

00-21
1981

CITY COUNCIL MEETING

April 1, 1981

The proposed application for the Eilers Reorganization and detachment of territory from the Woodbridge Rural Fire Protection District was introduced by Community Development Director Schroeder. Diagrams of the subject area were presented by Mr. Schroeder for the perusal of the Council. A lengthy discussion followed with questions being directed to Staff.

The matter died for lack of a motion by the Lodi City Council.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
DATE: March 30, 1981
SUBJECT: Request for Sewer Service from Highway Development at Highway 12 and I-5

During January of this year, the Staff had discussions with the developer of the proposed 52-acre highway oriented commercial development proposed at the south-east corner of Highway 12 and I-5 as shown on the attached plan. These discussions were all relative to allowing their development to tie into Lodi's sanitary sewer outfall line and asked that the City treat the sewage from this County development. We, the Staff, made it clear to the developer that the Lodi City Code prohibits connections from outside the City limits. Section 20-15 of the Lodi City Code is as follows:

Sec. 20-15. Prohibition on connections outside city limits.

No discharge from facilities outside the limits of the city shall be allowed into the community sewer. (Ord. No. 1162, s. 1.)

The developer asked if the Council could change the City's position in this matter, we indicated Council did have the authority to change the existing sewer ordinance and City Code. The City then received the attached letter dated February 13, 1981, requesting the City Council to allow their development to tie into our sewer facilities. We asked our sanitary sewer consultants, Black & Veatch, to determine what impact this proposal would have on our facilities and specifically the future plant capacity. Black & Veatch's attached letter of February 24, 1981, indicates that based on present flows, this development would use 6-8% of our existing reserve capacity and would displace approximately 260 residential dwelling units.

It is important for the Council to remember that at the time our sewer plant expansion grant application was submitted, the City's position was that we would design the plant for more than the allowed 10-year future capacity. The City of Lodi designed their plant for 15 years of service area growth and used City funds to pay for this additional 5 years of growth potential.

In making a decision on this matter, the City Council should be aware that at least three other highway oriented developments in the area have received general plan amendment and are currently being processed through the County. The acceptance of this development would make it difficult to deny other requests.

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.

Council Communication
March 30, 1981
Page 2

If it is the Council's desire to make the Lodi plant a regional facility, it is requested that Staff be given reasonable time to work up the use conditions.



Jack A. Ronsko
Public Works Director

Attachments

JLR/eh



Lurtsemæ-Patick Financial Company

8713 NO. PERSHING AVENUE SUITE E • STOCKTON, CALIFORNIA 95207 • 209/951-7191

February 13, 1981

Dear Sirs,

We are the owners of approximately 52 acres of land in the southeast quadrant of Interstate 5 and Highway 12 in Lodi. We are ready to begin a major highway service commercial development which should total over \$30 million when completed. This project should provide significant tax revenue, and many dollars of income for the local economy. We are projecting over 500 new jobs to be added to local employment with this development.

Our present problem is that we have run into a stumbling block in the sewer service. According to the City Manager of Lodi, there is no way we can presently tie into your plant. However, the City Manager and City Attorney, did state that if the council so decided, this could be changed. We are proposing a plan which over a 10 year term through the use of an assessment on our project, would provide additional dollars to expand your plant. We are more than willing to pay our own way on this project, but do seek your assistance. We would appreciate an appearance in front of the council to explain our plans in detail.

With warm regards,

Corey Patick,
Executive Vice President

FEB 17 1981

BLACK & VEATCH
CONSULTING ENGINEERS

TEL (415) 944.5770

3470 BUSKIRK AVENUE
P.O. BOX 4247
WALNUT CREEK, CA 94596

February 24, 1981
File 9010.003

City of Lodi
City Hall
221 West Pine Street
Lodi, California 95240

Attn: Mr. Jack L. Ronsko

Gentlemen:

Re: Review of Development Proposal
Thornton Road & Highway 12

As per your request, we have reviewed the subject development plan. Our review is based upon the information shown on the architectural plan which is subject to considerable interpretation. Therefore, while the data presented in this letter will give the City a basis for evaluating the request for sewer services, more detailed analysis at a future date is recommended before a final agreement is reached regarding flow and costs. Our review comments are as follows:

1. Estimated Discharge:

Average Daily Flow	74,000 gpd
Maximum Daily Flow	146,000 gpd
Peak Inst. Flow	300,000 gpd

2. Impact on Existing Capacity:

Based upon current flows at White Slough, which are lower than historical record because of the drought, this development represents 6-8 percent of the existing reserve capacity and would displace 264 two-bedroom dwelling units (Sewer Service Units). Should flow characteristics return to pre-drought conditions, the development would represent 25-30 percent of existing reserve capacity.

About half of the flow will be domestic in nature (i.e.; hotel, motel, restaurants, etc.) with the balance being wastewater of various types. Overall, the strength characteristics of the wastestream should be similar to the existing wasteflow to the plant.

RECEIVED

FEB 26 1981

 **CITY OF LODI**

3. Estimated Cost of Expansion:

The smallest reasonable expansion at White Slough is from 5.8 to 7.0 mgd at an estimated project cost of 2.5 million dollars. The proposed development share would be \$160,000.

Assuming that the development is able to contract with a local farm for effluent disposal at no cost, construction of on site treatment would cost about \$1,150,000. The cost of conveyance facilities to White Slough in lieu of on site treatment would cost about \$420,000. Thus, the development realizes a capital cost savings of \$730,000, not including the value of the 7.8 acre treatment plant site which could be developed and the administrative costs of obtaining a discharge permit, if wastewater is conveyed to White Slough.

Based upon the apparent capital costs involved, a negotiated connection fee between \$160,000 and \$730,000 would benefit the developer and protect the City.

4. Other Considerations:

The overall impact of this development upon the White Slough treatment facility is minimal from a technical sense. Political considerations are the significant factors. The following items came to mind during the analysis which should be considered in the decision process:

- a. A decision early in the planning of the highway development regarding whether or not to allow discharge at White Slough would reduce the potential of future technical problems. The City should insist upon adequate collection facilities to limit infiltration and maintenance problems. Also, the City must be assured that an industrial discharge with an incompatible waste is not allowed into the development without pretreatment requirements.
- b. Should the City decide to accept wastes from the development, but not annex the area, then the installation of a permanent flow monitoring station is desirable for billing purposes. An additional service charge would be necessary for users in this area to offset costs paid by residents of the City through general taxes.
- c. Collective or individual pretreatment at the development for oil and grease due to the large number of restaurants and service stations should be considered.

BLACK & VEATCH
City of Lodi
Attn: Mr. Jack L. Ronsko

February 24, 1981
Page 3

Supporting calculations are attached for your information. Should you have any questions, please call at your convenience.

Very truly yours,

BLACK & VEATCH

Jon R. Requa

for David A. Requa

DAR/JRT:sg
Enclosure

CITY COUNCIL MEETING

APRIL 1, 1981

Following a presentation by Corey Patick, Executive Vice President of Lurtsema-Patick Financial Company requesting sewer service for the proposed Saddleback Junction located at I-5 and Highway 12, Lodi, Council directed the City Manager to meet with Mr. Patick to resolve questions raised during his presentation to the City Council. Following the meeting between Patick and the City Manager, this matter is to be brought back to the City Council for consideration.

