

CITY COUNCIL MEETING  
FEBRUARY 5, 1986

24

cc 10a

PUBLIC HEARINGS

LIEBIG STREET  
STREET LIGHT  
DISTRICT

Notice thereof having been published and posted according to law, affidavits of said publication and posting are on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing called pursuant to Resolution of Intention in the Matter of the Construction of Street Light Standards and Necessary Wires and Conduits in the Liebig Street Street Lighting District in the City of

Lodi for any and all persons having any objections to the proposed work or improvements or to the extent of the territory to be assessed to pay the cost and expenses thereof to show cause why said improvements should not be carried out. It should be noted that notices of this hearing were sent under Declaration of Mailing to all property owners in the proposed assessment district.

The matter was introduced by City Clerk Reimche who outlined this procedure as it is set forth in the State of California Streets and Highways Code. Mrs. Reimche further advised that it would appear that a majority protest as defined by law had been filed. The calculations for the majority protest were confirmed. Following discussion, on motion of Mayor Pro Tempore Reid, Olson second, Council discontinued all further proceedings in this matter.

## COUNCIL COMMUNICATION

TO THE CITY COUNCIL	DATE	NO.
FROM THE CITY MANAGER'S OFFICE	February 5, 1986	
SUBJECT: LIEBIG STREET STREET LIGHT DISTRICT (Protest Hearing)		

The Lodi City Council on the 18th of December, 1985 passed Resolution of Intention No. 85-178 to order certain work to be done and improvements to be made for the construction of street light standards and necessary wires and conduits in the Liebig Street Street Lighting District pursuant to the provisions of the "Improvement Act of 1911".

Further, the Council set Wednesday, February 5, 1986 at 7:30 p.m. as the time for a public hearing where any and all persons, having any objections to the proposed work or improvements or any objections to the boundaries of the district proposed to be assessed to pay the cost and expenses of said work, may appear before the Council and show cause why said improvements should not be carried out in accordance with the Resolution of Intention.

Notices of this hearing were published and posted on property located within the subject district as required by law. A copy of the Resolution of Intention No. 85-178 giving notice of the public hearing was also mailed, under declaration of mailing, to all property owners within the subject district.

If the Council finds that said protests and objections are made by the owners of less than one-half of the area of the property to be assessed for said improvements it would be in order for the Council to adopt the following resolutions:

- a) Resolution Overruling Protests
- b) Resolution Adopting Scale of Prevailing Wages
- c) Resolution Ordering Work and setting the bid opening for said work for 11:00 a.m., February 21, 1986
- d) Resolution Directing Assessment be Prepared

(Sample Resolutions are Attached)

Section 5222 of the California Streets and Highways Code provides that if the protest is against the proposed work and the legislative body find that the protest is made by the owners of more than one-half of the area of the property to be assessed for the improvements, and protests are not withdrawn so as to reduce the same to less than a majority, no further proceedings shall be taken for a period of one year from the date of the decision of the legislative body on the hearing unless the protests are overruled by an affirmative vote of four-fifths of the members of the legislative body.

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

RESOLUTION NO.

RESOLUTION OVERRULING PROTEST, LIEBIG STREET  
STREET LIGHT DISTRICT

WHEREAS, on the 18th day of December, 1985, the City Council of the City of Lodi passed its Resolution of Intention No. 85-178 to order certain work to be done and improvements to be made for the construction of street light standards and necessary wires and conduits in the Liebig Street Street Lighting District in the City of Lodi under and pursuant to the provisions of the "Improvement Act of 1911", the names of the streets proposed to be improved, a description of the streets and/or public ways and/or easements on which said improvement is to be made, the location and character of said proposed work, and the assessment district being described in said Resolution of Intention, which is hereby expressly referred to for all further particulars; and

WHEREAS, certain owners of property liable to be assessed for said work and improvement made written protests or objections in writing and delivered the same to the Clerk not later than the hour set for hearing such objections; and

WHEREAS, at the time set for hearing the protests and objections the said City Council of the City of Lodi proceeded to hear the same and all of the protests or objections having been heard and duly considered,

IT IS HEREBY RESOLVED, by the City Council of the City of Lodi, County of San Joaquin, State of California, that all of the said protests and objections of every kind or nature be and the same are hereby overruled or denied; and

IT IS HEREBY RESOLVED FURTHER, that said City Council finds that said protests and objections are made by the owners of less than one-half of the area of the property to be assessed for said improvements.

