

CITY COUNCIL MEETING

APRIL 20, 1983

Pg 409

3-13
STATUS REPORT
GIVEN RE THE
LODI UNITED
DOWNTOWN
ASSESSMENT
DISTRICT
BEAUTIFICATION
PROJECT

A status report regarding the Lodi United Downtown Assessment District Beautification Project was given by Council Member Pinkerton.

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT G. MURPHY
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

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

F 1112
LSDP
HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

November 7, 1983

Mr. Timothy Hachman
141 East Acacia
Stockton, CA

Dear Mr. Hachman:

Enclosed herewith please find Certified copies of the following Resolutions pertaining to the formation of the Lodi United Downtown Assessment District:

Resolution No. 83-125 - "A Resolution Determining Compliance With Division 4 of the Streets and Highways Code, and Determining to Undertake Proceedings Pursuant to Special Assessment and Assessment Bond Acts for the Acquisition and/or Construction of Improvements, Without Further Proceedings Under Said Division 4 of the Streets and Highways Code"

Resolution No. 83-126 - "A Resolution Describing Proposed Boundaries of Assessment and Directing Recordation of Notice of Assessment"

Resolution No. 83-127 - "A Resolution Appointing Engineer and Attorneys"

Thank you for your assistance in this matter.

Very truly yours,


Alice M. Reimche
City Clerk

AMR:jj
Enc.

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

A RESOLUTION DETERMINING COMPLIANCE WITH DIVISION 4 OF THE STREETS AND HIGHWAYS CODE, AND DETERMINING TO UNDERTAKE PROCEEDINGS PURSUANT TO SPECIAL ASSESSMENT AND ASSESSMENT BOND ACTS FOR THE ACQUISITION AND/OR CONSTRUCTION OF IMPROVEMENTS, WITHOUT FURTHER PROCEEDINGS UNDER SAID DIVISION 4 OF THE STREETS AND HIGHWAYS CODE

LODI UNITED DOWNTOWN ASSESSMENT DISTRICT
BEAUTIFICATION PROJECT

RESOLVED, by the City Council of the City of Lodi, California, that

WHEREAS, a written petition for undertaking proceedings pursuant to special assessment and assessment bonds acts, and to assess the costs thereof upon the properties benefited, and waiving proceedings under Division 4 of the Streets and Highways Code, signed by the owners of more than 60% in area of the properties proposed to be assessed, has been filed with the City Clerk of this City for the acquisition and/or construction of the improvements hereinafter more particularly described;

WHEREAS, the costs and expenses of said contemplated improvements are to be chargeable upon an assessment district benefited thereby, the exterior boundaries of which are the coterminous exterior boundaries of the composite and consolidated area as more particularly shown on the map thereof on file in the office of the City Clerk, and which indicates by a boundary line the extent of the territory included in the proposed district, and which shall govern for all details as to the extent of the assessment district. Reference to said map is hereby made for further particulars.

WHEREAS, said acquisitions and/or construction of improvements are more particularly described as follows:

(a) The construction of improvements in the following street intersections, by grading, including importation or excavation, and removal of certain existing improvements, and the construction and installation therein of: beautification and improvement of street intersections, including handicap access to crosswalks, the inlay of colored concrete interlocking pavers with six inch (6") wide concrete retention strips, and the installation of ten feet (10') diameter cast-in-place concrete planters adjacent thereto for landscaping; and all appurtenances thereto, to wit:

- (1) School Street and Lodi Avenue;
- (2) School Street and Walnut Street;
- (3) School Street and Oak Street;
- (4) School Street and Pine Street;
- (5) School Street and Elm Street;
- (6) School Street and Locust Street.

(b) Tree planting and landscaping of all streets within the area included in the assessment district.

(c) The doing of all work auxiliary to any of the above and necessary to complete the same.

(d) The acquisition of all lands and easements necessary for any of said work and improvements.

WHEREAS, the public interest and convenience will be served by the taking of said proceedings;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED, that all the owners of more than 60% in area of the property subject to assessment for said acquisition and/or construction of improvements have signed and filed with the City Clerk of this City a written petition for the acquisition and/or construction of improvements pursuant to appropriate special assessment and assessment bond acts, without further compliance with the provisions of Division 4 of the Streets and Highways Code.

IT IS FURTHER FOUND, DETERMINED AND ORDERED that said proceedings for the acquisition and/or construction of said improvements shall be had pursuant to the Municipal Improvement Act of 1913, and bonds shall be issued upon the unpaid assessments thereof pursuant to the Improvement Bond Act of 1915, and that the applicable provisions of Part 11.1 of said Act, providing an alternative procedure for the advance payment of assessments and the calling of bonds, shall apply.

