RESOLUTION NO. 454 N.S.

RESOLUTION CALLING FOR BIDS FOR AN EXCLUSIVE FRANCHISE FOR SERVICES RENDERED IN THE COLLECTION AND REMOVAL OF GARBAGE, WASTE, AFFAL, DEBRAY, AND DEAD ANIMALS WITHIN THE CITY OF EL PASO DE ROBLES.

WHEREAS, Ordinance No. 9, N.S. designated "Garbage Ordinance of the City of El Paso de Robles" provides that the City Council shall by resolution control the fees or charges for services rendered in the collection and removal of garbage and other waste matter within the City limits; and

WHEREAS, the City Council by past experience and from present existing conditions deems it best an exclusive franchise be granted and that bids for said franchise be asked for and advertised for and said franchise awarded upon the terms hereinafter set forth;

NOW, THEREFORE, BE IT AND THE SAME IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES meeting in regular session this 3rd day of May, 1943, that in its behalf the City Clerk shall cause to be published once a week for two successive weeks a notice setting forth all the terms and conditions embraced in this resolution and the time, date and place for the receiving and opening of sealed bids which shall not be sooner than four full weeks from the date of the first publication of said notice.

The terms and conditions hereinabove referred to are as follows:

1. The franchise for the services hereinabove mentioned shall be exclusive;

2. The term of said franchise shall be five years unless terminated as hereinafter provided;

3. The franchise may be granted to the best bidder which does not necessarily mean the ~~highest~~ lowest bidder and the City Council shall in its discretion by resolution determine which of the bidders is the best bidder and may postpone the time of granting the franchise from time to time until it has had a full and complete opportunity to examine into the merits of each bid and determine which in its discretion is the best bidder;

4. Time is the essence of the franchise to be granted and

whomsoever the franchise is granted to must commence collections and complete operation within thirty days from the grant of the franchise.

5. The successful bidder shall file with the City Council, upon grant of the franchise, an approved surety company bond in favor of the City of El Paso de Robles in the penal sum of Five Hundred ($500.00) Dollars conditioned that he will faithfully keep and observe the provisions of said Garbage Ordinance No. 9 N.S. of the City of El Paso de Robles;

6. Said bids shall be addressed to the City Council of the City of El Paso de Robles and each shall be sealed;

7. Bids shall set forth the equipment to be used in the collection of garbage, waste and other matter designated, and the ability to render the services required or having to do with the discernment by the City Council of the merit of the bid; all bidders must be a citizen of the United States of America;

8. Said bids shall designate the fees or charges to be collected by the grantee of the franchise from the various tenants, owners, lessees or occupants of the various premises within the City, setting forth the rate of such fees or charges upon each of the following number of collections, to-wit, weekly, by-weekly, tri-weekly and daily and from the following sources, the number of weekly pick-ups to be determined by necessity, but at least one pick-up per week must be made from the hereinafter set forth source of pick-up or collection:

Source of Pick-Up:

1. Residence-Single dwelling;
2. Residence-multiple dwelling;
3. Rooming House-Single Family and others;
4. Apartment Houses-Two Apartments;
   Apartment Houses, Each additional Apartment;
5. Hotels, Inns, Auto Courts, etc.;
6. From all eating establishments, bars, cocktail lounges, or places where food is dispensed, and/or drinks;
7. Stores, removal of perishable or dry material waste;
8. Waste from garages, service stations, etc;
9. Small business houses;
10. Any collections not specifically hereinabove mentioned shall be made on a rate of fees to be agreed upon by the grantee of the franchise and the party or parties served.

The grantee of the franchise shall be obligated to collect, remove, bury or burn any dead animals in the City at the following fees:

1. For each horse or head of cattle, $5.00;
2. For each colt or calf under the age of one year, or for each sheep, hog or goat, $2.00;
3. For each dog, cat or other small animal, $.50.

TERMINATION OF FRANCHISE.

