

CITY COUNCIL MEETING

JANUARY 6, 1982

72-1121
The certification of petitions as prepared by the engineer for the proposed Downtown Assessment District certifying that the petitions for improvements exceeds 60 percent was presented to Council by City Clerk Reimche.

The following persons who were in the audience addressed the Council concerning the proposed assessment district: A lengthy discussion followed with questions being directed to Staff.

- a) Mr. Bill Canepa, 131 S. Orange Street, Lodi.
- b) Mr. John Ochsner, Senior Citizen's Club, 113 N. School Street, Lodi.

CERTIFICATION OF
PETITIONS
PROPOSED DOWNTOWN
ASSESSMENT
DISTRICT
Pg 79

On motion of Councilman Hughes, Katnich second, Council received for filing certification of the petition for improvements for the Lodi Downtown improvement Assessment District, certifying that the petition for improvements exceeds 60 percent.

CITY COUNCIL

JAMES A. McCARTY, Mayor
ROBERT G. MURPHY, Mayor Pro Tem
RICHARD L. HUGHES
WALTER KATNICH
JAMES W. PINKERTON, I.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REINICHE
City Clerk

RONALD M. STEIN
City Attorney

January 18, 1982

Mr. Timothy Hachman
Attorney-at-Law
141 E. Acacia
Stockton, CA

Dear Mr. Hachman:

Please be advised that the Lodi City Council at its regular meeting of January 6, 1982 received for filing certificate that the improvements for the Lodi Down-town Improvement Assessment District exceeds 60 percent, which certificate was signed by Quad Engineer Charles D. Sanford.

We have enclosed a copy of the certificate and of the petition for your files.

Mr. William Canepa was in the audience asking a great many questions regarding the district, the petitions and their certification.

We are awaiting your instructions and guidance on going forward with this project.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AR:dg

Enc.

CERTIFICATE
THAT PETITION FOR IMPROVEMENTS
EXCEEDS 60 PERCENT

Lodi Downtown Improvement
Assessment District

Project #82-1

I the undersigned, for QUAD Engineering, Inc., of work for the above named project, hereby certify that I am the engineer to whom the petition for improvements in the above project was referred for checking; that I have computed the areas represented by the petition filed with the City Clerk of the City of Lodi, and that said petition is signed by all of the owners of more than 60 percent in area of the property subject to assessment for the proposed improvements whom appear to be such on the assessor's roll, or, in the case of transfers of land, or parts thereof, subsequent to the date upon which the last assessor's roll was prepared, appear to be such on the records in the County Assessor's Office which the County Assessor will use to prepare the next ensuing assessor's roll, on the date that said petition was filed, providing that where the person signing said petition appears on said rolls as the owner of property as joint tenant or tenant-in-common, said property was counted as if all such tenants had duly signed.

Charles D. Sanford
Signature

DEC. 31, 1981
Date

Letter from
Betty Schelle, Executive
Estate of Rita Hirschberg,
attached. LP
7 Dec 71
1282

PETITION FOR THE ACQUISITION AND/OR CONSTRUCTION
OF IMPROVEMENTS BY SPECIAL ASSESSMENT AND ASSESS-
MENT BOND ACTS, AND WAIVER OF PROCEEDINGS UNDER
THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION
AND MAJORITY PROTEST ACT OF 1931

DOWNTOWN LODI ASSESSMENT DISTRICT

To the Honorable City Council
of the City of Lodi,
San Joaquin County, California

Gentlemen:

The undersigned respectfully petition your Honorable Body and
show as follows:

1. All of the undersigned are owners and holders of interests
in land proposed to be assessed for the acquisition and/or construction
of improvements of lands within the area more particularly described
in Exhibit A, attached hereto and made a part hereof.

2. The undersigned respectfully petition that you undertake
proceedings under appropriate special assessment and assessment bond
acts for the acquisition and/or construction of certain improvements,
hereinafter described, and the financing of the costs thereof.

3. That you assess the costs of said acquisitions and/or
construction, together with the expenses incidental thereto, upon
the district benefited thereby, the exterior boundaries of which
district are described in Exhibit A hereto attached, and delineated
upon a map thereof entitled, "Proposed Boundaries of DOWNTOWN LODI
ASSESSMENT DISTRICT", filed concurrently herewith, to which reference
is hereby made for further particulars. Said map indicates by a
boundary line the extent of the territory included in the proposed
district and shall govern for all details as to the extent of the
assessment district.