Dated: February 5, 1986

I hereby certify that Resolution No.            was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 5, 1986 by the following vote:

Ayes:        Council Members -  
Noes:        Council Members -  
Absent:      Council Members -

Alice M. Reimche  
City Clerk

RESOLUTION NO.

RESOLUTION ADOPTING SCALE OF PREVAILING WAGE RATES, LIEBIG STREET  
STREET LIGHT DISTRICT

WHEREAS, the City Council of the City of Lodi did upon the 18th day of December, 1985, adopt plans and specifications for the construction of Street Light Standards and necessary wires and conduits in the Liebig Street Street Lighting District in the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lodi that said City Council has determined and established the general prevailing rate of per diem wages for each type of craft or workmen deeded to execute or perform the necessary work or improvement in accordance with the schedule appended hereto and described "Schedule of Per Diem Wage Rates"; and

BE IT FURTHER RESOLVED, that said "Schedule of Per Diem Wage Rates" be embodied in the Notice Inviting Sealed Bids and all contract documents in connection with said work and improvement hereinabove described.

Dated: February 5, 1986

I hereby certify that Resolution No.        was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 5, 1986 by the following vote:

Ayes:        Council Members -

Noes:        Council Members -

Absent:      Council Members -

Alice M. Reimche  
City Clerk

RESOLUTION NO.

LIEBIG STREET STREET LIGHTING DISTRICT  
RESOLUTION ORDERING THE WORK

WHEREAS, the City Council of the City of Lodi, County of San Joaquin, State of California, did on the 18th day of December, 1985, adopt its Resolution of Intention No. 85-178 to order the therein described work and improvements to be done and made in the City of Lodi, which Resolution of Intention was duly and legally published in the time, form and manner as required by law, as shown by the affidavit of publication of said Resolution of Intention on file in the office of the City Clerk of said City of Lodi; and

WHEREAS, after the adoption thereof, notices of the passage of said Resolution of Intention, headed "Notice of Improvement", were duly and legally posted in the time, form, manner, locations and number as required by law, as appears from the affidavit of posting said notices, on file in the office of the City Clerk of said City of Lodi; and

WHEREAS, after the adoption thereof, notices of the adoption of said Resolution of Intention were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention No. 85-178 according to the names and addresses of such owners, as the same appear on the last equalized assessment roll for County taxes prior to the day of such mailing, or as known to the City Clerk of the City of Lodi, which said notices were duly mailed in the time, form and manner as required by law; and

WHEREAS, said City Council of the City of Lodi having duly received and considered evidence oral and documentary concerning the jurisdictional facts in this proceeding and concerning the necessity for the contemplated work and improvement and the benefits to be derived therefrom, and said City Council having now acquired jurisdiction to order the proposed improvement,

IT IS HEREBY RESOLVED, by the City Council of the City of Lodi, County of San Joaquin, State of California, that the public interest and convenience require the improvement herein referred to, and said City Council hereby orders that the work and improvement, as set forth and described in said Resolution of Intention No. 85-178, passed by the City Council on the 18th day of December, 1985, and in the plans and specifications therein referred to, to be done and made.

RESOLVED FURTHER, that the boundaries of the assessment district, and the grades to which said work and improvements are to be constructed, shall be those set forth and described in said Resolution of Intention No. 85-178, and in the plans and specifications therein referred to, reference to which is hereby made for all further particulars.

RESOLVED FURTHER, that the proposals or bids shall be delivered to the City Clerk of the City of Lodi on or before February 21, 1986, at the hour of 11:00 a.m. of said day, and the City Clerk of the City of Lodi is

hereby ordered to give notice inviting such sealed bids in the time, form and manner provided by law.

RESOLVED FURTHER, that the City Clerk is hereby designated as the officer to open, examine and declare the proposals or bids, and that said proposals or bids shall be opened by said officer at a public meeting; the time and place of said public meeting is hereby set for February 21, 1986 at the hour of 11:00 a.m. of said day and the place of said meeting to be in the Council Chambers of the City Hall of the City of Lodi.

