by Councilwoman Lindley and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan.

Absent: Councilman Wilder.

Thereupon this Ordinance became known and numbered as Ordinance No. 35 - 4th Series.

----- Councilwoman Lindley moved that the rebate of license paid by Retail Grocers be referred to the City Attorney. Seconded by Councilman Anderson and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder.

----- By consent action on Ordinance permitting Pacific Gas & Electric Company to abandon part of franchise granted for street railway tracks on Riverside Boulevard, was further postponed two weeks.

----- At request of Councilman Bidwell, action on Ordinance providing exclusive residence zone in City was further postponed one week.

----- Councilman Wilder called attention to space needed for auto park in City of Sacramento, and stated that the Committee on Development was of the opinion that an auto park near the center of the City be provided, either by purchase of land or long lease of property, and matter was referred to City Manager.

----- Councilman Kiernan addressed Council, recommending the removal of larger animals displayed in McKinley Park, and City Manager Seavey stated that larger animals would be removed to Del Paso Park.

----- Monthly report of City Controller was read to Council and ordered filed.

----- Councilman Anderson addressed Council relative to employees in Park Department being re-



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quired to lay off two days a week, and City Manager Seavey stated that reduction of hours of labor was preferable in his opinion, to discharging certain number of employees in said Department.

----- Councilman Funke addressed Council complaining of approaches to the City of Sacramento, stating that the Railroad Commission should order subways underground or guarded crossings overhead to approaches of City, and moved that a Committee of three be appointed to investigate matter and report to Council. Seconded by Councilman Kiernan and carried by following vote:

Ayes: Anderson, Bidwell, Brown, Elkus, Funke, Kiernan, Lindley, Sullivan, Wilder, Mayor Elkus thereupon appointing as said Committee, Councilman Funke, Chairman, and Councilmen Kiernan and Bidwell.

----- Councilman Bidwell addressed Council and gave notice that at Meeting of City Council on date of December 8th, 1921, a motion would be made by him to remove from the table, Ordinance No. \_\_\_\_\_ 4th Series, introduced by him, prohibiting the obstruction of public highways in certain districts of the City of Sacramento by persons engaged in the business of peddling, or selling liquids or eatables from vehicles.

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

----- Council Adjourned at 10.00 o'clock P. M.

APPROVED:

  
Mayor.

ATTEST:

City Clerk.