

City Hall, Lodi, Cal., October 6, 1919.

In regular session of the Board of Trustees of the City of Lodi held this date there were present Trustees Black, Hale, Crose, Morehead and Montgomery.

Minutes of the previous meeting were read and approved.

The hour of 8 o'clock p.m., Monday October 6, 1919, being the time set in the City Clerk's Notice of the Filing of List of Unpaid Assessments in the matter of the paving of Lee Avenue for any interested persons to appear and show cause why bonds should not be issued upon the security of the unpaid assessments as shown on said list, and no protests having been presented, the following resolution was introduced and adopted:

RESOLUTION NO. 63.

RELATING TO ISSUANCE OF STREET IMPROVEMENT BONDS UNDER PROCEEDINGS TAKEN PURSUANT TO RESOLUTION OF INTENTION NO. 18 FOR THE IMPROVEMENT OF LEE AVENUE FROM LOCUST STREET TO LODI AVENUE AND DETERMINING THE AMOUNT OF THE UNPAID ASSESSMENTS.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi, as follows:

WHEREAS, the Board of Trustees of the City of Lodi on the 24th day of March, 1919, adopted its Resolution of Intention No. 18 for the improvement of Lee Avenue from the South line of Locust Street to the North line of Elm Street, and from the South line of Elm Street to the North line of Pine Street, and from the South line of Pine Street to the North line of Oak Street, and from the South line of Oak Street to the North line of Lodi Avenue in said City of Lodi, under and pursuant to the provisions of the "Improvement Act of 1911" and amendments thereto, and pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, and to the resolutions, notices and other proceedings of said City duly adopted and taken, reference to said Resolution of Intention being hereby expressly made for further particulars; and

WHEREAS, the contract for said work and improvement was duly awarded and the work to be done thereunder was thereafter duly completed to the satisfaction of the Superintendent of Streets of said City, and of this Board, whereupon a warrant, diagram and assessment were made, recorded and delivered to the contractor in time, form and manner as required by said act, and the contractor having made due return thereon and the same having been duly recorded; and

WHEREAS, on the 26th day of September, 1919 the Street Superintendent of said City made and filed with the Clerk of this Board a complete list of all assessments unpaid thereunder upon the respective assessments or diagram numbers thereof, whereupon said Clerk gave notice of the filing of said list and fixed in said notice Monday the 6th day of October, 1919 at the hour of 8 o'clock P. M., and the regular meeting place of said Board of Trustees, to-wit: The City Hall in said City of Lodi as the time and place respectively when interested persons might appear before the Board of Trustees and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, said time being that of a regular meeting of said Board, and

WHEREAS, it satisfactorily appears from the affidavits produced that the Clerk of this Board has caused to be given due notice by posting and publication as required by law of the filing by the Superintendent of Streets of the list of all unpaid assessments made under said Resolution of Intention No. 18 of said City; and

WHEREAS, since said filing by the Superintendent of Streets of the aforesaid list of unpaid assessments, the following assessments have been paid to the proper officer of the City, to-wit:

Assessment numbers: 10; 24; 28; 32; 33; 34; 36; 37; 38; 60; 61; 76; 105; and 112

aggregating the total sum of \$1,824.39 , leaving a balance due on account of said unpaid assessments of \$1,280.74 and

WHEREAS, no protests or objections were presented against the issuance of bonds as aforesaid before or at the time set for said hearing, and no sufficient reason having been shown why bonds should not be issued upon the security of said unpaid assessments aggregating the total sum of \$ 1280.74 , and it further appearing that said list of unpaid assessments filed by the Superintendent of Streets is in all respects complete and correct, excepting therefrom the assessments paid since the filing of the same as hereinbefore set forth;

BE IT RESOLVED, that said list of unpaid assessments as filed by the Superintendent of Streets was in all respects complete and correct at the time of said filing; and that since said time assessments numbered: 10; 24; 28; 32; 35; 34; 36~~37~~38; 60~~61~~76; 105; and 112

have been paid.

And the Board hereby finds and determines that the unpaid assessments made pursuant to the proceedings taken under said Resolution of Intention No. 18 and the aggregate amount of the same are as follows:-

<u>OWNER.</u>	<u>ASSESSMENT NUMBER</u>	<u>AMOUNT.</u>
UNKNOWN	6	\$ 24.82
"	43	20.69
"	71	589.19
"	72	589.19
"	75	56.85

The Board further finds and determines that the aggregate amount of said assessments unpaid is the sum of \$1,280.74

Upon motion of Trustee Montgomery, seconded by Trustee Hale, the foregoing resolution No. 63 was adopted by the following vote:
 Ayes: Trustees Montgomery, Hale, Crose, Morehead and Black.
 Noes: None.
 Absent: None.