JUSTIFICATION OF PROPOSAL
for Reorganization or Change of Organization Affecting Local Agencies

Filed with Local Agency Formation Commission of San Joaquin County
c/o Dewey E. Mansfield, Executive Officer
County Courthouse, Room 153
222 East Weber Avenue Phone: (209) 944-2196 Date: 3-23-81
Stockton, California 95202

The undersigned, on behalf of the proponents of the subject proposal, hereby give notice of intention to:

- | | |
|--|---|
| <input type="checkbox"/> incorporate a city | <input type="checkbox"/> disincorporate a city |
| <input type="checkbox"/> form a district | <input type="checkbox"/> dissolve a district |
| <input checked="" type="checkbox"/> annex territory to an agency | <input checked="" type="checkbox"/> detach territory from an agency |
| <input type="checkbox"/> consolidate existing agencies | |

To further deliberations by the Commission, we submit the following:

1. Three (3) copies of this completed "Justification of Proposal"
2. Fifteen (15) copies of legal mates and bounds description of affected territory - consistent with standards acceptable to the County Surveyor's Office
3. Fifteen (15) copies of maps showing affected territory and affected agencies (maps to be no smaller than 8½" x 11" which is the most preferable size and shall be no larger than 18" x 26".
4. Filing & processing fees in accordance with LAFCO fee schedule

The following persons (not to exceed three) are to be mailed copies of the Executive Officer's Report and notice of commission hearings regarding the subject proposal.

ALICE M. REINCHE, City Clerk, 221 W. Pine Street, Lodi, CA 95240

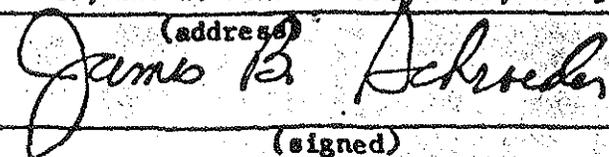
(name) (address)

HENRY G. EILERS, 16657 E. Milton Road, Linden, CA 95236

(name) (address)

JAMES B. SCHROEDER, Community Development Director, 221 W. Pine Street, Lodi, CA 95240

(name) (address)



(signed)

COMPLETE ALL QUESTIONNAIRE ITEMS

If a question is not applicable to your proposal, you may so state.

1. Local agency organization changes hereby proposed--designate affected agencies and annexations by name:
EILERS REORGANIZATION Annexation of territory to the City of Lodi. Detachment from the Woodbridge Fire District. Annexation includes the Woodbridge Senior Elementary School grounds.

2. Statutory provisions governing proceedings:

Title 6, Division 1 (commencing with Sec. 56000) of the California Government Code District Reorganization Act of 1965.

