

COUNCIL CHAMBERS -- CITY COUNCIL  
CITY HALL -- CITY OF LODI  
MONDAY, APRIL 4, 1938

The City Council of the City of Lodi met in regular session at 8:00 o'clock P.M. of Monday, April 4, 1938, Councilmen Clark, Graffigna, Spooner, Weihe and Steele (Mayor) present, the latter presiding. None absent.

The minutes of the last meeting held March 21, 1938 were read by the Clerk, approved by the Council as written and so endorsed by the Mayor.

This being the date set by order of the Council for the reception of sealed proposals for the construction of rest rooms at the City's Soft Ball Park, and it appearing that due publication of notice thereof had been had, the Council proceeded to open, canvass and declare the three proposals received, to-wit:

PROPOSAL OF	LUMP SUM BID	ALTERNATE 1	ALTERNATE 2
Hieb Brothers	\$ 790.12	\$ 12.00	\$ 3.75
			\$ 3.25
Ray Walters	949.00	24.00	\$ 8.00
			\$ 7.00
E.T. Wisner & Sons	736.00	15.70	\$ 5.90
			\$ 5.40

After opening of the proposals received as above set forth, the Council decided that the building should be extended 8 linear feet east and west as provided in "Alternate #1" of the specifications with the addition of two small windows and two larger windows as provided in "Alternate #2" and award of contract was made by the adoption of:

RESOLUTION NO. 957  
RESOLUTION OF AWARD.

WHEREAS, advertisement has been made as directed by this City Council as is evidenced by copy of notice hereto annexed and by affidavit of publication of the principal clerk of the "Lodi Times", the newspaper in which said notice was printed and published, for the reception of sealed proposals for doing certain work and furnishing the materials therefore as in said notice set forth; and,

WHEREAS, sealed proposals in accordance with said notice have been received and publicly opened by this City Council;

BE IT RESOLVED, therefore, that all of said proposals, excepting that of the next named person or firm, be, and the same are hereby rejected, and award of contract for doing the work contemplated and furnishing the materials therefore as specified be made to : E. T. WISNER on his lump sum bid of \$736.00, plus extension of building 8 linear feet @ \$13.70 per foot, plus 2 windows 3' x 3' @ \$5.90 each, plus 2 windows 3' x 2' @ \$5.40 each said prices being as named by bidder as alternates Nos 1 and 2 in his proposal, in total, a contract price of \$868.20 being the price or prices named in his proposal and in accordance with the notice aforesaid and with the specifications therefore heretofore adopted, this City Council herein declaring that the proposal of the person or firm named is the lowest and best proposal received; also,

BE IT RESOLVED, that the City Clerk be herein instructed to return the bidding deposits of all unsuccessful bidders within three days from the date hereof, retaining the deposit of the successful bidder until he shall have executed a proper contract and furnished bonds acceptable to this Council.

The foregoing Resolution No. 957 was introduced on motion of Councilman Weihe, seconded by Councilman Graffigna and finally passed and adopted by the following vote:

AYES: Councilmen, Weihe, Graffigna, Clark, Spooner and Steele (Mayor)  
NOES: Councilmen, None. ABSENT: None.

This also being the day, hour and place set by the City Council for the hearing of protests and objections against the amendment to Section 4-1.19 of Ordinance No. 238 as initiated under Resolution No. 951 adopted February 21, 1938 and approved by the City Planning Commission on March 15, 1938 by its Resolution No. 5, no persons appeared before the Council and the City Clerk reported that no written objections or protests had been filed with him, Resolution No. 955 was introduced on motion of Councilman Weihe, seconded by Councilman Clark:

RESOLUTION NO. 955.

RESOLUTION FINDING NO PROTESTS RECEIVED  
IN THE MATTER OF THE PROPOSED AMENDMENT  
TO SECTION 4-1.19 OF ORDINANCE NO. 238.