Dated: February 5, 1986

I hereby certify that Resolution No.        was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 5, 1986 by the following vote:

Ayes:        Council Members -

Noes:        Council Members -

Absent:      Council Members -

Alice M. Reimche  
City Clerk

RESOLUTION NO.

RESOLUTION DIRECTING ASSESSMENT TO BE PREPARED AND SIGNED  
BY THE CITY ENGINEER, LIEBIG STREET STREET LIGHT DISTRICT

WHEREAS, the City Council of the City of Lodi did on the 18th day of December, 1985, pass its Resolution of Intention No. 85-178 for the work and improvement to be made and done pursuant to the provisions of the "Improvement Act of 1911"; and

WHEREAS, the City Council of the City of Lodi desires that any assessment hereafter to be made for the assessment of the distribution of the costs thereof upon the lands benefitted thereby, shall be made and signed by the City Engineer of the City of Lodi;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Lodi, that any assessment hereafter made distributing the costs of the work described in Resolution of Intention No. 85-178 of this body, upon the property benefitted thereby, shall be made and signed by the City Engineer of the City of Lodi.

Dated: February 5, 1986

I hereby certify that Resolution No.        was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 5, 1986 by the following vote:

Ayes:        Council Members -

Noes:        Council Members -

Absent:      Council Members -

Alice M. Reimche  
City Clerk

LIEBIG STREET STREET LIGHT DISTRICT

MEMO TO THE FILE

Following a Public Hearing held at the Regular Council Meeting of February 5, 1986 called pursuant to Resolution No. 85-178 - Resolution of Intention in the Matter of the Construction of Street Light Standards and Necessary Wires and Conduits in the Liebig Street Street Lighting District in the City of Lodi for any and all persons having any objections to the proposed work or improvements or to the extent of the territory to be assessed to pay the cost and expenses thereof to show cause why said improvements should not be carried out, Council following receipt of a majority protest as defined by law, by motion action, discontinued all further proceedings in this matter.

Dated: February 5, 1986

  
ALICE M. REIMCHE  
City Clerk

INFORMATION REGARDING  
INSTALLATION OF STREET LIGHTS

1. Responsibility for Street Light Installation

All street lights in the City of Lodi have been installed by property owners either through Special Assessment Districts or by installation by the subdivider.

2. Construction Standards

The standard of construction (type of lights, spacing, etc.) is established by the City and applies to all street lights installed. For information regarding the specific plans, for the district, individuals should contact the City Clerk in the City Hall.

3. City Participation

The property owner is only responsible for the street light installation. When installation is complete, the City accepts responsibility for the electricity used and the maintenance. This differs from some communities where street light maintenance districts are required. In these instances the district is a continuing district with annual taxes to pay for power and maintenance.

4. Petition

In Lodi the 1911 Improvement Act is used to accomplish the improvement. The 1911 Act proceedings are initiated by the property owners requesting the improvements through a petition to the City Council. To avoid unnecessary expense to the property owners, the City prefers a petition with signatures of the owners of 60% of the front footage in the district.

In the case of joint tenancy, the signature of one of the owners on the petition is sufficient. A woman should sign using her own first name, that is, "Mrs. Mary Smith" and NOT "Mrs. John Smith."

5. Cost Estimates

At the time petitions are secured from the City Clerk, the City furnishes a rough rule-of-thumb estimate of the cost per front foot. After the petition is submitted to the City Clerk, the Engineers draw the plans and establish a more precise estimate.

The cost estimate for this district is \$6.00 per front foot.

6. Elements of Costs

The cost estimate includes the charge by the construction contractor, cost of work to be done by City crews (this involves tying lights into City distribution system), engineering, printing, inspection, street patching, and legal advertising. These charges are provided by law as incidental costs. The City tries to keep these costs to a minimum.

7. Final Costs

It must be fully understood that the City's estimate is only that. The actual cost will be determined by the price of the low bidder on the job. If the low bid is too high, the City Council can refuse to accept it and readvertise for bids.

