

providing for the assessment, levy and collection of taxes", approved Nov. 4th, 1918, as amended by amending Sections 14 and 17 of said Ordinance, was presented for first reading and was read.

The Clerk was instructed to communicate with the Board of Supervisors, seeking its co-operation in the matter of razing several vacant dwellings which in the opinion of the Council constitute a public nuisance.

WARRANTS:

Upon motion of Councilman Dempsey, Warrants Nos. 1354 to 1367, incl. Nos. 1369 to 1394, incl., and Nos. 1396 to 1425, incl. were ordered paid. Motion was seconded by Councilman Scotford and carried by the following vote:

Ayes: Councilman Dempsey, Scotford, Dos Reis, Lynch and Fusselman.
Noes: None.

There being no further business, the meeting was adjourned to Tuesday, July 16th, 1935, at 8 o'clock P.M.

Read and approved

July 16th 1935

J. A. Brown, Clerk.

MINUTES OF JULY 16, 1935.

An regular meeting of the Council of the Town of San Anselmo was held on Tuesday, July 16, 1935, and called to order at 8:30 P.M., with all Councilmen present and Councilman Fusselman presiding.

The minutes of July 9th meeting were approved as read.

Mr. Marshall, Mr. Luhrs and Mr. Pechner addressed the Board, all asking recognition of the Park and Playgrounds Committee as then constituted, with Mr. Marshall as its Chairman. As this could not be done under the Resolution of June 26, 1935, that Resolution was rescinded upon motion of Councilman Scotford, seconded by Councilman Dempsey, and passed by unanimous vote. Mr. Pechner then asked that official recognition be given to the Park and Playground Committee and it was explained in considerable detail by the Mayor that it was impossible to give this recognition under the law, but that the Council had semi-officially recognized the Committee by mentioning the name of the Committee in the minutes of the meeting of the Town Council, which was the best that could be done under the circumstances.

Communications were read as follows:- Marin County Board of Supervisors, letter dated July 15th, asking that the Town Council include an amount of \$506. in their budget for the year 1935-36, which amount to be donated to the use of the Marin County Musical Chest. The matter was left undecided at this time but to come up for subsequent consideration at the time of the tax levy for 1935-36.

Marin County Board of Supervisors, letter dated July 15, asking

further details on the matter of our request for permission to raze certain old abandoned shacks which stand upon property, which appears on the tax roll as assessed to the state.

City of Santa Rosa - Clerk's Office, letter dated July 10th, inviting representation by us at the next regular meeting of the League of California Municipalities to be held in that City on July 20th. The Clerk was instructed to communicate that there would be representation.

Letters from Gordon Rowe Company and Peat, Marwick, Mitchell & Co., Accountants and Auditors, in re the annual audit, and placed on file.

Two letters from the San Anselmo Recreation Park and Playground Committee, both dated July 13th, one asking that Council include in the new budget the funds for the improvement of the present Recreation Park; the other asking official recognition as hereinabove mentioned.

Letter from Chanslor & Lyon Stores, Incl., dated July 15th, asking permission for the storage of 1650 gallons of gasoline in a Service Station to be erected at the Southwest Corner of Oak Knoll and San Anselmo Aves.; this request was approved by N.E. Marcucci, Fire Marshal, and upon motion of Councilman Scotford, seconded by Councilman Lynch, permission was unanimously granted.

This being the time for opening bids, as per the minutes of this Council of May 24, 1935, and the "Notice of Sale of Franchises", as published in the Marin Herald, on 5/30, 6/6, 6/13 and 6/20, 1935, a bid was received from the P.G. & E. Co., in the amount of \$25.00, accompanied by their certified check for said amount, for the grant of a franchise to use the public streets in the Town of San Anselmo for the transmission of electricity. The original copy of the bid follows:

"To the Town of San Anselmo,
State of California,
and to its
Honorable City Council:

WHEREAS the undersigned corporation did, on the 14th day of May 1935, in the manner provided by law, make application to you for the grant of a franchise to use the public streets in the Town of San Anselmo for the transmission of electricity for all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said section existed prior to its amendment on October 10, 1911, as specified and set forth in the form of ordinance which is contained in the resolution hereinafter mentioned; and

WHEREAS said City Council did on the 24th day of May 1935, duly and regularly adopt a resolution declaring its intention to grant said franchise upon the terms and conditions in said resolution stated, which is now on file and of record in the office of said Council;

NOW, THEREFORE, the undersigned corporation does hereby bid and offer to you for said franchise to be granted to it by you upon the terms and conditions set forth in said resolution and the form of ordinance therein contained the sum of Twenty-five Dollars (\$25.00), in lawful money of the United States of America, Said corporation hands you herewith its certified check payable to the Treasurer of said Town

of San Anselmo for said sum.

IT WITNESS WHEREOF, said corporation has executed these presents this 12th day of July, 1935.

PACIFIC GAS AND ELECTRIC COMPANY,

By P.M. Downing

Its First Vice-President and
General Manager.

and by J. D. Rosie

Its Assistant Secretary."

Approved as to form

P.E. Sloane

Attorney.

No other bids having been received, the bidding was declared closed.

Councilman Scotford then introduced and moved the adoption of the following resolution, which was seconded by Councilman Dempsey:

"RESOLUTION STRIKING OFF, SELLING AND AWARDING TO PACIFIC GAS AND ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE (a) TO USE, FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY WITHIN THE TOWN OF SAN ANSELMO FOR ANY AND ALL PURPOSES OTHER THAN THOSE AUTHORIZED UNDER SECTION 19 OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AS SAID SECTION EXISTED PRIOR TO ITS AMENDMENT ON OCTOBER 10, 1911, ALL ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, STRUCTURES AND APPARATUS THAT ARE NOW OR MAY HEREAFTER BE LAWFULLY PLACED IN THE PUBLIC STREETS, WAYS AND PLACES WITHIN SAID TOWN, AND (b) TO CONSTRUCT, MAINTAIN AND OPERATE IN SAID PUBLIC STREETS, WAYS AND PLACES ALL NECESSARY OR PROPER FOR SAID PURPOSES, AS SET FORTH IN A RESOLUTION ADOPTED BY THE CITY COUNCIL OF SAID TOWN OF SAN ANSELMO ON THE 24TH DAY OF MAY, 1935.

WHEREAS the Pacific Gas and Electric Company, a California utility corporation, filed in the office of this Council on the 14th day of May, 1935, its application for the franchise above mentioned and referred to; and

WHEREAS this Council, on the 24th day of May, 1935, adopted a resolution declaring its intention of granting said franchise upon the terms and conditions in said resolution set forth; and

WHEREAS due notice of the sale of said franchise has been published in the manner and for the time prescribed by law and by the aforesaid resolution; and

WHEREAS this Council, at the time specified in said resolution and in said notice, viz, at the hour of 8 p.m. on Tuesday, the 16th day of July, 1935, met in open session for the purpose of opening and acting upon any bids that might be filed pursuant to said notice; and

WHEREAS said Pacific Gas and Electric Company, before the time appointed for the opening of said bids, had filed herein its sealed bid for said franchise whereby it offered for said franchise the sum of Twenty-five Dollars (\$25.00) in lawful money of the United States of America, and said sealed bid was accompanied by the certified check of said Pacific Gas and Electric Company, payable to the Treasurer of said Town of San Anselmo, for the full amount of said bid; and

WHEREAS no other or higher bid was filed or made for said franchise;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of San Anselmo, that the aforesaid franchise be, and the same is hereby struck off, sold and awarded to said Pacific Gas and Electric Company, its successors and assigns, for the sum of Twenty-five Dollars (\$25.00) in lawful money of the United States of America, upon the terms and conditions set forth in said bid, said notice and said resolution, to all of which reference is hereby made for a more particular statement of said terms and conditions.

ADOPTED by the City Council of the Town of San Anselmo on the 16th day of July, 1935, by the following vote:

AYES: Councilmen Dempsey, Scotford, Dos Reis, Lynch and Fusselman.