The franchise granted may be terminated within the above prescribed term of five years as follows:

a. By the giving of the grantee of a notice in writing sent by registered mail to the City Council of the City of El Paso de Robles, giving notice to the effect that the grantee's intention to terminate the grant to him at the time not less than ninety days from the date of the posting of said notice in the United States mail;

b. By resolution of the City Council of the City of El Paso de Robles terminating the franchise because of a mis-use and non-use thereof, said notice to be in writing and addressed to the grantee of the franchise at his last known address by registered mail, said termination to become effective thirty days from the time of posting of said letter in the Registration Department of the United States Post Office and the determination by the City Council of a mis-use or non-use of the franchise by the grantee thereof shall be in the sole discretion of the majority of the members of the City Council sitting in regular meeting or special meeting called for that purpose and its determination of a non-use or mis-use shall be binding upon the granting of the franchise upon the passage of said resolution declaring its termination.

The franchise herein provided for to be granted shall be granted by a resolution of the City Council of the City of El Paso de Robles, duly passed at any regular meeting or special meeting for that purpose of the City Council.

DATED: This 3rd day of May, 1943.

CITY OF EL PASO DE ROBLES

John D. Gerst.
Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES } SS.

I, S. S. Tucker, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Resolution No. 454 was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 3rd day, of May 1943, by the following vote:

AYES: Councilmen Bailey, Brooks, Dougherty and Gerst.

NOES: Councilmen None

ABSENT: Councilmen Wilmar

Dated this 3rd day of May, 1943

S. S. Tucker

City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso de Robles, State of California.

WB Form 1430

Cwb—

*INFORMAL AGREEMENT FOR CONTINUING SERVICE OTHER THAN PUBLIC UTILITY SERVICE

Date July 1, 1944

The undersigned, F. B. Bailey (Name of individual), for himself, or for and in behalf of the City of Paso Robles, 723 13 St., Paso Robles, California (Name of company), hereby agrees to furnish Electric Power and Lighting Service (Nature of service) to the U. S. Weather Bureau at its local office in at Paso Robles Municipal Airport, Paso Robles, California (Name of city), for the period from July 1, 1944, to June 30, 1945, during the fiscal year beginning July 1, 1944, for and at the following rate: In amount not to exceed $45.00 per month of the statement as rendered by the Pacific Gas & Electric Company to the City of Paso Robles.

Payment for service under this agreement will be made Bi-monthly (State whether monthly, quarterly, or annually)

The total estimated expenditure for the period of this agreement is $ 540.00

This agreement will expire by limitation on† June 30, 1945, and may be terminated otherwise by either party thereto upon 10 days' written notice to the other party.

Unless otherwise specified by the contractor, it is understood and agreed that only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States shall be delivered under the provisions of this contract.

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

No laborer or mechanic doing any part of the work contemplated by this contract, in the employ of the contractor or any subcontractor contracting for any part of the said work contemplated, shall be required or permitted to work more than 8 hours in any one calendar day upon such work at the site thereof. For each violation of the requirements of this article a penalty of $5.00 shall be imposed upon the contractor for each laborer or mechanic for every calendar day in which such employee is required or permitted to labor more than 8 hours upon said work, and all penalties thus imposed shall be withheld for the use and benefit of the Government: *Provided*, That this stipulation shall be subject in all respects to the exceptions and provisions of U. S. Code, title 40, sections 321, 324, 325, and 326, relating to the hours of labor.

THE CITY OF PASO ROBLES,
A MUNICIPAL CORPORATION.
(Name of company or individual)

By F B Bailey Mayor

Mayor
(Title of officer signing for company)

723 13th St., Paso Robles, Calif.
(Address)

Accepted for Weather Bureau:

By H. A. Forbes,
(Signature of Official in Charge)

Official in Charge,
(Title)

U.S. Department of Commerce,
Weather Bureau, Paso Robles, California.
(Station)

*When cost is $100, or less per annum or, in rare cases, when the cost is in excess of $100 and the contractor is the only source of service. When the cost is in excess of $100 per annum and there is more than one source of service, advertising is required by three or more bids, in which case this form should not be used.

†Not beyond June 30 of fiscal year for which an appropriation has become available.