IT IS FURTHER FOUND, DETERMINED AND ORDERED that the provisions of Division 4 of the Streets and Highways Code of the State of California, be, and they are hereby, dispensed with.

DATED: November 2, 1983.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 83-125 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held November 2, 1983, by the following vote:

AYES: Councilmen - *all*

NOES: Councilmen -

ABSENT: Councilmen -

ABSTENTIONS: Councilmen -

ALICE M. REIMCHE, City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

A RESOLUTION DESCRIBING PROPOSED BOUNDARIES OF
ASSESSMENT AND DIRECTING RECORDATION OF NOTICE OF
ASSESSMENT

LODI UNITED DOWNTOWN ASSESSMENT DISTRICT
BEAUTIFICATION PROJECT

RESOLVED, by the City Council of the City of Lodi, California, that

WHEREAS, this Council proposes to undertake proceedings for the formation of an assessment district for the acquisition and/or construction of improvements in the City of Lodi;

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The proposed boundaries of said assessment district to be assessed in said proceedings, are hereby described as shown on a map of said assessment district on file in the office of the City Clerk, which indicates by a boundary line the extent of the territory included in the proposed assessment district and which shall govern for all details as to the extent of the district, reference to such map hereby being made for particulars. Said map contains the name of the City and a distinctive designation in words or by number of the district shown thereon.

2. On the original and at least one copy of said map the City Clerk shall endorse her certificate evidencing the date and adoption of this resolution. The Clerk shall file the original of such map in her office and within fifteen (15) days after adoption of the resolution fixing time and place of hearing on the formation or extent of said district, and in no event later than fifteen (15) days prior to such hearing, shall file a copy thereof with the County Recorder of San Joaquin County.

3. The County Recorder shall endorse on the copy of the map of the assessment district the time and date of filing, and shall fasten the same securely in a book of maps of assessment districts which he shall keep in his office and shall index such map by the name of the entity conducting the proceedings and by the distinctive designation of the district as shown on such map.

4. After confirmation of the assessment by this Council, the City Clerk shall file in the office of the County Recorder of San Joaquin County a copy of the assessment diagram.

5. The County Recorder shall endorse on the copy of the assessment diagram filed with him the time and date of filing and shall fasten the same securely in the Book of Maps of Assessment Districts in which he is obligated to keep boundary maps of assessment districts and shall index such assessment diagram by the name of the entity conducting the proceedings and by reference to page of the book of maps of assessment districts in which the boundary map of said assessment district was filed in said book.

6. After the recording of the assessment and diagram in the office of the Director of Public Works, the City Clerk shall execute and record a notice of assessment

in the office of the County Recorder of San Joaquin County in substantially the form provided in Section 3114 of the Streets and Highways Code. From the date of such recording, all persons shall be deemed to have notice of the contents of such assessment, and each of such assessments shall thereupon be a lien upon the property against which it is made, and unless sooner discharged such liens shall so continue for the period of four (4) years from the date of said recordation, or in the event bonds are issued to represent said assessments, then such liens shall continue until the expiration of four (4) years after the due date of the last installment upon said bonds or the last principal coupon attached thereto.

7. The appropriate officer or officers are hereby authorized to pay filing fees and recording fees required by law in connection with the filing of said map and assessment diagram and the recording of said notice.

DATED: November 2, 1983.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 83- 126 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held November 2, 1983, by the following vote:

AYES: Councilmen - 0.7

NOES: Councilmen -

ABSENT: Councilmen -

ABSTENTIONS: Councilmen -

ALICE M. REIMCHE, City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

A RESOLUTION APPOINTING ENGINEER AND ATTORNEYS

LODI UNITED DOWNTOWN ASSESSMENT DISTRICT
BEAUTIFICATION PROJECT

RESOLVED, by the City Council of the City of Lodi, California, that

WHEREAS, said Council intends to undertake assessment proceedings for the acquisition and/or construction of improvements in the City of Lodi, California; and

WHEREAS, the public interest and general welfare will be served by appointing and employing engineers and attorneys for the preparation and conduct of said proceedings and work in connection with said improvements;

NOW, THEREFORE, IT IS ORDERED as follows:

1. That MORRIS & WINNELL, Lodi, California, be appointed Architects of the project, and directed to do and perform all planning and design work necessary in and for said proceedings, and that their compensation be fixed by agreement with the City, said compensation to be assessed as an incidental expense of said proceedings.
2. That BAUMBACH & PIAZZA, Lodi, 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 agreement with the City, said compensation to be assessed as an incidental expense of said proceedings.
3. That BLEWETT, GARRETSON & HACHMAN, A Professional Corporation, be and it is hereby 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, and it is hereby fixed at 3% of the total assessments levied, together with reasonable fees for any services rendered in acquiring easements or in eminent domain or other suits, said compensation to be assessed as an incidental expense of said proceedings.