8. Assessments

The property owner is assessed his share of the costs on the basis of benefit. Generally the benefit is based on the front footage owned. When the district includes property with any unusual frontage characteristics (cul-de-sac or other irregular lots) the benefit may be measured at the building set-back line. The assessment is developed by dividing the total cost of the district by the total footage in the district.

9. Payment of Assessments

The payment of the assessments is provided by law. The assessment is due and payable within 30 days after the installation is complete and accepted by the City Council. The law provides that after 30 days, a charge of 1% per month must be charged on the unpaid balance of the assessment. In August of each year any delinquent assessments can be submitted to the County Tax Collector for inclusion in the regular tax bill.

The City of Lodi interprets the State law as liberally as possible. The City is interested in complying with the law but not in collecting the interest charges. Therefore, interest is not charged on portions of months and only at the end of a full calendar month. Where timing of payment is a problem, it is suggested that the property owner discuss the matter with the City Finance Director where he can receive a detailed explanation.

To aid the property owner plan for payment of his assessment, it generally takes about 4 to 6 months after submission of the petition to the City Clerk for the construction to be completed and the assessment bills to be mailed.

Hans & Evelyn Lutz  
1220 Ludwig St  
Lake Park 95940

February 5, 86

To Whom it may Concern:

This letter is regarding street lights on Ludwig St. We wish to oppose the street lights to be installed on Ludwig Street because it would cause a financial hardship for us.

Thank you for your Consideration

Hans and Evelyn Lutz

February 5, 1986

PETITION

We, the undersigned residents of Liebig Street, do hereby register our protest for the assessment and installation of street lights on Liebig Street located between Poplar and Acacia Streets. We urge the City Council to halt these proceedings.

<u>Signature</u>	<u>Address</u>
Dorothea Hupfers	1202 Liebig St.
Nina W. Plough	1203 Liebig St.
John E. Reinhold	1215 Liebig St.
Robert E. Lorenson	1239 Liebig St.
Violet M. Muntz	1232 Liebig St.
Gene C. Kiedinger	1238 Liebig St.
Ray Knecht	1245 Liebig St.
Michael B. Reucher	224 Poplar St.
Loren Perry	1201 Liebig St.

Liebig Street Lighting District  
18 Parcels

Parcel Number	Street Address	Property Owner	Footage
✓ 1047-090-01	1202 Liebig	Guptill, D.R. & Volney D.	60.00
✓ 1047-090-03	1208 Liebig	Emery, B.L. & Robert O	60.00
✓ 1047-090-05	1214 Liebig	Chase, Dennis M.	60.00
047-090-07	1220 Liebig	Arregui, Garbiel ETAL	60.00
✓ 1047-090-09	1226 Liebig	Norton, Carol & James E.	60.00
047-090-11	1232 Liebig +	McMurtrie, V.C. & Thomas J.	60.00
047-090-13	1238 Liebig +	Riedinger, S.J. & Gene	60.00
✓ 1047-090-15	1244 Liebig	Schuler, M.J. & Jerome W	60.33
✓ 1047-090-17	1245 Liebig +	Knecht, Gladys & Ray	60.31
✓ 1047-090-18	1239 Liebig +	Sorensen, L.C. & R.E.	60.00
1047-090-19	1233 Liebig	Will, R.E. & Robert E.	60.00
✓ 1047-090-20	1227 Liebig	Yamishita, Hideko & Geki	60.00

✓ 047-090-21	1221 Liebig	Isaak, Ryon	60.00
047-090-22	1215 Liebig +	Reinbold M.F. & Galvin E.	60.00
✓ 047-090-23	1209 Liebig	Derobertis, John	60.00
✓ 047-090-24	1203 Liebig +	Plough, Nina	60.00
047-090-25	224 E Poplar	Church of God, Seventh Day	140.00
✓ 047-080-05	1201 Liebig	Perry, J.G. & Loren R 1225 E. Acampo Road	145.00
Total Footage			1,245.65