4. Said improvements are more particularly described as follows:

The improvement of the following streets by the construction and installation therein of:

- (a) Parking improvements and associated street landscaping and street improvement modifications, comprising the installation of diagonal parking on Oak Street and Walnut Street between Church Street and Sacramento Street, and on School Street between Lodi Avenue and Locust Street;
- (b) Traffic controls and landscaping islands on School Street between Lodi Avenue and Locust Street;
- (c) Landscaping, street furniture, and other appurtenances required to complete the installation of the above described improvements;
- (d) Modification of drainage facilities, relocation of fire hydrants, and modification of traffic signals, all as required for the installation of the foregoing parking and landscaping improvements;
- (e) The doing of all work auxiliary to any of the above and necessary to complete the improvements;
- (f) The acquisition of all lands and easements necessary for any of said work and improvements.

5. That BLEWETT, GARRETSON & HACHMAN, A Professional Corporation, be appointed and employed to do and perform all legal services required in the conduct of the proceedings, including the preparation of all papers not required to be prepared by the Engineer (exclusive of printing and preparation of bonds, bond and auditor's register, printing, mailing and publication of notices), examining and approving the engineering documents, advising the Engineer in the preparation of his work, advising all City officials on all matters relating thereto when called upon, and furnishing its legal opinion on the validity

of said proceedings and bonds, and that its compensation be fixed by resolution of the City Council, to be assessed as an incidental expense of said proceedings.

6. That QUAD CONSULTANTS, Visalia, California, be appointed Engineer of Work and directed to do and perform all engineering work necessary in and for said proceedings, and that their compensation be fixed by resolution of the City Council, to be assessed as an incidental expense of said proceedings.

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11 7. That the cost of said acquisitions and/or construction of improvements in said proceedings be fixed at the actual cost thereof as determined on the basis of prices furnished to and approved by the City or prices fixed and established pursuant to bids on the work, and that said amounts be paid solely from the proceeds of said assessments and the sale of assessment bonds.

11 8. That the amounts of such payments be fixed by certificates prepared and executed by the Engineer of Work and approved by the City as to amounts due or paid for work and improvements, and that payments therefor by the City be based on the amounts set forth in said certificates.

9. That the compensation of the Engineer and Attorneys be paid solely from the proceeds of said assessments and sale of assessment bonds, on invoices duly audited and approved by the City Council, or to anyone who has advanced all or any part thereof, in accordance with the certificates prepared as provided in Section 8 hereof.

10. That the cost of printing and advertising in connection with said proceedings be paid to the persons performing the services,

or to anyone who has advanced the cost thereof, solely from the proceeds of said assessments and sale of assessment bonds.

11. That you are authorized to exercise your proper discretion as vested in you pursuant to said acts to make changes and modifications in said work, improvements or acquisitions prior to or during the course of said proceedings, and to conduct such supplemental assessment or reassessment proceedings as may be necessary to complete the acquisition, construction and financing of said improvements.

12. All of the undersigned owners of said property are desirous of having said acquisition and/or construction of improvements made and done by said City in order that the same may become usable for human habitation at the earliest possible time, and in consideration of this undertaking in completing said proceedings forthwith, and in order to expedite the same, the following are hereby waived:

(a) The taking of proceedings under Division 4 of the Streets and Highways Code;

(b) The requirement of any act that any notice shall be posted or mailed or given for a longer period than five (5) days, and when by publication, from the first publication thereof;

(c) The requirement that any notice or resolution shall be published more than twice;

(d) The requirement that the Notice of Improvement shall be posted;

(e) The requirement that Notice of Award of Contract shall be published;

(f) Any and all illegalities, irregularities, errors or omissions which may arise during the course of conduct of said proceedings or issuance of said bonds.

13. The undersigned owners, being the real parties in interest of the property proposed to be assessed in said proceedings, in consideration of the undertaking of said proceedings by the City, do hereby agree that any or all changes or modifications may be made in said proceedings as may be required to carry out the acquisition