

**PUBLIC HEARINGS**

**EILERS  
REORGANIZATION,  
INCLUDING  
ANNEXATION TO THE  
CITY OF LODI AND  
DETACHMENT**

**RES. NO. 81-100**

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the Eilers Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Rural County Fire Protection District.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area, indicated that the only property owner involved in this request had signed the petition for annexation, that the subject property would be zoned as "Unclassified Holding", and that LAFCO had not waived the necessity to hold a Public Hearing on the matter, therefore, it was required by law that the City do so.

The following persons spoke on behalf of the reorganization:

a) Mr. C.M. Sullivan, Attorney-at-Law, 1111 W. Tokay, Lodi, representing Mr. Eiler, the property owner requesting the annexation.

The following persons spoke in opposition of the proposed reorganization:

a) Mrs. Barbara Lea Kern, 448 Almond Drive, Lodi

b) Mr. Wilbert Ruhl, 3933 E. Almond Drive, Lodi

c) Mrs. Pat Blodgett, 13050 N. Highway 99, Lodi

Mayor McCarty then called for rebuttal and the following persons addressed the Council under rebuttal against the argument presented against the proposed reorganization:

*The*  
*Assembly*  
LOCAL AGENCY FORMATION COMMISSION

**LAFCO**

COUNTY COURTHOUSE, ROOM 133  
222 EAST WEBER AVENUE  
STOCKTON, CALIFORNIA 95202  
PHONE: 209/944-2196

OF SAN JOAQUIN COUNTY

EXECUTIVE OFFICER  
GERALD F. SCOTT

LEGAL COUNSEL  
MICHAEL MCGREW  
DEPUTY COUNTY COUNSEL

COMMISSION MEMBERS

DOUGLASS W. WILHOIT, CHAIRMAN  
2ND DISTRICT SUPERVISOR  
ARNOLD I. RUE, VICE-CHAIRMAN  
STOCKTON CITY COUNCILMAN  
GEORGE L. BARBER  
4TH DISTRICT SUPERVISOR  
ROBERT A. CANCLINI  
TRACY CITY COUNCILMAN  
MAROLD R. NELSON  
PUBLIC MEMBER  
STANLEY NORTENSEN, ALTERNATE  
PUBLIC MEMBER  
JACK C. BNYDER, ALTERNATE  
MANTENCA CITY COUNCILMAN  
RICHARD S. YOSHIKAWA, ALTERNATE  
1ST DISTRICT SUPERVISOR

June 23, 1981

City of Lodi  
c/o City Clerk  
221 W. Pine Street  
Lodi, CA 95240

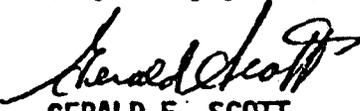
Re: Resolution No. 514, Approving the Eilers Reorganization (LAFCO 18-81),  
Including Annexation to the City of Lodi and Detachment from Wood-  
bridge Rural County Fire Protection District

Gentlemen:

We hereby transmit a certified copy of this Commission's Resolution No. 514  
approving the above entitled proposal and authorizing the City of Lodi  
to conduct subsequent proceedings.

Upon successful completion of City proceedings, the City must request that  
LAFCO execute and file a Certificate of Completion and State of Boundary  
Change. Such request must be accompanied by six certified copies of your  
resolution ordering the boundary change and a check payable to the State  
Board of Equalization covering its filing fee.

Very truly yours,

  
GERALD F. SCOTT  
Executive Officer

GFS:rq

cc: Board of Supervisors  
c/o Clerk of the Board  
Woodbridge Rural County Fire Protection District  
County Surveyor  
County Assessor  
Henry G. Eilers  
Bud Sullivan  
James B. Schroeder, City of Lodi

JUN 25 1981

## EXHIBIT A

EILERS REORGANIZATION TO THE CITY OF LODI

A portion of the Southeast Quarter of Section 34, Township 4 North Range 6 East, Mount Diablo Base and Meridian, being described as follows:

Beginning at a point on the West line of said Southeast Quarter, said point lying North  $1^{\circ} 49' 00''$  West, 27.01 feet from the Southwest corner of said Southeast Quarter, said point also being on the Lodi City Limits line; thence North  $01^{\circ} 49' 00''$  West along said West line, being along said City Limits line. 3.0 feet; thence leaving said City Limits line and continuing North  $1^{\circ} 49' 00''$  West along said West line 1292.4 feet to the North line of the Southwest Quarter of said Southeast Quarter; thence North  $89^{\circ} 43' 00''$  East along said North line 650.76 feet to intersection with the East line of Lilac Street (80 feet wide), said intersection being the Northwest corner of that certain parcel of land described in deed to Woods School District of San Joaquin County, recorded in Volume 1756, page 421, Book of Official Records of San Joaquin County; thence along the boundary of said School District parcel the following three (3) courses: (1) South  $9^{\circ} 48' 30''$  West, along said East line of Lilac Street 287.47 feet, (2) North  $89^{\circ} 43' 00''$  East, 622.24 feet, and (3) North  $7^{\circ} 12' 00''$  East, 285.4 feet to the north line of the Southwest Quarter of said Southeast Quarter; thence North  $89^{\circ} 43'$  East along said North line 150 feet to the west line of Lower Sacramento Road, being on said City Limits line; thence along said City Limits line the following two (2) courses: (1) South  $7^{\circ} 12'$  West along said West line 1312.05 feet to the North line of Turner Road, and (2) West along said North line 1204.28 feet to the point of beginning.

Containing 34.9 acres, more or less.

RECOMMENDED APPROVAL AS TO DESCRIPTION BY:

*Robert W. Schramm*  
 Chief Deputy County Surveyor

APPROVED BY:

*Henry M. Throta*  
 County Surveyor

RESOLUTION NO. 514

BEFORE THE LOCAL AGENCY FORMATION COMMISSION OF SAN JOAQUIN COUNTY  
RESOLUTION APPROVING THE EILERS REORGANIZATION (L AFC 18-81),  
INCLUDING ANNEXATION TO THE CITY OF LODI AND DETACHMENT FROM  
WOODBIDGE RURAL COUNTY FIRE PROTECTION DISTRICT

WHEREAS, the above entitled proposal was initiated by Resolution of the City of Lodi, and on May 21, 1981, the Executive Officer certified the application filed for processing in accordance with the District Reorganization Act; and,

WHEREAS, the Commission held a public hearing on the proposed reorganization on June 19, 1981, in the Board of Supervisors Chambers, County Courthouse, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and,

WHEREAS, at said hearing the Commission heard and received evidence, both oral and documentary, submitted in favor of and in opposition to the proposed reorganization and all persons present were given an opportunity to hear and be heard in respect to any matter relating to said proposal;

NOW, THEREFORE, the Local Agency Formation Commission of San Joaquin County DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The Negative Declaration adopted by the City of Lodi as lead agency has been reviewed and considered.

Section 2. The above entitled reorganization is approved subject to the terms and conditions contained herein.

Section 3. The boundaries are hereby approved, said boundaries being set forth in Exhibit A.

Section 4. The affected territory is uninhabited.

Section 5. The City of Lodi is designated as the conducting agency and is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 56430 of the District Reorganization Act.

Section 6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this Resolution as required by Section 56272 of the Government Code.

PASSED AND ADOPTED this 19th day of June, 1981, by the following vote of the Local Agency Formation Commission of San Joaquin County, to wit:

AYES: Commissioners Barber, Canclini, Nelson, Rue and Wilhoit

NOES: None

THE FOREGOING IS A CORRECT COPY OF  
THE ORIGINAL ON FILE IN THIS OFFICE

GERALD F. SCOTT  
EXECUTIVE OFFICER

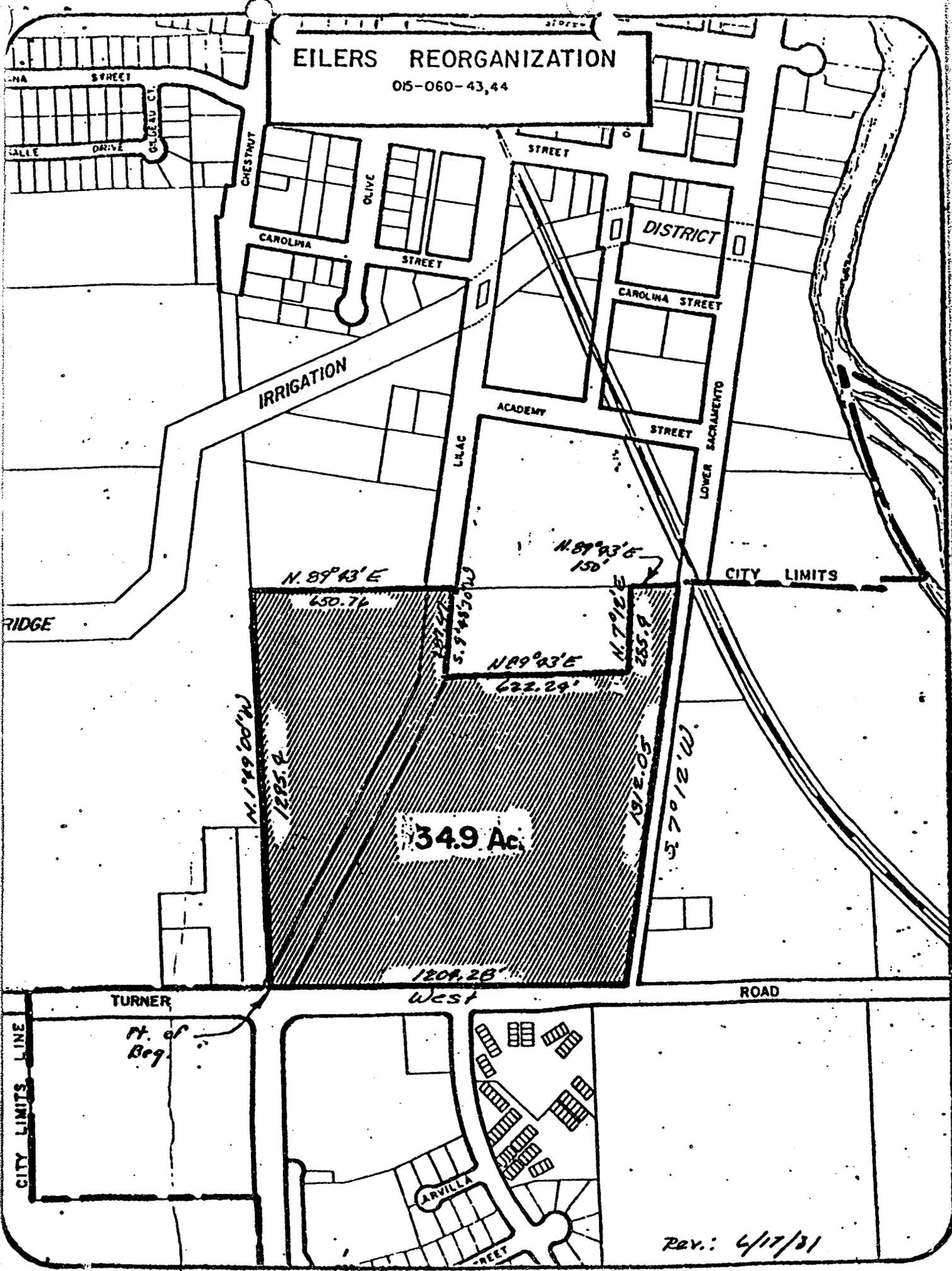
By: *L. P. ...*  
COMMISSION CLERK

Date: 6-23-81

*Douglas W. Wilhoit*  
DOUGLASS W. WILHOIT, Chairman  
Local Agency Formation Commission  
of San Joaquin County

EILERS REORGANIZATION

05-060-43,44



IRRIGATION

CITY LIMITS

34.9 Ac.

TURNER

West

ROAD

pt. of Beg.

ARVILLA

REV.: 4/17/31

MEMORANDUM

To: City Manager  
From: City Attorney  
Re: Annexation - Eilers/Woodbridge School  
Date: May 20, 1981

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At the last City Council meeting, I was asked to research the question of whether LAFCO could add additional territory into a proposal for annexation by the legislative body. Specifically, what the Council was concerned with was whether LAFCO could add Woodbridge School in the Eilers annexation proposal.

The answer is in the affirmative. If the Council, upon receiving the recommendation from LAFCO finds it includes additional territory which they don't wish to have in said annexation, the Council cannot modify LAFCO's recommendation. The only thing they could do is send the recommendation back to LAFCO, or in the alternative, under the District Reorganization Act, turn it down.

