

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 11, 1962

This regularly adjourned meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, April 11, 1962. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present. None absent.

Also present: City Manager Graves, City Attorney Mullen, Administrative Assistant Carlton, and Planning Director Rodgers.

PLANNING COMMISSION

FINAL MAP The final map of the Westway Subdivision was
WESTWAY SUBD. presented for approval, all provisions of the
 Subdivision Ordinance having been complied with.
 Councilman Katzakian moved that the final map be
 approved. The motion was seconded by Councilman
 Mitchell and carried.

COMMUNICATIONS

ABC LICENSE Notice of application for Alcoholic Beverage
 License, Off-Sale Beer and Wine, Wan and Gloria
 Lew, Best Buy Market, 310 South Central Avenue.

REPORTS OF THE CITY MANAGER

WEST CAMPUS City Manager Graves reported that a total of
POOL OPERATING \$3,210 was needed to operate the West Campus pool
FUNDS for the balance of the fiscal year, covering
 salaries for two full-time lifeguards, one part-
 time relief lifeguard, one checkstand operator
 and one maintenance man. This amount also includes
 \$138 for supplies and \$1,000 for a cash register
 and check stand wheels. Councilman Brown moved
 that \$3,210 be allocated for operation of the West
 Campus swimming pool to June 30, 1962. The motion
 was seconded by Councilman Ullmann and carried.

ELECTRIC The City Manager presented an agreement covering
FACILITIES IN the sale of electric distribution facilities in
REYNOLDS ADDN the Reynolds Addition by the Pacific Gas and
 Electric Company to the City. The cost will be
RES. NO. 2532 in the neighborhood of \$2,046 and this is con-
ADOPTED sidered reasonable by the Superintendent of
 Utilities. On motion of Councilman Katzakian,
 Mitchell second, the Council adopted Resolution
 No. 2532 authorizing the Mayor to sign the agree-
 ment on behalf of the City.

ORDINANCES

CONSOLIDATING On motion of Councilman Brown, Katzakian second,
BOND ELECTION the City Council adopted the following ordinance,
WITH JUNE No. 721, by reading of title only and waiving
PRIMARY reading of the ordinance in full:

ORD. NO. 721
ADOPTED

Minutes of April 11, 1962, continued

ORDINANCE NO. 721

AN ORDINANCE CALLING A SPECIAL MUNICIPAL BOND ELECTION IN THE CITY OF LODI FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE MEASURES OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, TO WIT:

- (B) CIVIC CENTER;
- (C) STORM DRAIN SYSTEM;
- (D) STREET IMPROVEMENTS;
- (E) WATER SYSTEM IMPROVEMENTS;
- (F) SANITARY SEWAGE SYSTEM IMPROVEMENTS;
- (G) PARK AND RECREATION FACILITIES;
- (H) CORPORATION YARD;
- (I) FIRE DEPARTMENT IMPROVEMENTS; AND
- (J) LIBRARY;

DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; MAKING PROVISION FOR THE LEVY AND COLLECTION OF TAXES; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, PROVIDING FOR NOTICE THEREOF, AND CONSOLIDATING SAID SPECIAL MUNICIPAL BOND ELECTION WITH THE STATE OF CALIFORNIA DIRECT PRIMARY ELECTION TO BE HELD ON JUNE 5, 1962.

WHEREAS, the City Council (hereinafter sometimes called "the Council") of the City of Lodi by resolution duly passed and adopted at a meeting of the Council duly and regularly held, by affirmative vote of more than two-thirds of all its members, did determine that the public interest and necessity demand the acquisition, construction and completion of the municipal improvements, and each of them, hereinafter mentioned, and did further determine that the cost of said proposed municipal improvements, and each of them, will be too great to be paid out of the ordinary annual income and revenue of said municipality and that said municipal improvements will require an expenditure greater than the amount allowed therefor by the annual tax levy, and will require the incurring of a bonded indebtedness therefor, which resolution was duly entered on the minutes of said meeting of the Council, and is now on file and of record in the Clerk's office of said City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

Section 1. A special municipal bond election be and is hereby ordered and will be held in the City of Lodi (hereinafter called "the City") on Tuesday, June 5, 1962, at which election shall be submitted to the qualified electors of the City the question of incurring a bonded indebtedness of the City for the objects and purposes set forth in the following measures, and each of them, to wit:

CITY OF LODI BOND MEASURES		
<p><u>MEASURE (B):</u> (Civic Center)</p>	<p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$791,000 for the acquisition, construction and completion of the following municipal improvement, to wit: A civic center, including hall of justice and fire station building, acquisition and development of civic center site, landscaping and other site improvements, land, easements, rights of way and other works, property or structures necessary or convenient for a civic center for the City of Lodi?</p>	<p>YES</p>
		<p>NO</p>