(WB—11-18-43—8,000) 362

[OVER]

STATEMENT AND CERTIFICATE OF AWARD

No. Cwb—_____ (Contract)

Date July 1, 1935

U. S. Department of Commerce, (Department or establishment) Weather Bureau, (Bureau or office) Municipal Airport, Paso Robles, California. (Location)

METHOD OF OR ABSENCE OF ADVERTISING

(Section 3709 of the Revised Statutes)

1. After advertising in newspapers.
2. (*a*) After advertising by circular letters sent to _____ dealers.
   (*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certification below must be "2 (*a*) (*b*)" or "2 (*a*)," depending on whether or not notices were posted.)

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with _____
5. Without advertising, it being impracticable to secure competition because of the fact that electric power and lighting service in this locality is obtainable only from an established only source.

(Here state circumstances under which the securing of competition was impracticable)

AWARD OF CONTRACT

A. To lowest bidder as to price (Expenditures).
B. To other than the lowest bidder as to price (Expenditures).
C. To highest bidder as to price (Receipts).
D. To other than the highest bidder as to price (Receipts).

CERTIFICATE

I CERTIFY that the foregoing statement is true and correct; that the agreement was made in consequence of No. 5 of the method of or absence of advertising and in accordance with award of contract lettered _____, as shown above; that the total number of bids received is _____, and that where lower bids (expenditure contracts) or higher bids (receipt contracts) as to price were received a statement of reasons for their rejection, together with an abstract of bids received, including all lower than that accepted in case of expenditure contracts and all higher in case of receipt contracts, is given below or on the reverse hereof or on a separate sheet attached hereto; that the articles or services covered by the agreement (expenditure) are necessary for the public service, and that the prices charged are just and reasonable.

H. A. Forbes, (Signature of contracting officer)

Official in Charge. (Title)

NOTE.—This statement and certificate will be used to support all agreements, both formal contracts and less formal agreements of whatever character, involving the expenditure or receipt of public funds. It must be executed and signed by the contracting officer (unless the award is made by or is subject to approval by an officer other than the contracting officer, when execution and signature may be made by such officer). 362

ENDORSEMENT OF THE FOLLOWING
RESOLUTION BY **THE UNANIMOUS VOTE OF THE**

CITY COUNCIL, PASO ROBLES, CALIFORNIA

WHEREAS, The United States Veterans Administration must necessarily construct many new hospitals in the immediate future to take care of the vast number of veterans requiring hospitalization; and

WHEREAS, The State of California by virtue of its geographical location will, undoubtedly, become the natural center of a vast program of rehabilitation for military personnel returning from the Pacific battle area, and will also become the permanent home of a large percentage of the present force now training in the State; and

WHEREAS, The process of rehabilitating military personnel has always been greatly accelerated by the beneficial effects of hot mineral springs, demonstrated for the past 30 years by government hospitals maintained in Arkansas and other places in the United States, and more recently by the construction of extensive facilities in New Zealand; and

WHEREAS, At Paso Robles, are to be found hot springs, which are well known for their beneficial results in alleviating the effects of arthritis, neuritis, various forms of rheumatism and blood disorders; and

WHEREAS, Paso Robles has a dry healthy climate, with a mild short winter season; which conditions have also proven beneficial for respiratory ailments, and

WHEREAS, There is now a territorial gap of 400 miles between the existing Veteran Administration facilities in San Francisco and in Los Angeles, and the City of Paso Robles, situated about one-half way between these facilities with adequate transportation accommodations, is thus advantageously located to conveniently take patients from either of these ports of military entry, and

WHEREAS, Many organizations have already endorsed and advocated the erection of hospitals adjacent to hot springs, and particularly in this Paso Robles section; and therefore be it

RESOLVED, That **the City Council of the City of Paso Robles** in regular meeting assembled, this **3rd** day of **July** 1944, does urge the appropriate authorities to investigate the many natural advantages of this Paso Robles area for the erection of a Veterans Administration Hospital as soon as it is possible to do so.

F. O. Bailey
Mayor

ATTEST:

City Clerk