Minutes of Apr 4, 1938 being a  
 continuation of the recital of  
 Res. 955. COUNCIL CHAMBERS -- CITY COUNCIL  
 CITY HALL -- CITY OF LODI

WHEREAS, in accordance with proceedings duly had before this City Council, and before the City Planning Commission of this City, Notice of the intention of this City Council to amend Section 4-1.19 of Ordinance No. 238 (Zoning Ordinance) has been legally and regularly given by publication in THE LODI TIMES, as is evidenced by affidavits on file and of record in the office of the City Clerk and in the office of the Secretary of the Planning Commission of this City and particularly by the affidavit of Ruth S. Durfey, principal clerk of the publisher of said THE LODI TIMES certifying that notice of the time and place for a hearing before this City Council has been published as directed by this City Council in accordance with statute therein made and provided, which notice, among other things, stated that on Monday, the 4th day of April 1938 at the hour of 8:00 o'clock P.M. of said day in the Council Chambers of this City Council, this City Council would receive and hear protests and objections to the amendment of said ordinance as in said notice set forth, and,

WHEREAS, at said time and place, said protests and objections coming on to be heard and no persons appearing in response to said notice and no written objections having been filed or presented to this City Council or to the clerk thereof;

BE IT RESOLVED, that this City Council finds and determines that notice of said hearing was regularly published and given; that said hearing was held at the time and place in said notice set forth; that no protests or objections to said proposed amendment of any kind or nature were received thereat and that, therefore, in accordance with all the foregoing, this City Council has now jurisdiction to so amend said ordinance as to Section 4-1.19 thereof to read as follows:

"4-1.19 Private clubs, lodges, and community centers, excepting those, the chief activity of which is a service customarily carried on as a business, providing however, anything herein to the contrary notwithstanding such private clubs, lodges and community centers, may rent any part of their buildings to be used by doctors, physicians and surgeons, lawyers, attorneys and-or professional men and women."

The foregoing Resolution No. 955 was then passed and adopted by the following vote:

AYES: Councilmen, Weihe, Clark Spooner, Graffigna and Steele (Mayor)  
 NOES: Councilmen, None. ABSENT: None.

After the passage of the foregoing resolution, Ordinance No. 242 entitled "AN ORDINANCE AMENDING SECTION 4-1.19 OF ORDINANCE NO. 238 (ZONING ORDINANCE)" was introduced on motion of Councilman Weihe, seconded by Councilman Graffigna and by the same motion, ordered laid over for the statutory period of not less than five days.

A letter was received from the celebration committee of the town of Los Banos extending an invitation to attend the May Day Festival to be held in that city on April 29th and 30th, and May 1st.

The Clerk read a letter from the State Relief Administration offering assistance from the State in defraying a portion of the Sponsor's share of Works Progress Administration projects which would employ men not suitable to heavy work. The letter was referred to the City engineer with directions to the City Clerk that he acknowledge receipt of the same.

Dr. James B. Nelson filed his annual report as a trustee of San Joaquin Local Health District for the City of Lodi for the year 1937. The report was read and ordered made available to the press.

COUNCIL CHAMBERS -- CITY COUNCIL  
CITY HALL -- CITY OF LODI

Monday, April 4, 1958  
Continued

On motion of Councilman Graffigna, seconded by Councilman Weine, the Mayor was authorized to execute a purchase agreement with the Tidewater Associated Oil Company which would fix a maximum price to be paid by the City for road oils.

The City Clerk reported receipt of costs in San Joaquin County Case No. 22,415 entitled City of Lodi vs. East Bay Municipal Utility District and Pacific Gas and Electric Company in the amount of \$1,343.98 which had been paid into the City Treasury.

The report of the Chief of Police for the month of March and that of the City Poundmaster for the same period was received, read and ordered filed.

Mr. Earl May, Secretary, Treasurer of Lodi Fire Department filed the quarterly report of that department for the quarter ending March 31, 1958.

Five applications for business licenses were approved and ordered granted.

On motion of Councilman Weine, seconded by Councilman Spooner, Fred W. Post manager of the City Sewage Disposal Plant was authorized to attend the annual convention of the California Sewerage Works Association to be held in San Diego April 11th and 12th. Mr. Post to be allowed \$25.00 or \$30.00 as expenses.