NOES: Councilmen: None.

ABSENT: Councilmen: None.

ATTEST:

F.D. Burrows,

Clerk of the Town of San Anselmo

By Ray M. Overdick, Deputy."

William D. Fusselman

Mayor of the Town of

San Anselmo.

This Resolution was unanimously adopted.

Councilman Linch then introduced the following resolution, which was seconded by Councilman Dempsey and was passed unanimously:

"RESOLUTION APPROVING BOND OF PACIFIC GAS AND ELECTRIC COMPANY EXECUTED IN CONSIDERATION OF THE GRANT BY THE TOWN OF SAN ANSELMO OF THE FRANCHISE TO USE THE STREETS OF SAID TOWN TO TRANSMIT AND DISTRIBUTE ELECTRICITY FOR ALL PURPOSES OTHER THAN THOSE AUTHORIZED UNDER SECTION 19 OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AS SAID SECTION EXISTED PRIOR TO ITS AMENDMENT ON OCTOBER 10, 1911.

WHEREAS on the 16th day of July 1935 the City Council of the Town of San Anselmo struck off, sold and awarded to Pacific Gas and Electric Company, a corporation organized and existing under and by virtue of the laws of the State of California, the franchise to use the public streets, ways and places of said Town to transmit and distribute electricity for all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California, as said Section existed prior to its amendment on October 10, 1911, upon the terms and conditions as set forth in that certain resolution passed by said City Council on May 24, 1935; and

WHEREAS said Pacific Gas and Electric Company, pursuant to the law and the provisions of the resolution which was adopted by said City Council of the 24th day of May, 1935, has duly executed and filed with this Council a bond in the penal sum of One Thousand Dollars (\$1000.00 bearing date the 16th day of July 1935, and conditioned as prescribed by law and by the last mentioned resolution; and

WHEREAS upon due investigation and consideration, it appears to the satisfaction of this Council that said bond is in proper form and that said bond has been duly executed by said Pacific Gas and Electric Company and by two good and sufficient sureties;

NOW THEREFORE BE IT RESOLVED by the City Council of the Town of San Anselmo that said bond, be, and it is hereby accepted and approved.

PASSED ON THE 16th day of July 1935, by the following vote:

AYES: Councilmen: Dempsey, Scotford, Dos Reis, Linch and Fusselman.

NOES: Councilmen: None.

ABSENT: Councilmen: None WILLIAM D. FUSSELMAN,

Attest:

F.D. Burrows, Clerk

By Ray M. Overdick, Deputy."

Mayor.

ORDINANCE NO. 231:

Ordinance No. 231, entitled: "An Ordinance granting to Pacific Gas and Electric Company, its successors and assigns, the franchise to use, for the transmission and distribution of electric energy within the Town of San Anselmo for any and all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California, as said section existed prior to its amendment on October 10, 1911, all electric transmission and distribution lines, structures and apparatus that are now or may hereafter be lawfully placed in the public streets, ways and places within said Town, and to construct, maintain and operate in said public streets, ways and places all conduits, conductors, structures, poles, wires and apparatus necessary or proper for said purposes", was presented for first reading and was read.

A bid was received from the Pacific Gas and Electric Company in accordance with the Minutes of May 24, 1935, and the "Notices of sale of franchises", as published in the Marin Herald on 5/30, 6/6, 6/13, and 6/20, 1935, in amount of \$25.00, accompanied by their certified check in

said amount, for the grant of the franchise to use the public streets of the Town of San Anselmo for the transmission of gas. The original copy of the bid follows:

"To the Town of San Anselmo,
State of California,
and to its
HONORABLE CITY COUNCIL:

WHEREAS the undersigned corporation did, on the 14th day of May 1935, in the manner provided by law, make application to you for the grant of a franchise to use the public streets in the Town of San Anselmo for the transmission of gas for all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said section existed prior to its amendment on October 10, 1911, as specified and set forth in the form of ordinance which is contained in the resolution hereinafter mentioned; and

