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CITY COUNCIL MEETING
JANUARY 16, 1985

15

RES. ADOPTED
OFFERING REWARD
FOR INFORMATION
LEADING TO THE
DETERMINATION OF,
/THE IDENTIFY OF,
AND THE APPRE-
HENSION OF
PERSONS WHO WILL-
FULLY DAMAGE OR
DESTROY PROPERTY
OF THE CITY OF
LODI

Following introduction of the matter by Staff, Council, on motion of Council Member Reid, Hinchman second, adopted Resolution No. 85-10 authorizing a reward in the amount of \$250.00 for information leading to the determination of, the identity of, and the apprehension of, any person who willfully damages or destroys any property of the City of Lodi.

RES. NO. 85-10

MEMORANDUM

To: Honorable Mayor and Council Members
From: City Attorney
Date: January 9, 1985
Re: Reward for Information - Damages to City Property

Attached hereto is a copy of a draft resolution regarding the offering of a reward for information leading to the determination of the identity of and the apprehension of persons who willfully damage or destroy any property of the City of Lodi.

Attached hereto, also, are copies of the code sections which enable the city to pass said resolution.

In speaking with Ed DeBenedetti, Parks and Recreation Director, he suggested that the City of Lodi enter into the same type of program. I have taken the liberty of speaking with the Police Chief and other department heads regarding this possibility and have received very favorable comments regarding same.

If you have any questions regarding this matter, please contact me.



Ronald M. Stein
City Attorney

RMS:jj

RESOLUTION NO. 85-10

RESOLUTION AUTHORIZING A REWARD IN THE AMOUNT OF TWO HUNDRED FIFTY AND NO/100 (\$250) DOLLARS FOR INFORMATION LEADING TO THE DETERMINATION OF THE IDENTITY OF AND THE APPREHENSION OF ANY PERSON WHO WILLFULLY DAMAGES OR DESTROYS ANY PROPERTY OF THE CITY OF LODI

WHEREAS, the City is authorized by Government Code Section 53069.5 to offer and pay a reward in an amount to be determined by the City Council for information leading to the identification of and apprehension of any person or persons willfully damaging and destroying public property, and

WHEREAS, said Section also authorized civil recovery for repayment of the reward to the City from the person or persons responsible for such damage and destruction, and

WHEREAS, vandalism, resulting in damage and destruction of City property, has been increasing and there is a need to institute remedial action to curb these willful and wanton acts, and

WHEREAS, the City Council finds that the offer of a standing reward may expedite and lead to the identification of and apprehension of the person or persons responsible for these acts of vandalism and tend to dissuade further damage to public property;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lodi as follows:

1. In the public interest, a standing reward in the sum of TWO HUNDRED FIFTY AND NO/100 (\$250) DOLLARS is hereby established for information leading to the determination of the identity of and apprehension of the person or persons responsible for each willful act of damage

and/or destruction of any City property, effective immediately.

2. In order to be eligible for said reward, the individual furnishing said information must testify or be willing to testify at any hearing or trial held to determine the guilt or liability of the person or persons alleged to be responsible for each willful act of damage or destruction to City property. Said testimony shall be as to any fact or circumstance furnished to the representative of the City.
3. Each reward payment shall be charged against the General Fund, upon certification from the City Manager that entitlement has been properly established.
4. The offer of reward shall be posted in conspicuous public places throughout the City of Lodi, as the City Manager shall direct, and shall be widely distributed to the news media within this area.
5. The officers and employees of the City of Lodi, members of their immediate family, and their kindred to the fourth (4th) degree are excluded from claiming this reward.
6. The Mayor is authorized to sign and execute this resolution and the offer in such form as shall be posted; and the City Clerk is instructed to attest the signature of the Mayor and affix the City's corporate seal thereon.

Dated: January 16, 1985

I hereby certify that Resolution No. 85-10
was passed and adopted by the City Council
of the City of Lodi in a regular meeting
held January 16, 1985 by the following vote:

Ayes: Council Members - Hinchman, Pinkerton,
Olson, Reid, and
Snider (Mayor)

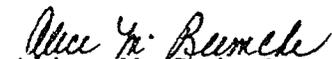
Noes: Council Members - None

Absent: Council Members - None



John Randy Snider
Mayor

Attest:



Alice M. Reimche
City Clerk

Title 5

Div. 2

MISCELLANEOUS

§ 53069.6

Library References

Counties ⇨158.
Municipal Corporations ⇨883.

C.J.S. Counties § 234.
C.J.S. Municipal Corporations § 1883.

§ 53069.5. Reward for information concerning person causing death, injury or property damage; liability for reward

A local agency, as defined in Section 54951, may offer and pay a reward, the amount thereof to be determined by the local agency, for information leading to the determination of the identity of, and the apprehension of, any person whose willful misconduct results in injury or death to any person or who willfully damages or destroys any property.

Any person whose willful misconduct has resulted in injury or death to any student or any person employed by or performing volunteer services for a local agency or who has willfully damaged or destroyed any property of a local agency or any property of any other local agency or state or federal agency located within the boundaries of the local agency shall be liable for the amount of any reward paid pursuant to this section and if he is an unemancipated minor his parent or guardian shall also be liable for the amount.

Added by Stats.1969, c. 1324, p. 2669, § 1. Amended by Stats.1971, c. 186, p. 255, § 1; Stats.1974, c. 1062, p. 2286, § 2; Stats.1976, c. 326, p. 907, § 1.)

Historical Note

The 1971 amendment included property of other local agencies and state or federal agencies.

The 1974 amendment included the reward for information leading to the apprehension of person, whereby willful misconduct, injury or death to student, employee or volunteer results; made such person liable and if such person is unemancipated minor, made such minor's parent or guardian also liable.

The 1976 amendment substituted in the first paragraph following "injury or death", the present provisions for the previous text which read "to any student or any person employed by or performing volunteer services for the local agency or who willfully damages or destroys any property of the local agency or any property of any other local agency or state or federal agency located within the boundaries of the local agency."

§ 53069.6. Actions to recover civil damages for damaging or taking of property

Each local agency, as defined in Section 54951, shall take all practical and reasonable steps to recover civil damages for the negligent, willful, or unlawful damaging or taking of property of the local agency, including the institution of appropriate legal action.

(Added by Stats.1971, c. 1522, p. 3001, § 2.)

Library References

Counties ⇨107.

C.S. Counties § 169.

Check EIR on ~~the~~ TANDY-Schuster