1072 - 7-2584

8272

2-6111

Luigi Steel Steel High District

1,245.64 sq feet in district x 60% = 747.384

Total square on petition 865.64 or 69.49%

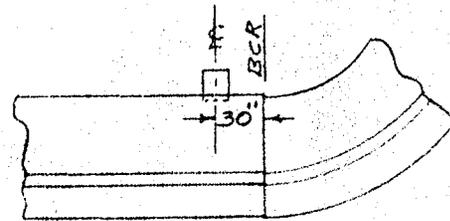
Parcel No	Name	Address	Sq footage
047-090-21	Isaiah, Ryan	1261 Keebig	60'
047-090-09	Trout, Carol v James	1226 Keebig	60'
047-090-20	Yamachita, Hideo v Kabe	1237 Keebig	60'
047-090-24	Slough, Rena	1202 Keebig	60'
047-090-19	Will, R. E. v Robert L.	1233 Keebig	60'
047-090-18	Sorenson, L. C. v R. E.	1239 Keebig	60'
047-090-03	Emercy, B. L. v Robert O.	1208 Keebig	60'
047-090-05	Chase, Dennis	1214 Keebig	60'
047-090-17	Krechl, Gladys v Ray	1245 Keebig	60.31'
047-090-01	Rustell, D. R. v Volney D.	1202 Keebig	60'
047-090-23	Sarabertus, John	1209 Keebig	60'
047-090-15	Deluca, M. J. v James J.	1244 Keebig	60.33'
047-080-05	Parry, J. S. v Karen R.	1261 Keebig	145.00
		Total -	865.64 sq feet 69.49%

Total square in district - 1,245.64 square feet

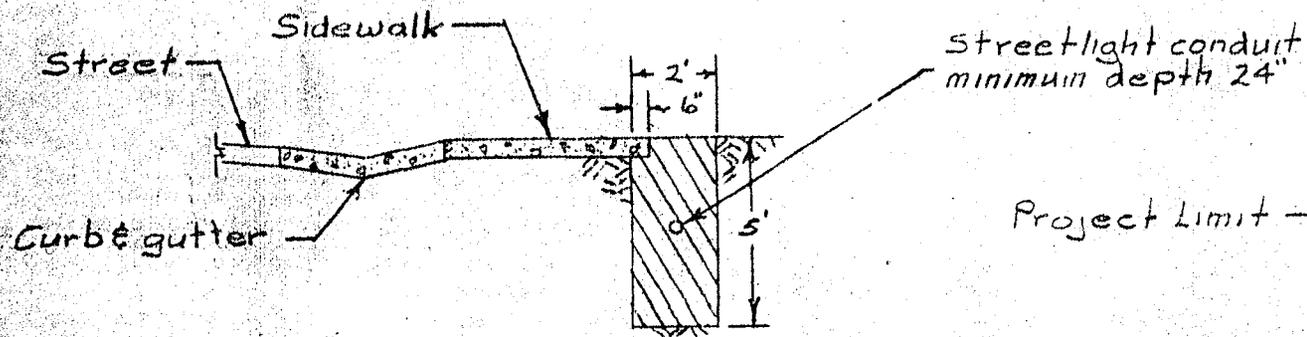
11



Riser Location  
Pole No. 0630



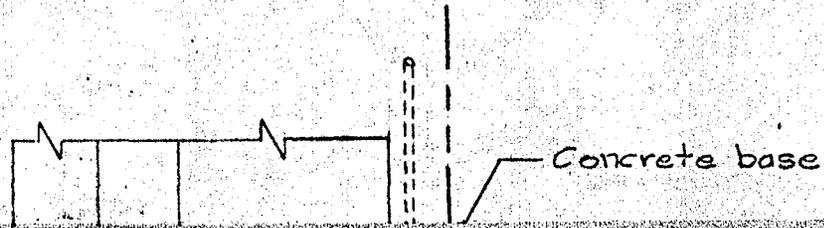
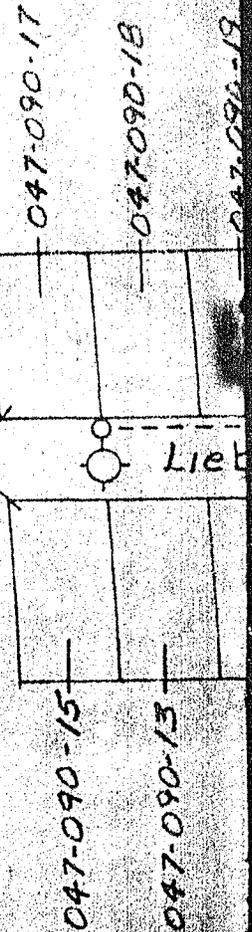
Street Light Location  
on Radius