* * * * *

DATED: November 2, 1983.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 83-127 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held November 2, 1983, by the following vote:

AYES: Councilmen - 03

NOES: Councilmen -

ABSENT: Councilmen -

ABSTENTIONS: Councilmen -

ALICE M. REIMCHE, City Clerk

CERTIFICATE THAT PETITION FOR IMPROVEMENTS
EXCEEDS 60%

LODI UNITED DOWNTOWN ASSESSMENT DISTRICT
PROJECT NO. 83-1

I, GLEN I. BAUMBACH, for BAUMBACH & PIAZZA,

Engineer 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 area 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% in area of the property subject to assessment for the proposed improvements who appear to be such on the assessor's rolls 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, provided that where the person signing the 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.

DATED: November 2, 1983


GLEN I. BAUMBACH

CERTIFICATE THAT PETITION FOR IMPROVEMENTS
EXCEEDS 60%

LODI UNITED DOWNTOWN ASSESSMENT DISTRICT
PROJECT NO. 83-1

I, GLEN I. BAUMBACH, for BAUMBACH & PIAZZA,
Engineer 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 area 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% in area of the
property subject to assessment for the proposed improvements
who appear to be such on the assessor's rolls 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
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County Assessor will use to prepare the next ensuing assessor's
roll, on the date that said petition was filed, provided that
where the person signing the 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.

DATED: November 2, 1983

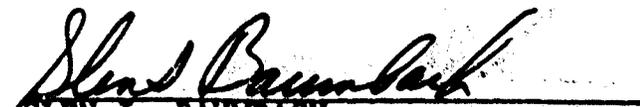

GLEN I. BAUMBACH

CERTIFICATE THAT PETITION FOR IMPROVEMENTS
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PROJECT NO. 83-1

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DATED: November 2, 1983


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PROJECT NO. 83-1

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DATED: November 2, 1983


GLEN I. BAUMBACH

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property was counted as if all such tenants had duly signed.

DATED: November 2, 1983


GLEN I. BAUMBACH



301 w. locust st. lodi, ca. 95240

October 28, 1983

RECEIVED
1983 OCT 28
ALICE M.
CITY C
CITY OF

*Put in
Index of
cc file
10/26 or 11/2
CC/ce*

Mrs. Alice Reimche
City Clerk
CITY OF LODI
221 West Pine Street
Lodi, California 95240

SUBJECT: PROPOSED UNIFIBD DOWNTOWN IMPROVEMENT DISTRICT
DESIGN SERVICE

Dear Mrs. Reimche:

Lodi Design Group agreed at the conception of the UDID project to set their fee equal to the fee proposed by QUAD Engineering Inc. QUAD had proposed the following services and fee:

- Design Engineering
- Field Engineering
- Preliminary Assessments
- Final Assessments

2

Total of \$55,512.00

In keeping with our original commitment, we are proposing a total fee of \$55,512.00 less all payments received to date. These payments include \$10,000 paid to Lodi Design Group and \$1,000 paid to Baumbach and Piazza.

Our fee will cover the following work:

- Master Planning (completed)
- Preliminary Assessment Preparation (completed)
- Construction Documents
- Final Assessment Services
- Construction Administration

It is to be noted that design work around the Arch is deleted from this fee. These services are to be contracted directly with the City of Lodi.

**Lodi
design
group**

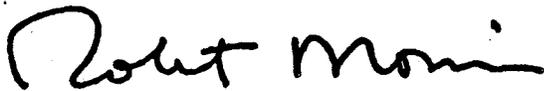
The fee is to be dispersed on a monthly basis in proportion to the amount of work completed during the preceding month. Ninety percent of the total fee will be allocated to the construction drawings and final assessment services. The remaining ten percent shall be allocated to construction administration.

This letter is presented as a letter of intent. A concise contract shall be negotiated between the City staff and members of the Lodi Design Group.

Please call if you have any questions.

Sincerely,

LODI DESIGN GROUP



Robert Morris
Architect

RM:cb