Further, I was asked if the City could condition the Woodbridge School property annexation on the installation of curb, gutter and sidewalk. In speaking with the Executive Officer of LAFCO and the attorney for LAFCO, I was told that the normal procedure to require any condition is for the City, in its resolution or application to LAFCO for annexation, to include said conditions therein. However, it would be up to LAFCO whether they would include said conditions.

One suggestion was that as part of rezoning the property, the City could condition the rezoning on the curb, gutter and sidewalk or upon a development agreement. However, since the school does not have a zoning classification, there would be no way in which the City could require the School as part of the rezoning, to put in curb, gutter and sidewalk.

  
\_\_\_\_\_  
RONALD M. STEIN  
CITY ATTORNEY

RMS:vc

Public Hearing (a)

RESOLUTION NO. 81-88

A RESOLUTION OF THE LODI CITY COUNCIL OF THE CITY OF LODI PROVIDING FOR NOTICE OF PUBLIC HEARING UPON A PROPOSED REORGANIZATION, EILERS REORGANIZATION, AND DETACHMENT FROM THE WOODBRIDGE RURAL COUNTY FIRE PROTECTION DISTRICT

WHEREAS, the City Council of the City of Lodi, a Municipal Corporation, has received a written petition for annexation, signed by the owners of not less than one-fourth of the land by area, and by assessed value, as shown on the last equalized assessment role of the County, containing a description of the territory sought to be included in the City of Lodi, requesting annexation of said described territory, pursuant to the District Reorganization Act of 1965 as contained in Division 1 of Title 6 of the Government Code, all of said property being contiguous to the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LODI as follows:

1. THAT it has been proposed, pursuant to the above noted District Reorganization Act of 1965 that there be annexed to the City of Lodi, a Municipal Corporation in the State of California, and simultaneously detached from the Woodbridge Rural County Fire Protection District, that certain territory particularly described as shown on Exhibit "A" attached hereto and thereby made a part hereof.

2. THAT for the purposes of identification the above described territory is hereby designated as Eilers Reorganization (LAFC 18-81).
3. THAT notice is hereby given that the City Council of the City of Lodi will hear and receive written protests against the annexation on the 5th day of August, 1981 at 8:00 p.m., or as soon thereafter as the matter may be heard, in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California.

Dated: July 1, 1981

I hereby certify that Resolution No. 81-88 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 1, 1981 by the following vote:

Ayes: Councilmen - Hughes, Murphy, Pinkerton and  
McCarty

Noes: Councilmen - None

Absent: Councilmen - Katnich

Abstain: Councilmen - None

CERTIFICATE

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that the foregoing is a true and correct copy of Resolution No. 81-88, passed and adopted by the City Council at the regular meeting thereof held July 1, 1981; the same has not been revoked, and remains in full force and effect.

Dated: July 1, 1981

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk

THE FOREGOING DOCUMENT IS CERTIFIED TO BE  
A CORRECT COPY OF THE ORIGINAL ON FILE IN  
THIS OFFICE

DOREEN GAUGEL  
DEPUTY CITY CLERK, CITY OF LODI

BY *Doreen Gaugel*  
DATED: JUL 8 1981

CITY COUNCIL

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

CITY OF LODI

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

August 18, 1981

HENRY A. GLAVES, Jr.  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

Mr. Gerald F. Scott  
Executive Officer  
Local Agency Formation Commission  
County Courthouse, Room 153  
222 E. Weber Avenue  
Stockton, California 95202

Re: Eilers Reorganization (L AFC 18-81) including annexation to the  
City of Lodi and detachment from the Woodbridge Rural County Fire  
Protection District

Dear Mr. Scott:

Pursuant to the Commission's Resolution No. 514, the Lodi City Council  
in action taken at its August 5, 1981 regular meeting, adopted Resolution  
No. 81-100-"A Resolution of the City Council of the City of Lodi After  
Hearing Ordering Reorganization".

The City of Lodi issued and filed herewith, pursuant to your June 23,  
1981 letter, a check payable to the State Board of Equalization in the  
amount of \$220.00 covering the filing fee. Also enclosed herewith please  
find six certified copies of the heretofore mentioned Resolution.

Should you have any questions regarding this matter, please do not hesitate  
to call this office.