<p><u>MEASURE (C):</u> (Storm Drain System)</p>	<p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$1,436,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Municipal storm drain system, including trunk lines, ditches, outfall ditch, freeway drainage, standby generators for emergency pumping, pipes, manholes, catchbasins, pumps, lands, easements, rights of way and other works, property or structures necessary or convenient for a municipal storm drain system for the City of Lodi?</p>	<p>YES</p>
<p><u>MEASURE (D):</u> (Street Improvements)</p>	<p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$537,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Street improvements, including reconstruction, repaving, re-surfacing, replacement, widening and extension of existing streets (including removal and relocation or replacement of existing public utility facilities); construction, paving and surfacing of new streets; new curbs, gutters and sidewalks and replacement of existing curbs, gutters and sidewalks; lands, easements and rights of way; and other works, property or structures necessary or convenient for street improvements for the City of Lodi?</p>	<p>YES</p> <p>NO</p>
<p><u>MEASURE (E):</u> (Water System Improvements)</p>	<p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$614,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Improvement of the municipal water system, including new water mains, replacements and extensions of existing water mains, pipes, valves, hydrants, meters, wells and well sites, tanks and tank sites, pumps, standby engines, lands, easements, rights of way and other works, property or structures necessary or convenient for improvement of the municipal water system of the City of Lodi?</p>	<p>YES</p> <p>NO</p>
<p><u>MEASURE (F):</u> (Sanitary Sewage System Improvements)</p>	<p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$787,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Improvement of the municipal sanitary sewage system, including new trunk and outfall sewer lines, replacement of existing trunk lines, pipes, connections, purchase of sewage treatment plant site and new plant, lands, easements, rights of way and other works, property or structures necessary or convenient for improvement of the municipal sanitary sewage system of the City of Lodi?</p>	<p>YES</p> <p>NO</p>

<p><u>MEASURE (G):</u> (Park and Recreation Facilities)</p> <p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$321,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Park and recreation facilities, including improvement of existing parks, acquisition and development of new parks, planting, landscaping, paving, walkways and other site improvements for existing city-owned lands and parks; conversion of park sprinkler system to automatic; reconstruction of stadium; park department nursery; lands, easements and rights of way; and other works, property or structures necessary or convenient for park and recreation facilities for the City of Lodi?</p>	<p>YES</p>
<p><u>MEASURE (H):</u> (Corporation Yard)</p> <p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$183,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Corporation yard, including shops, storage buildings, equipment sheds and other facilities for the care, custody and operation of city-owned equipment and materials; storage and parking areas, paving, surfacing, yard lighting, fencing, storm drains and other site improvements; water, gas and electrical facilities; lands, easements and rights of way; and other works, property or structures necessary or convenient for a corporation yard for the City of Lodi?</p>	<p>YES</p> <p>NO</p>
<p><u>MEASURE (I):</u> (Fire Department Improvements)</p> <p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$135,000 for the acquisition, construction and completion of the following municipal improvement, to wit: Fire department improvements, including construction of new fire station together with furniture, fixtures and equipment therefor; new city-wide fire alarm system; lands, easements and rights of way; and other works, property or structures necessary or convenient for fire department improvements for the City of Lodi?</p>	<p>YES</p> <p>NO</p>
<p><u>MEASURE (J):</u> (Library)</p> <p>Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$475,000 for the acquisition, construction and completion of the following municipal improvement, to wit: A library, including book storage space and other storage areas, reading and conference rooms and reference and staff facilities; furniture, fixtures and equipment; site improvements; new books; land, easements and rights of way; and other works, property or structures necessary or convenient for a municipal library for the City of Lodi?</p>	<p>YES</p> <p>NO</p>

The estimated cost of the municipal improvement set forth in Measure (B) is the sum of \$791,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$791,000.

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The estimated cost of the municipal improvement set forth in Measure (C) is the sum of \$1,436,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$1,436,000.

The estimated cost of the municipal improvement set forth in Measure (D) is the sum of \$537,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$537,000.

The estimated cost of the municipal improvement set forth in measure (E) is the sum of \$614,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$614,000.

The estimated cost of the municipal improvement set forth in Measure (F) is the sum of \$787,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$787,000.

The estimated cost of the municipal improvement set forth in Measure (G) is the sum of \$321,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$321,000.

The estimated cost of the municipal improvement set forth in Measure (H) is the sum of \$183,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$183,000.

The estimated cost of the municipal improvement set forth in Measure (I) is the sum of \$135,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$135,000.

The estimated cost of the municipal improvement set forth in Measure (J) is the sum of \$475,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$475,000.

The estimated cost hereinabove stated of each such municipal improvement includes legal or other fees incidental to or connected with the authorization, issuance and sale of the bonds evidencing the indebtedness proposed to be incurred for such municipal improvement and the costs of printing said bonds and other costs and expenses incidental to or connected with the issuance and sale of said bonds.

Section 2. The Council does hereby submit to the qualified electors of the City at said special municipal bond election said measures, and each of them, set forth in Section 1 of this ordinance, and designates and refers to said measures as the measures to be set forth on the ballots hereinafter prescribed for use at said election.

(a) Said special municipal bond election shall be held and conducted, and the votes thereof canvassed, and the returns thereof made, and the result thereof ascertained and determined, as herein provided; and in all particulars not prescribed by this ordinance, said election shall be held as provided by law.