WHEREAS said City Council did, on the 24th day of May 1935, duly and regularly adopt a resolution declaring its intention to grant said franchise upon the terms and conditions in said resolution stated, which is now on file and of record in the office of said Council;

NOW, THEREFORE, the undersigned corporation does hereby bid and offer to you for said franchise to be granted to it by you upon the terms and conditions set forth in said resolution and the form of ordinance therein contained the sum of Twenty-five Dollars (\$25.00) in lawful money of the United States of America. Said corporation hands you herewith its certified check payable to the Treasurer of said Town of San Anselmo for said sum.

IN WITNESS WHEREOF, said corporation has executed these presents this 12th day of July, 1935.

PACIFIC GAS AND ELECTRIC COMPANY

By P. M. Downing

Its First Vice-President and General Manager
and by J. D. ROSIE,

Its Assistant Secretary.

Approved as to Form
P. E. Sloane
Attorney."

Upon motion of Councilman Scotford, seconded by Councilman Dempsey, and passing unanimously, the reading of a "Resolution striking off, selling and awarding to Pacific Gas and Electric Company, its successors and assigns, the franchise (a) to use, for transmitting, conducting, and distributing gas within the Town of San Anselmo, for any and all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California, as said Section existed prior to its amendment on October 10, 1911, all gas mains, pipes, conduits, and connections therewith, that are now or may hereafter be lawfully placed in the public streets, ways and places within said Town, and (b) to construct, maintain and operate in said public streets, ways and places all mains, pipes, conduits and connections necessary or proper for said purposes, as set forth in a resolution adopted by the City Council of said Town of San Anselmo on the 24th day of May, 1935", was limited to the title only, upon the advice of Assistant Town Attorney Wallace Myers that this was in order and on the further advice from him that this resolution was substantially identical in wording with the one previously adopted for the electric properties.

Thereafter, upon motion of Councilman Dempsey, seconded by Councilman Scotford, the above mentioned resolution was unanimously adopted.

Upon motion of Councilman Linch, seconded by Councilman Dempsey, and passing unanimously, the reading of a "Resolution approving bond of Pacific Gas and Electric Company executed in consideration of the grant by the Town of San Anselmo of the franchise to use the streets of said Town to transmit and distribute gas for all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said Section existed prior to its amendment on October 10, 1911" was limited to the title only, upon advice of Assistant Town Attorney Wallace Myers that this was in order, as previously stated in these minutes.

Thereafter, upon motion of Councilman Dempsey, seconded by Councilman Scotford, the above mentioned resolution was unanimously adopted.

ORDINANCE NO. 232:

An Ordinance granting to Pacific Gas and Electric Company, its successors and assigns, the franchise to use for transmitting, conducting, and distributing gas within the Town of San Anselmo for any and all purposes other than those authorized under Section 19 of Article XI of the Constitution of the State of California as said Section existed prior to its amendment on October 10, 1911, all gas mains, pipes, conduits and connections therewith that are now or may hereafter be lawfully placed in the public streets, ways and places within said Town, and to construct, maintain and operate in said public streets, ways and places all mains, pipes, conduits and connections necessary or proper for said purposes", was presented for first reading and was read.

Upon motion of Councilman Dempsey, seconded by Councilman Linch, and passing unanimously, the reading of the above Ordinance was limited to the title only.

ORDINANCE NO. 230:

An Ordinance amending Ordinance No. 155, entitled, 'An Ordinance providing for the assessment, levy and collection of taxes', approved November 4, 1918, as amended by amending Sections 14 and 17 of said Ordinance, was presented for final reading and was passed and adopted by the following vote:

Ayes: Councilmen Dempsey, Scotford, Dos Reis, Linch and Fusselman.
Noes: None.

The Ordinance was signed by the Mayor and numbered 230.

There being no further business, the meeting was adjourned to July 23, 1935, at 8 o'clock P.M.

Read and approved

July 23rd 1935

L. Brown Clerk.
R. M. Dendler, Jr.