RESOLUTION NO. 64.

PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS TO REPRESENT AND BE SECURED BY ASSESSMENTS MADE FOR THE COST OF THE WORK AND IMPROVEMENTS MADE IN AND UPON LEE AVENUE FROM LOCUST STREET TO LODI AVENUE, IN THE CITY OF LODI, AND TO PROVIDE FOR THE SALE THEREOF.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi, as follows:-

WHEREAS, this Board of Trustees by its Resolution of Intention No. 18 providing for the Improvement of Lee Avenue from the South line of Locust Street to the North line of Elm Street, and from the South line of Elm Street to the North line of Pine Street, and from the South line of Pine Street to the North line of Oak Street, and from the South line of Oak Street to the North line of Lodi Avenue, in the City of Lodi, determined that serial bonds to represent unpaid assessments and to bear interest at the rate of seven per cent per annum, would be issued thereunder in the manner provided by the "Improvement Bond Act of 1915" and amendments thereto, and that the last installment of which bonds should mature nine (9) years from the 2nd day of July next succeeding nine months from their date, and

WHEREAS, the work to be done under said Resolution of Intention

No. 18 has been completed to the satisfaction of the Superintendent of Streets, and of the Board of Trustees; and the Superintendent of Streets on the 26th day of September, 1919 filed with the Clerk of the Board of Trustees a complete list of all unpaid assessments made under said proceeding, and

WHEREAS, this Board of Trustees has this day found and determined that the aggregate amount of the unpaid assessments is the sum of \$ 1,280.74

NOW, THEREFORE, BE IT RESOLVED, as follows:-

Street Improvement bonds to be issued pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, evidencing the aforesaid indebtedness, shall be issued to the aggregate amount of \$ 1,280.70 and the number, denomination and character of such bonds shall be as follows:

Said bonds shall be dated the 6th day of October, 1919 and shall be of the character known as serials. One tenth part of the total amount of the bonds evidencing said indebtedness shall be payable on the 2nd day of July 1921, and one-tenth part of said total indebtedness shall be payable on the 2nd day of July of each and every year thereafter to and including the 2nd day of July 1930.

Said total indebtedness shall be evidenced by ten (10) bonds of the denomination of one hundred twenty eight and 07/100 (128.07) dollars each. One of said bonds of the denomination of one hundred twenty eight and 07/100 (128.07) dollars each shall mature and be payable on the 2nd day of July, 1921, and one of said bonds of a like denomination shall mature and be payable on the 2nd day of July of each and every year thereafter, to and including the 2nd day of July 1930. Said bonds shall be numbered 1 to 10, both inclusive as follows:-

<u>SERIES</u>	<u>BOND NUMBERS</u>	<u>DENOMINATIONS.</u>	<u>DATES OF MATURITIES.</u>
C-1	1	\$ 128.07	July 2nd, 1921.
C-2	2	\$ 128.07	July 2nd, 1922.
C-3	3	\$ 128.07	July 2nd, 1923.
C-4	4	\$ 128.07	July 2nd, 1924.
C-5	5	\$ 128.07	July 2nd, 1925.
C-6	6	\$ 128.07	July 2nd, 1926.

C-7	7	\$ 128.07	July 2nd, 1927.
C-8	8	\$ 128.07	July 2nd, 1928.
C-9	9	\$ 128.07	July 2nd, 1929.
C-10	10	\$ 128.07	July 2nd, 1930.

Said bonds shall be in substantially the following form to-wit:

No. _____ \$ _____

IMPROVEMENT BOND
CITY OF LODI,
STATE OF CALIFORNIA.
SERIES NO.

Under and by virtue of the act of the legislature of the State of California, entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued", approved June 11th, 1915, and amendments thereto, the City of Lodi (a municipal corporation) will on the second day of July 19 , out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on Lee Avenue from the South line of Locust Street to the North line of Elm Street, and from the South line of Elm Street to the North line of Pine Street, and from the South line of Pine Street to the North line of Oak Street, and from the South line of Oak Street to the North line of Lodi Avenue in said City, as more fully described in Resolution of Intention No. 18, passed by the Board of Trustees of said municipality on the 24th day of March, 1919, pay to bearer the sum of

dollars (\$) with interest thereon from the 26th day of September, 1919, at the rate of seven (7) per cent per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in amounts and maturities, issued

by said municipality under said act for the purpose of providing means for paying for the work and improvements described in said Resolution of Intention, and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work, and, including principal and interest, is payable exclusively out of said fund.