Typical Street Section  
Scale 1/4" = 1'-0"

Street

Acacia



Legend

Light conduit  
min depth 24"

Project Limit

Acacia

Street

047-090-15

047-090-17

047-090-13

047-090-18

047-090-11

047-090-19

047-090-09

047-090-20

047-090-07

047-090-21

047-090-05

047-090-22

047-090-03

047-090-23

047-090-01

047-090-24

Liebig

Street

0630

047-090-25

047-080-05

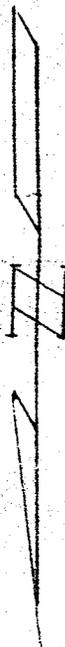
Poplar

Street

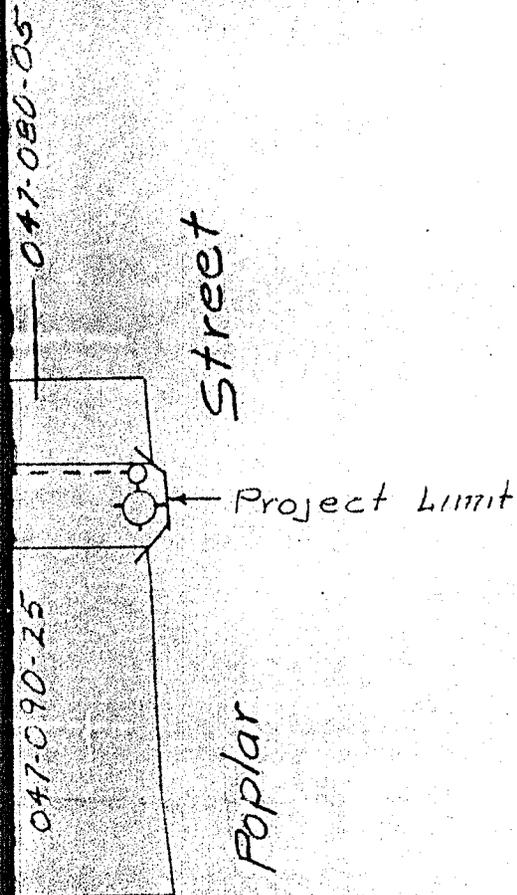
Project Limit

Legend

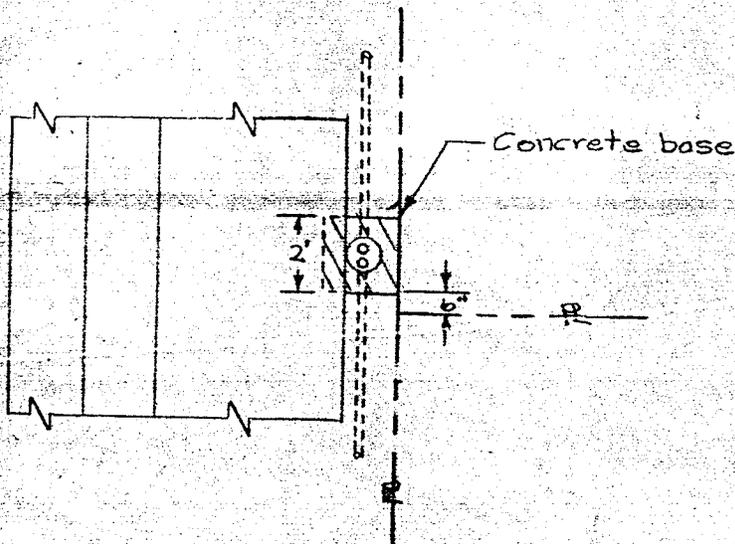
Scale 1" = 100'



Handwritten notes along the left margin, including 'Legend' and other illegible text.



