

In the Board of Trustees
of the City of Lodi, California.

RESOLUTION No. 507.

In the Matter of Assembly Bill No. 917 Now
Pending in the Legislature of the State of
California.

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

That this Board hereby opposes the adoption of the amend-
ment proposed to be made to Section 876 of the Municipal Cor-
poration Act by Assembly Bill No. 917 now in the hands of the
Committee on Municipal Corporations, whereby certain restrict-
ions would be placed upon the depositing of public moneys and
extra duties imposed upon the Treasurer that are superfluous
and unnecessary.

This Board finds that the present Section 876 of the Mun-
icipal Corporation Act is satisfactory, complete and definite
and that the addition of the duty of making a monthly report
in such extended detail as proposed would be a duplication of
matters already the duty of the City Clerk and reported quart-
erly by him. Moreover, such a report from the Treasurer would
be impossible to check without requiring a similar one from
the City Clerk by which to verify his statement of expendit-
ures. In practice, a report in such detail entailing hours of
labor would never be read but would be "received and ordered
filed" by the Board of Trustees with but a cursory examin-
ation. It is no protection adding no element of safety to the
present system.

Also, the provision of the said proposed amendment where-
by the Treasurer would be compelled to keep segregated, the
moneys received from the operation of municipally owned public
services would be burdensome in the extreme and could not be
carried out without amending Section 878 of the Municipal Cor-
poration Act so as to require the Clerk or other receiving
officer to segregate these moneys when making orders to col-
lecting officers to pay over their collections to the Treas-
urer, otherwise the Treasurer could not identify the source
of the funds. The words "service given by public utilities
owned by the City" are too general and might well be inter-
preted as to cover sewer, storm drain and other services
common in all cities although this is not the evident intent
of the proposed act.

The segregation of these moneys would be a step backward
in accounting, each employe's wages and all material used
jointly by the City proper and its utilities would have to be
paid from separate funds entailing needless labor and expense.

Therefore, in consideration of the foregoing and of the known fact that this bill is the outgrowth of petty bickerings in one City in this State, this Board finds that the amendment proposed is unnecessary and superfluous and that sixth class cities would be hampered in the ownership of public utilities whose funds could be applied only to their operation and extension.

BE IT FURTHER RESOLVED, that a copy of this Resolution duly signed and attested be forwarded to the Honorable Bradford S. Crittenden, Assemblyman from this District and a copy to the Honorable Frank S. Boggs, State Senator.

Approved:-

President of the Board of
Trustees of the City of Lodi.

Attest:-

City Clerk of the City of Lodi.

Certified to be a true and correct copy of Resolution No. 507 of the Board of Trustees of the City of Lodi as passed and adopted by unanimous vote of said Board on Monday, the seventh day of March, A. D. 1927.

City Clerk of the City of Lodi
and ex-officio Clerk of the Board
of Trustees of said City.

March 7th., 1927.

INTRODUCED BY MR. CLOUDMAN,

(By request)

January 21, 1927.

REFERRED TO COMMITTEE ON MUNICIPAL CORPORATIONS.

To The City Of
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An act to amend section eight hundred seventy-six of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to duty of treasurer in cities of the sixth class.

The people of the State of California do enact as follows:

1 SECTION 1. Section 876 of an act entitled "An act to pro-
2 vide for the organization, incorporation and government of
3 municipal corporations," approved March 13, 1883, is hereby
4 amended to read as follows:
5 Sec. 876. It shall be the duty of the treasurer to receive
6 and safely keep all moneys which shall come into his hands as
7 treasurer, for all of which he shall give duplicate receipts, one
8 of which shall be filed with the city clerk. He shall pay out
9 said money on warrants signed by the proper officers, and not
10 otherwise, except interest on coupon bonds. He shall make
11 quarterly settlements with the city clerk. He shall keep all
12 moneys received by him for the payment of bonds and interest
13 coupons on bonds and all other trust funds segregated from
14 funds received from the general fund, and shall do likewise for
15 all moneys received by him from collections made for service
16 given by public utilities maintained and operated by the city.
17 He shall make a full, true and correct statement each month
18 to the board of trustees at their regular meeting of the moneys
19 on hand in each segregated fund and in other funds, and of
20 all moneys received, and to whom and for what purpose
21 expended during the month preceding such statement. He
22 shall collect all taxes levied by the board of trustees, if so
23 required by ordinance. He shall perform such other duties
24 relating to the financial affair of the city as shall be required
25 by the board of trustees.

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Redding, Calif.

Feb. 22, 1927.

To The City Clerk and all
Department Heads of the
Cities of California.

Gentlemen:

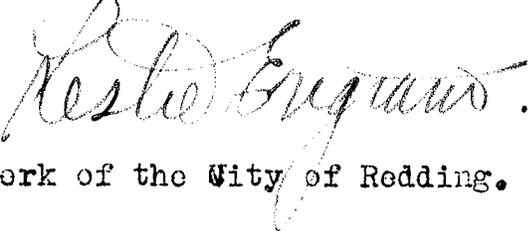
Briefly, before making the request I have to ask of you,
let me explain my reason:-

For months, enemies of public ownership have exerted every possible effort to discredit the success of our municipally owned electric distributing system, which has earned a net profit, annually, of between 30 and 40 thousand dollars; this profit having been used for much needed permanent public improvements. Their last effort was to pass an ordinance requiring all moneys received from this system to be placed in a separate fund and prohibiting its being used for any other purpose than for the maintenance and operation of the system. The people liberally signed a referendum petition which has prevented this ordinance becoming effective. It is now apparent that these people are seeking to accomplish their ends by asking the legislature to pass Assembly Bill No. 917, which contains substantially the provisions of the ordinance that has been held from passage by our people.

If passed Assembly bill No. 917 will not only embarrass our city but will likewise prevent every city which now uses the profits from any publicly owned utility for public purposes from doing so and will hinder those which may in future do so.

For these reasons I sincerely ask you, on behalf of the people of Redding, to use every effort to defeat the passage of this measure and that you immediately ask your senator and assemblyman to vote against its passage.

Most sincerely and urgently yours;



Nestor Engman.

Clerk of the City of Redding.

March 10th., 1927

Honorable Bradford S. Crittenden,
California State Assembly,
Sacramento, Calif.

My Dear Mr. Crittenden:

Herewith find a copy of a resolution adopted by the Board of Trustees of this City at their last regular meeting recording their opposition to Assembly Bill No. 917 now pending.

We would respectfully ask that you oppose the passage of this bill as inimical to the interests of all sixth class cities in this State, for, though the amendment proposed seems rather harmless, it would be a source of possible litigation and harrassment to them in the administration of public utilities.

Very respectfully yours,

J. F. BLAKELY
City Clerk

March 10 - 1927

Honorable Frank S. Boggs,
State Senate,
Sacramento, California.

My Dear Mr. Boggs:

Herewith find a copy of a resolution adopted by the Board of Trustees of this City at their last regular meeting recording their opposition to Assembly Bill No. 917 now pending in the Assembly.

Should the consideration of this bill or a similar measure come before the Senate, we would respectfully ask that you oppose the passage of the same for, although the measure is on its face rather innocuous, it is fraught with endless possibilities for this City to be entangled in litigation concerning funds acquired from the operation of its utilities.

Very respectfully yours,

J. F. BLAKELY

City Clerk.