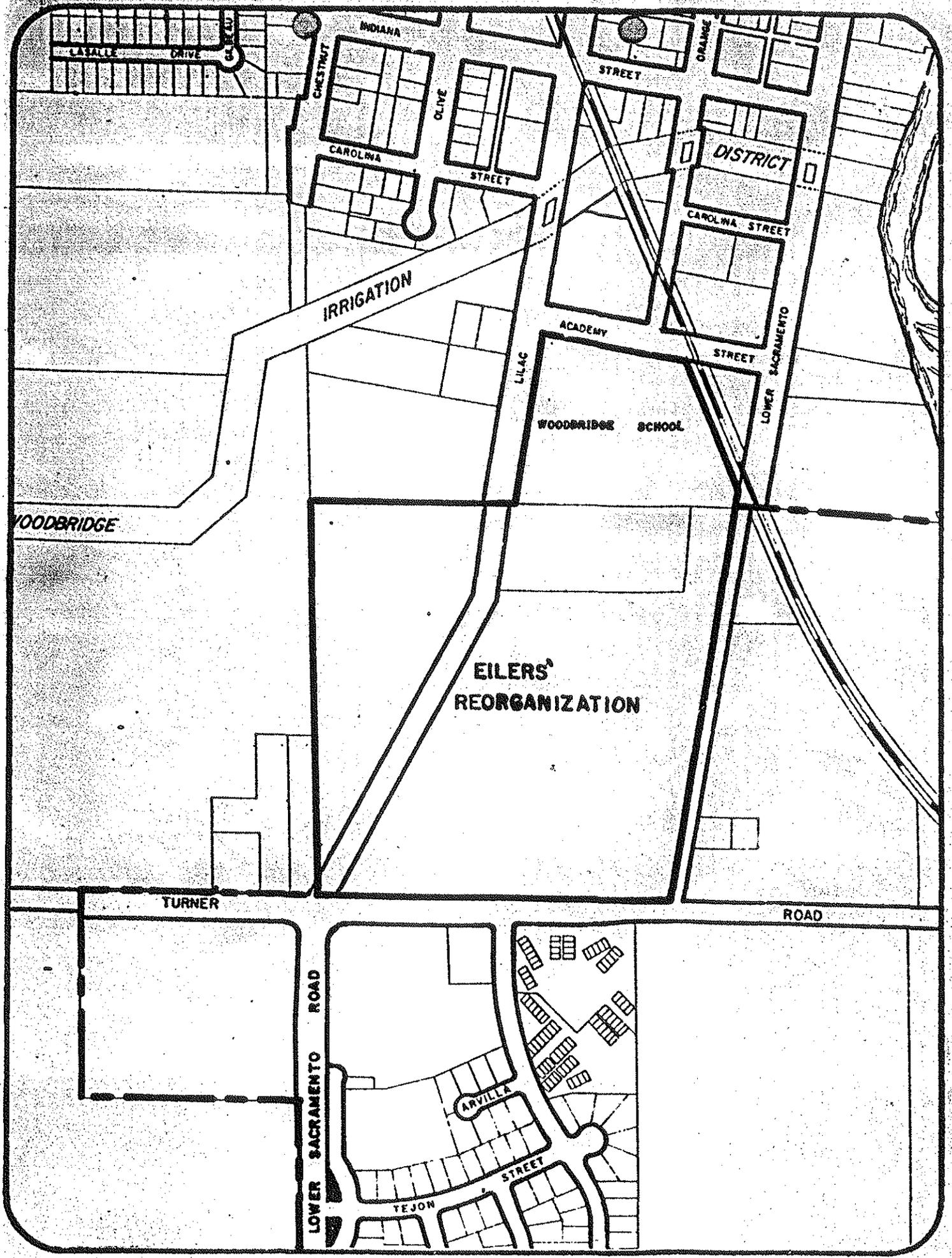
3. Do proposed boundaries create an island or corridor of unincorporated territory?
NO
4. Do proposed boundaries split lines of assessment or ownership?
NO
5. Land area affected: square miles _____ acres 46.34
6. Population in subject area: 0 7. Number of registered voters: 0
8. Registered voter density (per acre): 0 9. Number of dwelling units: 0
10. Estimate of population increase in next 10 years: 500
11. Present land use of subject area: 11.5 acres are being used as elementary school; 32 acres are being farmed to supply an on-site fruit and vegetable stand.
12. What is the intended development of this area: The vacant acreage is designated Residential low density in the Lodi General Plan (1-10 units/acre). No specific development plan submitted by applicant.
13. Present zoning: San Joaquin County Zoning GA-1, general agriculture - 1 acre minimum.
14. Describe proposed zoning changes: Will be annexed as U-H, Unclassified Holding. Probable future zoning will be R-1, R-2 or Planned Development
15. Assessed value of land: \$ 35,700
16. Assessed value of improvements: \$ 76.5
17. Value of publicly owned land in area: \$ 0
18. Governmental services required by this proposal which are not presently available: When developed the property will require municipal water, sewer, storm drainage and police and fire protection. School currently has own water & sewer plus county service
19. What alternative measures would provide services listed in Item 18 above? County services and/or connection to special service districts in Woodbridge.
20. What modifications must be made to existing utility and governmental facilities to provide services initiated by this proposal?
* Extend water, sewer and storm drain lines when property is developed.
21. What approximate costs will be incurred in accomplishing requirements of Item 20 above?
Unknown.
22. How will such costs be met?
Developer of property will pay for utility line extensions.
23. Will provisions of this proposal impose greater than normal burden on servicing agency or affected property?
NO
24. Check here if you are submitting further comments and evaluations on additional page:

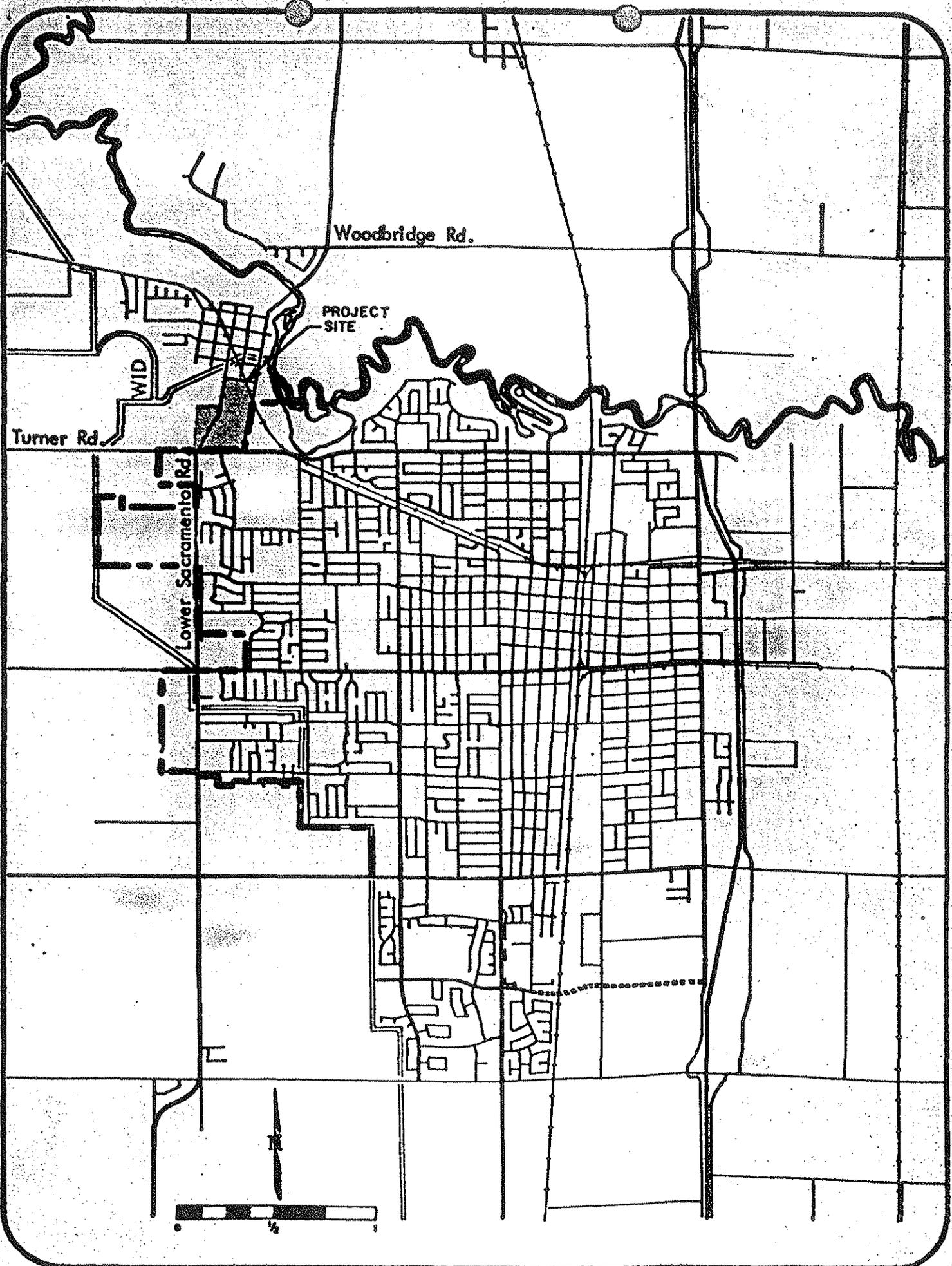
EILERS REORGANIZATION

A portion of the Southeast Quarter of Section 34, Township 4, North Range 6 East, Mount Diablo Base and Meridian, being described as follows:

Beginning at a point in the West line of said Quarter, said point lying North $1^{\circ} 49' 00''$ West, 27.01 feet from the Southwest corner of said Quarter; thence North $1^{\circ} 49' 00''$ West, along said West line, 1295.4 feet; thence North $89^{\circ} 43' 00''$ East, 660.92 feet to a point in the East line of LILAC STREET, said point also being the Southwest corner of ACADEMY BLOCK as shown on map of THOMAS' ADDITION TO THE TOWN OF WOODBRIDGE filed for record June 27, 1878, San Joaquin County Records; thence Northerly, along said East line of LILAC STREET, and the West line of said ACADEMY BLOCK to the Northwest corner of said ACADEMY BLOCK, said point also being in the South line of ACADEMY STREET; thence Easterly, along the North line of said ACADEMY BLOCK and the South line of said ACADEMY STREET to a point in the Westerly right of way line of the SOUTHERN PACIFIC RAILROAD COMPANY; thence Southeasterly, along said Westerly right of way line to a point in the West line of LOWER SACRAMENTO ROAD; thence Southerly, along said West line to a point in the North line of the South one-half of said Southeast Quarter of Section 34, said point also being the Northwest corner of NORTH GENERAL MILLS ADDITION as annexed to the City of Lodi, June 5, 1967, by Ordinance No. 836; thence South $7^{\circ} 12' 00''$ West, along the existing City Limits line, and along said West line of LOWER SACRAMENTO ROAD, 1312.05 feet to a point in the North line of WEST TURNER ROAD ADDITION as annexed to the City of Lodi, August 15, 1975, by Resolution No. 4100, said point also being in the North line of TURNER ROAD; thence West, along the existing City Limits line, and along said North line of TURNER ROAD, 1204.28 feet to the point of beginning.

Containing 46.34 acres, more or less.





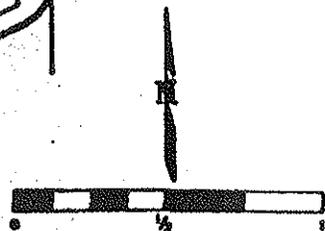
Woodbridge Rd.

PROJECT SITE

WID

Turner Rd.

Lower Sacramento Rd.



NEGATIVE DECLARATION

Notice is hereby given that the City of Lodi Planning Department has determined that the following proposal will have no "Significant Impact on the Environment": Supporting documentation is available in the form of a "Preliminary Environmental Assessment" and is available for public review in the Planning Department Office, City Hall Building, 221 W. Pine Street. Anyone wishing to appeal the issuance of this Declaration to the Planning Commission may do so no later than the date indicated as "Last date to Appeal".

Date 3-10-81 Project Title: EILERS REORGANIZATION

Responsible Agency: Lodi Planning Dept. Contact Person: JAMES B. SCHROEDER

NAME OF PERSON, FIRM, OR AGENCY UNDERTAKING PROJECT:

CITY OF LODI

Address: 221 W. PINE STREET City: LODI County: SAN JOAQUIN

Area Code: 209 Phone: 334-5634

PROJECT DESCRIPTION OF NATURE, PURPOSE, AND LOCATION

The applicant, Henry Eilers, is requesting annexation of a 46⁺ acre parcel of land to the City of Lodi. The property, located at the northwest corner of Turner Road and Lower Sacramento Road, is designated residential low density (1-10 units/acre) in the Lodi General Plan. The reorganization would also remove the property from the Woodbridge Fire District and Woodbridge

Irrigation District

Project Location City: LODI Project Location County: SAN JOAQUIN COUNTY

Last Date to Appeal: 3-18-81 Address Where Preliminary Environment Assessment is Available: LODI CITY PLANNING DEPT. 221 W. Pine St., Lodi, CA 95240 Phone: (209) 334-5634