(b) All persons qualified to vote at municipal elections in the City upon the date of the election herein provided for shall be qualified to vote upon the measures submitted at said special municipal bond election.

(c) The polls at the polling places hereinafter designated shall be opened at 7:00 o'clock A.M. of said day of election

and shall be kept open continuously thereafter until 7:00 o'clock P.M. of said day of election, when the polls shall be closed (except as provided in Section 14435 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(d) Said special municipal bond election hereby called shall be and is hereby consolidated with the State of California Direct Primary Election to be held in the City on June 5, 1962, all as required by and pursuant to law; and the election precincts, polling places and officers of election within the City for said special municipal bond election hereby called shall be the same as those selected and designated by the Board of Supervisors of San Joaquin County for said primary election and set forth or to be set forth in the notice of election officers and polling places for said primary election published or to be published by the County Clerk of said County, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling places, and election officers of the special municipal bond election hereby called. Only qualified voters of the City shall be permitted to vote at said special municipal bond election. The Board of Supervisors of said County is authorized to canvass, or cause to be canvassed, the returns of said special municipal bond election with respect to the votes cast in the City and to certify the results to the Council.

(e) On the ballots to be used at said primary election and said special municipal bond election hereby consolidated herewith, in addition to all other matters required by law to be printed thereon, shall appear the measures, and each of them, set forth in Section 1 hereof. Each voter may vote on any or all of said measures. Each voter to vote for any measure hereby submitted and for incurring said bonded indebtedness shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said measure, and to vote against any measure and against incurring said indebtedness shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said measure. On absent voter ballots the cross (X) may be marked with pen or pencil. Absent voter ballots setting forth said measures, and each of them, shall be issued to qualified electors residing within the City entitled thereto, in the manner provided by law, and such absent voter ballots shall likewise be canvassed, or caused to be canvassed, by the Board of Supervisors of said County.

(f) At the next regular meeting of the Council occurring after the returns of said special municipal bond election have been canvassed, or caused to be canvassed, by the Board of Supervisors of said County, and the certification of the results thereof to the Council, or at a special meeting called thereafter for such purpose, the Council shall cause to be spread upon its minutes a statement of the results of said special municipal bond election as ascertained by said canvass.

Section 3. The Council proposes to issue and sell bonds of the City for the objects and purposes, but not exceeding the amount, specified in said respective measures, if two-thirds of the qualified electors voting on each separate measure at said special municipal bond election shall vote in favor of each of said measures, provided, however, that the votes cast for and against each of said respective measures shall be counted separately and, when two-thirds of the qualified electors voting on any one of such measures vote in favor thereof, such measure shall be deemed adopted and bonds of the City in the aggregate amount specified in the measure or measures which carried by the affirmative vote of two-thirds of the qualified electors of the City voting on said measure or measures at said election shall thereby be authorized to be issued and sold for the objects and

purposes specified in said measure or measures which received such affirmative two-thirds vote.

Said bonds shall be negotiable in form and of the character known as serial, and shall bear interest at a rate not to exceed six (6) per cent per annum, payable semiannually (except that interest for the first year after the date of said bonds may be made payable at or before the end of said year). Provision is hereby made for the payment of the principal of and interest on said bonds as follows: At the time of making the general tax levy after incurring the bonded indebtedness, and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall levy and collect a tax sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of a tax levied at the next general tax levy will be available; provided, however, that if said bonds are authorized to be issued at said election, and it is expected that all or any part of said bonds will be sold at such time that the principal of or interest on such bonds will become due before the proceeds of a tax levied after such sale would be available to pay such principal or interest, the Council, at the time of fixing the annual tax levy, may levy a tax in an amount clearly sufficient to pay that portion of the principal of and interest on said bonds which it is expected will become due before the proceeds of the next succeeding tax levy will be available. If the earliest maturity of the bonds is more than one year after the date of issuance, the Council shall levy and collect annually a tax sufficient to pay the interest as it falls due and to constitute a sinking fund for the payment of the principal on or before maturity. Such taxes shall be levied and collected as other City taxes and shall be in addition to all other taxes and shall be used only for payment of the bonds and the interest thereon.

Section 4. The City Clerk of the City is hereby directed, upon the passage and adoption of this ordinance, to publish the same once a day for at least seven (7) days in the LODI NEWS SENTINEL, which is a newspaper of general circulation published at least six (6) days a week in the City, and such publication shall constitute notice of said election. No other notice of the election hereby called need be given.

Section 5. This ordinance shall be forthwith entered upon the minutes of the Council and in the Ordinance Book of the City. This ordinance, being an ordinance calling and ordering an election, shall take effect from and after its final passage and approval.

PASSED AND ADOPTED this 11th day of April, 1962, by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN and CULBERTSON

NOES: NONE

ABSENT: NONE

There being no further business, the City Council adjourned to April 17, 1962, on motion of Councilman Katzakian, Brown second.

Beatrice Garibaldi
ATTEST: BEATRICE GARIBALDI
City Clerk