Assessment No.	Footage
047-090-01	60.00
047-090-03	60.00
047-090-05	60.00
047-090-07	60.00
047-090-09	60.00
047-090-11	60.00
047-090-13	60.00
047-090-15	60.33
047-090-17	60.31
047-090-18	60.00
047-090-19	60.00
047-090-20	60.00
047-090-21	60.00
047-090-22	60.00
047-090-23	60.00
047-090-24	60.00
047-090-25	140.00
047-080-05	145.00
Total	1,245.64



Street Light Pole Location (Typical)  
Scale 1/4" = 1'-0"

047-090  
047-090

- Legend
- 100 watt high at a 30' no.
  - Pull box - flush with
  - 2 no. 12 cu of walk)
  - Existing wo

Notes

1. Luminaires without photo
2. Standards to
3. All materials prior to in
4. Installation specifications
5. Contractor and provide
6. Street light
7. Street light Department
8. The contract been given
9. Allen type covers to s
10. Street light

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m. in Book \_\_\_\_\_ of Maps of Assessment Districts, at page \_\_\_\_\_, in the office of the County Recorder of the County of San Joaquin, State of California.

County Recorder, County of San Joaquin

Certified to be boundaries for in resolution no. \_\_\_\_\_ December 18,

047-090

047-090

047-090

047-090

047-090

047-090

047-090

047-090



P01

Legend

- 100 watt high pressure sodium luminaire on 8' mast arm at a 30' nominal mounting height
- Pull box - Christy 17-9 or equal (10 9/8" x 17 1/4" x 12" deep) place flush with back of sidewalk
- 2 no. 12 cu THW in 1" PVC conduit at min 24" deep (Back of walk)
- Existing wood pole for street light riser and control

Notes

1. Luminaires to be 120/240 volt type III with regulated ballast without photoelectric cell, connect for 120 volt operation
2. Standards to be galvanized steel
3. All material subject to approval by City of Lodi Utility Department prior to installation
4. Installation shall conform to City of Lodi Utility Department specification L-1 (except as noted on this layout) locate street light base as shown (Street light base detail supersedes L-1)
5. Contractor to stub 10' up wood pole with 1" rigid steel conduit and provide conductor to reach secondary level (30')
6. Street light connection at utility pole by City of Lodi
7. Street light installation to be inspected by City of Lodi, Public Works Department
8. The contractor shall do no excavation until all utility agencies have been given the opportunity to mark their facilities in the field
9. Allen type flat head screws shall be used to attach hand hole covers to standards. Screws shall be galvanized or equivalent
10. Street light locations to be marked in the field by City of Lodi

Certified to be true and correct "Map showing proposed assessment district boundaries for Liebig Street Lighting District" as said district is described in resolution no. 85177 adopted by the City Council of the City of Lodi on December 18, 1985.

Oliver M. Benschke  
City Clerk

0

PO1

041-080-00	170.00
Total	1,245.64

on 8' mast arm  
 4" x 12" deep) place  
 24" deep (Back  
 and control

regulated ballast  
 volt operation

Lodi Utility Department

Utility Department  
 layout) locate street  
 superseded L-1)  
 rigid steel conduit  
 level (30')  
 City of Lodi

City of Lodi, Public Works

all utility agencies have  
 facilities in the field  
 to attach hand hole  
 sized or equivalent  
 field by City of Lodi

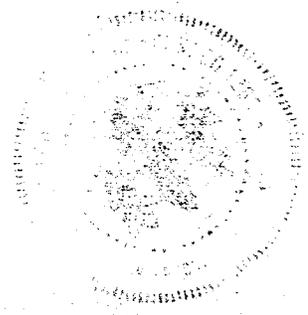
proposed assessment district  
 as said district is described  
 in Council of the City of Lodi on

Alice M. Reimche  
 City Clerk

Assessment Diagram filed  
 this 18<sup>th</sup> day of December 1985

Jack L. Ronsko  
 Jack L. Ronsko  
 Superintendent of Streets  
 of the City of Lodi

Alice M. Reimche  
 Alice M. Reimche, City Clerk



City of Lodi Utility Department Lodi California	
Map Showing Proposed Assessment District Boundaries For Liebig Street Street Light District (Assessment Diagram)	
Scale - as noted	Date 9-20-85
Drawn by J. Baker	Job no.
Checked by MG	Designed by J.B.
Approved by <u>H. Hawley</u>	File AL-190