The interest is payable semi-annually, to-wit: On the second days of January and July in each year hereafter, upon presentation of the proper coupons therefor; provided, that the first of said coupons is for the interest to the second day of January, 1921, and thereafter the interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated; provided, it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay same. If it is not presented at maturity interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July in any year by giving the notice provided in said act.

IN WITNESS WHEREOF, said City of Lodi has caused this bond to be signed by the Treasurer of said City of Lodi and by its Clerk, and has caused its Clerk to affix thereto its corporate seal all on the 6th day of October, 1919.

Treasurer

Clerk

Said bonds shall bear interest at the rate of seven per cent per annum, payable on the second days of January and July of each year, commencing January 2nd, 1921.

There shall be attached to each bond an interest coupon for each semi-annual payment of interest to become due thereon, and each coupon shall be in such an amount as to represent six months interest on the bond to which it is attached, except that the coupon representing the interest due January 2nd, 1921, shall be for such an amount as may represent the interest on each of said bonds respectively from

the 26th day of September, 1919 to the 2nd day of January 1921.

Said coupons shall be numbered consecutively according to the order of their payment, and shall be substantially in the following form, to-wit:-

Coupon No. _____ Bond No. _____ \$ _____

Improvement Bond- City of Lodi.

On the 2nd day of _____, A. D. 19____, the City of Lodi will pay to the bearer hereof, at the office of the City Treasurer in said City, County of San Joaquin, State of California, the sum of _____, said sum being the interest due on that date upon the above numbered improvement bond.

Series No. _____

City Treasurer.

The City Treasurer and City Clerk are hereby authorized and directed to sign each and every one of said bonds, and the City Clerk is authorized and directed to affix thereto the corporate seal of the City, and the City Treasurer is hereby authorized and directed to sign each and every one of the coupons attached to said bonds, provided however, that the City Treasurer in signing said coupons may use and adopt his printed or lithographed signature, in place of his signature by hand.

Said bonds shall be issued in annual series, and the unpaid assessments as shown on said list filed by the Superintendent of Streets and determined by said Board of Trustees together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and of the interest which may be due thereon, which unpaid assessments shall be payable in annual series corresponding in number to the number of series of bonds issued, and an even annual proportion of each assessment shall be payable in each year preceding the date of maturity for each of the several series of bonds issued, and such proportion of each assessment coming due in any year together with the annual interest thereon, shall be payable in installments as the general municipal taxes of said City of Lodi on real property are payable and shall become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest for delinquency.

Sealed proposals for the purchase of said improvement bonds will be received by said Clerk up to the hour of eight o'clock P. M. on Monday the 3rd day of November, 1919. Bids must be for not less than par value of the bonds and accrued interest. The right is reserved to reject any and all bids. If a satisfactory bid be received, the successful bidder may be allowed ten days for examination of the proceedings authorizing the issue of said bonds, and may make his bid subject to the legality of said proceedings. Bids must be accompanied by certified check or cashier's check on some responsible bank in the sum of ten per cent of the par value of the amount of bonds bid for, such check to be made payable to E. S. Clark, City Clerk.

The City Clerk is hereby directed to advertise for bids for such bonds as herein provided by publishing notice inviting bids, once a week for two weeks in the Lodi Sentinel. Said notice shall be in substantially the following form:

Sealed bids for the purchase of street improvement bonds of the City of Lodi, in the County of San Joaquin, State of California, will be received by the undersigned City Clerk of said City of Lodi, up to eight o'clock P. M., Monday the 3rd day of November, 1919. Such bids shall be addressed to the undersigned and must be for not less than par value of the bonds bid for, with accrued interest to date of delivery. The right is reserved to reject any or all bids. The successful bidder will be allowed ten days for examination of the proceedings, and bids may be made subject to the legality of the proceedings. Each bid must be accompanied by a certified check or cashier's check upon some responsible bank in a sum equal to ten per cent of the par value of bonds bid for. Such checks shall be made payable to the undersigned.

Said issue of bonds aggregate the total sum of \$ 1,280.70 bearing interest at the rate of seven per cent per annum, payable semi-annually on the 2nd day of January and July of each year. Said bonds are of the following denominations:

Ten (10) bonds of the denomination of one hundred twenty-eight and 07/100 (128.07) dollars each, and are dated October 6th, 1919.