Environmental Assessment

INITIAL STUDY

1. PROJECT TITLE EILERS REORGANIZATION
2. LOCATION North of Turner Road between Lower Sacramento Rd & Lilac Street
3. PROJECT DESCRIPTION The applicant, Henry Eilers, has requested annexation of a 46+ acre parcel to the City of Lodi. The annexation also includes the Woodbridge Senior Elementary School. The reorganization would also require withdrawal from the Woodbridge Fire District and the Woodbridge Irrigation District.
4. General Plan Designation (A) Existing (city), (B) Proposed (A Low Density Residential (1-10 units/acre) & Public; (B) No Change.
5. Site description and surrounding land use The property contains a commercial fruit stand on the southern portion and a school on the northern portion. The property is surrounded by residential, commercial & agricultural uses.
6. Zoning (A) Existing, (B) Proposed (A) GA-1, San Joaquin County; (B) U-H, Unclassified Holding & Public.

Will the Project Have a Significant Effect Through Any of the Following Impacts?

	<u>Yes</u>	<u>No</u>	<u>Maybe</u>
7. a. Substantial alteration of natural topography, soil or subsoil features.....		X	
b. Substantially degrade surface or groundwater quality..		X	
c. Substantially deplete surface or groundwater resources.....		X	
d. Substantially interfere with groundwater flow or recharge.....		X	
e. Cause a significant affect related to flood, erosion or siltation.....		X	
f. Substantial interference with the habitat of any species of fish, wildlife or plant.....		X	
g. Violate ambient air quality standards or create substantial air emissions or objectionable odors.....		X	
h. Substantially increase ambient noise or glare level for adjoining areas.....		X	
i. Substantial reduction of existing cropland.....		X	
j. Expose individuals or property to geologic, public health, traffic, flood, seismic or other hazards.....		X	

	Yes	No	Maybe
k. Have a substantial, demonstrable, negative aesthetic effect.....	_____	X	_____
l. Result in the disruption or alteration of an archeological, historical or paleontological site....	_____	X	_____
m. Cause or allow substantial increase in consumption in any natural resources.....	_____	X	_____
n. Results in the use or waste of substantial amounts of fuel or energy.....	_____	X	_____
o. Necessitate major extensions of water, sewer, storm drain, electrical lines or public roads.....	_____	X	_____
p. Substantially increase demand for or utilization of public services such as schools or fire or police protection.....	_____	X	X
q. Substantially change transportation patterns related to existing traffic load, street capacity, parking availability or traffic safety.....	_____	X	_____
r. Induce substantial growth, concentration or displacement of population.....	_____	X	_____
s. Result in an alteration or conflict with existing or planned land uses.....	_____	X	_____
t. Conflict with adopted plans, goals or policies of the City of Lodi.....	_____	X	_____

Adverse impacts of project and their magnitude: None. The school will be provided City police and fire protection but this will not substantially affect the Police or Fire Departments. Annexation will not affect the functioning of the school.

Mitigation Measures to Reduce Adverse Impacts Identified by Initial Study: _____

RECOMMENDATION

Negative Declaration EIR Conditional Negative Declaration

JAMES B. SCHROEDER
 Environmental Review Officer
 By James B. Schroeder Date 4/1/81

Follow-up
CITY COUNCIL

WALTER KATNICH, Mayor
JAMES A. McCARTY, Mayor Pro Tem
RICHARD L. HUGHES
ROBERT G. MURPHY
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
LODI, CALIFORNIA 95240
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager
ALICE M. REIMCHE
City Clerk
RONALD M. STEIN
City Attorney

April 8, 1981

Henry G. Eilers
16657 E. Milton Road
Linden, CA 95236

Dear Mr. Eilers:

This letter will serve as formal notification that the Lodi City Council at its regular meeting of April 1, 1981 declined to take action on your application for reorganization and detachment from the Woodbridge Fire District.

Should you have any questions regarding this action, please feel free to call either this office or Mr. James Schroeder, Community Development Director.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AR:dg

cc: Litts, Mullen, Perovich, Sullivan and Newton
Attorneys at Law

James Schroeder
Community Development Director

Gerald F. Scott
LAFCO Executive Officer