Very truly yours,

  
ALICE M. REIMCHE  
City Clerk

Encls.

CITY OF LODI, P.O. BOX 320 • LODI, CALIFORNIA 95241 • (209) 334-5634  
 ATTACHED CHECK IS IN PAYMENT OF ITEMS LISTED BELOW

114 8-19-81

543

DESCRIPTION	ACCOUNT	DISCOUNT	AMOUNT
Process Fee Eilers Reorganization 34.9 acres	10.0-93.0-001.01-399		\$220.00

PLEASE DETACH AND RETAIN THIS STATEMENT

**CITY OF LODI**

LODI, CALIFORNIA 95241

90-844  
1211

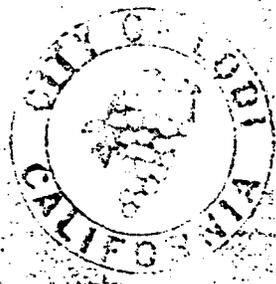
00040

DATE

8-19-81

CLAIM NO.

543



**PAY THIS AMOUNT**  
 \$\*\*\*\*\*220.00  
 VOID AFTER 90 DAYS

PAY TO THE ORDER OF

State Board of Equalization  
 Sacramento, Ca.

*Fred C. Wilson*  
 FINANCE DIRECTOR

⑈000040⑈ ⑆121108441⑆000⑈10001⑈3⑈

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA - LODI, CALIFORNIA 95241

RESOLUTION NO. 81-100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
AFTER HEARING ORDERING REORGANIZATION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF THE EILERS REORGANIZATION	)	RESOLUTION MAKING DETERMINATIONS
(L AFC 18-81) INCLUDING ANNEXATION TO THE	)	AND ORDERING REORGANIZATION
CITY OF LODI AND DETACHMENT FROM THE WOODBRIDGE)	)	WITHOUT ELECTION
RURAL COUNTY FIRE PROTECTION DISTRICT	)	

SECTION I: RESOLVED BY THE CITY COUNCIL OF THE CITY OF LODI THAT IT DETERMINES:

- (a) Preliminary proceedings for the annexation of described territory to the City of Lodi and detachment from the Woodbridge Rural County Fire Protection District were initiated by the filing of Resolution No. 81-51 with the Local Agency Formation Commission in the County of San Joaquin pursuant to the requirements of the District Reorganization Act.
- (b) Thereafter appropriate proceedings were conducted by said Local Agency Formation Commission and the said Commission, on the 19th day of June 1981, adopted Resolution No. 514 approving the proposed reorganization and the City of Lodi was designated as the conducting agency and was authorized to initiate proceedings for uninhabited reorganization in accordance with Section 56430 of the District Reorganization Act.
- (c) Resolution No. 514 of the Local Agency Formation Commission approving the proposed reorganization and designating the City of Lodi as the conducting agency and authorizing the City of Lodi to initiate proceedings for uninhabited reorganization in accordance with Section 56430 of the District Reorganization Act.

SECTION II: RESOLVED BY THE CITY COUNCIL OF THE CITY OF LODI:

- (a) That each of the changes in the organization contained in the proposal for organization is ORDERED without an election pursuant to Government Code Section 56439 (c). The changes or organization consist of:

- (1) Annexation of the Eilers Addition as shown on Exhibit "A" attached
- (2) Detachment of the Eilers Addition as shown on Exhibit "A" attached, from the Woodbridge Rural County Fire Protection District.

Dated: August 5, 1981

I hereby certify that Resolution No. 81-100 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 5, 1981 by the following vote:

Ayes: Councilmen - Hughes, Murphy, Pinkerton, and McCarty

Noes: Councilmen - None

Absent: Councilmen - Katnich

  
ALICE M. REIMCHE  
City Clerk

- (1) Annexation of the Eilers Addition as shown on Exhibit "A" attached
- (2) Detachment of the Eilers Addition as shown on Exhibit "A" attached, from the Woodbridge Rural County Fire Protection District.

Dated: August 5, 1981

I hereby certify that Resolution No. 81-100 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 5, 1981 by the following vote:

Ayes: Councilmen - Hughes, Murphy, Pinkerton, and McCarty

Noes: Councilmen - None

Absent: Councilmen - Katnich

  
ALICE M. REIMCHE  
City Clerk