Said bonds are of the character known as serials, and one (1) of said bonds of the par value of one hundred twenty eight and 07/100 (128.07) dollars each is payable annually from July 2nd, 1921, to July 2nd, 1950, both inclusive, and are issued pursuant to the provisions of the " Improvement Bond Act of 1915" and amendmants thereto, and pursuant to proceedings taken by the Board of Trustees of the City of Lodi under Resolution of Intention No. 18.

City Clerk

By order of the Board of Trustees.

Dated . . . October 6th . . . 1919.

Upon motion of Trustee Hale, seconded by Trustee Crose, the foregoing resolution No. 64 was adopted by the following vote:
Ayes: Trustees Hale, Crose, Montgomery, Morehead and Black.
Noes: None.
Absent: None.

G. R. Griffith, D. M. Whittaker, C. L. Fowler and Charles Frashour applied for increase in pay of 50 cents per day, which was referred to the finance committee.

A full release from the Cameron Septic Tank Company, relieving the City of Lodi from any further claims for alleged infringement of that companies patents, dated Chicago, Ill., September 2nd, 1919, was read and ordered filed.

The City Marshal's report for the month of September was read and ordered filed.

D. W. Aronhalt was granted permission to move a garage from 413 South School Street to 415 South School Street.

The following building permits were granted:
John Zechmeister, dwelling, lot 12, block 1, Willow Tract.
John Zechmeister, dwelling, lot 12, block 2, Willow Tract.
Paul Gerne, dwelling, lot 10, block 16, Barnhart Tract.
Julius Maier, lot 22, block 4, Barnhart Tract.
B. F. Henrikson, dwelling, 332 Eden Street.
Gus Bansmer, dwelling, lot 3, block 1, East Lodi.
F. S. Jacks, dwelling, lot 27, Barnhart Tract.
A. E. Davis, garage, 117 Olive Court.
Jennie Ruff, garage, 205 Hilborn Street, Barnhart Tract.
H. S. Clark, add. to dwelling, 21 South Hutchins Street.
George Mettler, add. to dwelling, lot 1, block 5, East Lodi.
Mrs. M.E. Watson, poultry house, 201 South Hutchins St.
John Hepper, poultry house, 221 Rush Avenue.
H. B. Stannard, dwelling, lot 1, block 11, N. Church St.

S.W. Hopkins, for the Board of Health, reported there is complaint of a poultry yard in which 1000 fowls are kept in the northern part of town and also that the sanitary sewers are overflowing in the vicinity of the cannery and are offensive and a menace to health.

The matter of extending water mains and sewers to the district south of Tokay street, between Central Avenue and Cherokee Lane, was referred to the Public Utilities Committee.

The City Clerk's annual report for the year ending June 30, 1919, was read and ordered filed, and the Clerk was instructed to have the same published and printed in pamphlet form.

Miscellaneous bills, amounting to \$5780.07, having been audited by the finance committee, were allowed and ordered paid.

RESOLUTION NO. 65.

RESOLUTION APPROVING DIAGRAM SHOWING DISTRICT AFFECTED AND BENEFITTED BY THE IMPROVEMENT OF LODI AVENUE, AND TO BE ASSESSED FOR THE COST AND EXPENSES OF THE SAID IMPROVEMENT.

RESOLVED, that the Diagram prepared and submitted by L. F. Barzellotti, City Engineer, showing the District affected and benefitted by the improvement of, and to be assessed for the cost and expenses of the improvement (as described in Resolution of Intention No. 20 of the Board of Trustees of the City of Lodi, passed May 12th, 1919,) of LODI AVENUE be and the same is hereby approved, and the City Clerk is hereby directed to endorse said approval on said Diagram and deliver the same to the Superintendent of Streets.

The foregoing resolution No. 65 was adopted by the following vote:

Ayes: Trustees Hale, Montgomery, Morehead, Crose and Black.
Noes: None.
Absent: None.

RESOLUTION NO. 66.

WHEREAS, the owners of lots abutting upon the west half of the alley running east and west through block 9, in the City of Lodi, as per the official map thereof, have made application to this Board of Trustees for permission to pave said portion of said alley at their own cost and expense;

NOW, THEREFORE, IT IS ORDERED, that permission to pave said portion of said be, and it is hereby, given to the owners of said lots abutting on said west half of said alley,--all cost and expense incurred thereon to be paid by said owners of abutting lots, and such paving to be done in accordance with plans and specifications to be prepared by the City Engineer of the City of Lodi.

The foregoing order was adopted by the following vote:
Ayes: Trustees Hale, Morehead, Montgomery, Crose and Black.
Noes: None.
Absent: None.

No further business appearing the Board adjourned until the next regular meeting, October 20th, 1919.

Attest:

H. S. Clark
City Clerk.