The Clerk reported receipt of bulletin No. 14 of the League of California Municipalities containing suggested forms of civil service ordinances.

In the matter of the proposed opening of Tokay Street and Church Street Resolution No. 956 was introduced on motion of Councilman Weine, seconded by Councilman Clark, read by the Clerk and considered by the Council.

RESOLUTION NO. 956

RESOLUTION APPROVING APPLICATION FOR  
EXPENDITURE OF GASOLINE TAX MONEYS  
FOR OPENING AND IMPROVEMENT OF MAJOR  
STREETS.

WHEREAS, this City Council deems it to be for the best interests of the City of Lodi, that Tokay Street be opened and improved from the west line of Lodi Barnhart Tract to the projected west line of South Pleasant Avenue and that South Church Street be opened and improved from its present termination at the north line of Lot 1, Block 7 in Hutchins Addition to Lodi to the Kettleman-Terminus Road (South City Limit); and,

WHEREAS, both of said Streets are designated and approved by the Department of Public Works of the State of California as "Major Streets" upon which it is lawful to expend this City's allocation of gasoline taxes:

BE IT RESOLVED, that this City Council hereby approves an application to the Department of Public Works, Division of Highways, of this State for the expenditure of the amounts necessary to acquire rights of way, improve the traveled way of said streets when opened and do such other things as may be necessary to open said streets as public highways, including the preparation of plans and specifications therefore, all as set forth in the application numbered "Project Statement No. 2" attached hereto and made part hereof. The Mayor shall sign said statement in evidence of this approval and the City Clerk shall attest his signature and affix the seal of the City in the manner provided by law.

COUNCIL CHAMBERS -- CITY COUNCIL  
CITY HALL -- CITY OF LODI

Monday, April 4, 1958  
Continued

The foregoing Resolution No. 956 was then passed and adopted by the following vote:

AYES: Councilmen, Weihe, Clark, Graffigna,  
Spooner and Steele  
NOES: Councilmen, None  
ABSENT: Councilmen, None

Ordinance No. 241 entitled "An Ordinance Increasing The Duties of the City Engineer of the City of Lodi By Adding the Duties of Building Inspector" as amended at the last regular meeting of the Council was brought up for final passage and adoption on motion of Councilman Clark, seconded by Councilman Graffigna and finally passed and ordered to print by the following vote:

AYES: Councilmen, Clark, Graffigna, Spooner  
Weihe and Steele  
NOES: Councilmen, None  
ABSENT: Councilmen, None

The Mayor then approved and signed the ordinance.

On motion of Councilman Weihe, seconded by Councilman Spooner, the claim of Theodor Geshoff was allowed in the amount of \$200.00 and a warrant ordered drawn made payable to the City Attorney so that he might obtain the proper release.

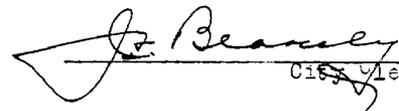
Applications for building permits No. 2008 to and including No. 2027 for structures to cost \$70,985 were allowed and ordered granted with the exception of Applications No. 2025 and 2026. Application No. 2025 for a signboard at the corner of Lodi Avenue and Central Avenue was held up; the Council requiring that the applicant obtain the consent of owners of real property on the quarter blocks adjoining this intersection. Application No. 2026 was denied as conflicting with the provisions of Ordinance No. 238.

No action was taken in the matter of the claim of F. J. Dolcater, it still being in the hands of the City Attorney.

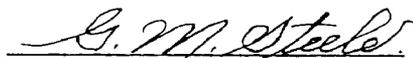
Claims in the amount of \$30,148.31 were allowed and ordered granted on motion of Councilman Graffigna, seconded by Councilman Spooner.

The Council then adjourned at the order of the Mayor.

ATTEST:

  
City Clerk.

The foregoing minutes of a regular meeting of the City Council of the City of Lodi were read and approved without correction at a subsequent meeting of said City Council held April 18, 1958.

  
Mayor.