

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

DATE:
July 1, 1987

NO.

SUBJECT: APPROVE AMENDMENT TO APPROVED MINUTES OF THE SPECIAL COUNCIL MEETING OF APRIL 28, 1987 REGARDING VOTE RECORDED ON MATTER PERTAINING TO ZERO LOT LINE PROBLEM CONCERNING UTILITIES BETWEEN 1720 AND 1726 SOUTH MILLS AVENUE, LODI

Mayor Olson has requested that the approved minutes of April 28, 1987 (See Exhibit A attached) be amended as follows as to the vote recorded on page 17 relating to the moving of the electric utility meter and main breaker to 1720 South Mills Avenue.

Motion: Following additional discussion with questions being directed to Ms. Fuller, Mr. Marti, Mr. Huff, and Staff, Council, on motion of Council Member Hinchman, Snider second, voted to move at the City's expense the electric utility meter and main breaker to the north/west corner of Ms. Fuller's garage (1720 South Mills Avenue, Lodi). The motion carried by the following vote:

Vote: Ayes: Council Members - Hinchman, Pinkerton, and Snider

Noes: Council Members - Reid and Olson (Mayor)

RECOMMENDED ACTION: That Council, by motion action, amend the minutes of the Special Council Meeting of April 28, 1987 as shown above.

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR:jj

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TXTA.02D



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SPECIAL MEETING
CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
TUESDAY, APRIL 28, 1987
7:00 A.M.

Pursuant to State Statute, the following notice was mailed under Declaration of Mailing to persons listed on Exhibit B attached advising of a Special Meeting of the Lodi City Council to be held Tuesday, April 28, 1987.

NOTICE AND CALL OF SPECIAL MEETING
OF THE LODI CITY COUNCIL

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA,
AND TO THE CITY CLERK:

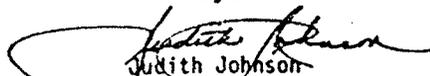
NOTICE IS HEREBY GIVEN that a Special Meeting of the Council of the City of Lodi, California, is hereby called to be held on Tuesday, April 28, 1987, at 7:00 a.m. prior to the Informal Informational Meeting, to be held in the Council Chambers, 2nd floor, 221 West Pine Street, Lodi.

Said Special Meeting shall be for the purpose of:

1. To discuss zero lot line problem, with utilities, between 1720 and 1726 South Mills Avenue, Lodi

Date: April 24, 1987

Evelyn M. Olson
Mayor


Judith Johnson
Deputy City Clerk

For
Alice M. Reimche
City Clerk

Continued April 29, 1967

EXHIBIT "B"

Mayor Olson called the Special Meeting of the Lodi City Council to order at approximately 7:00 a.m.

ROLL CALL City Clerk Reimche recorded the roll as follows:

Present: Council Members - Hinchman, Pinkerton, Reid, Snider, and Olson (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

DISCUSSION City Manager Peterson reminded the Council that the
REGARDING ZERO purpose of this Special Meeting is to discuss the zero
LOT LINE lot line problem, with utilities, between 1720 and 1726
PROBLEM South Mills Avenue, Lodi. The City Manager and City
CONCERNING Attorney detailed the problem that is being encountered
UTILITY with the electric meter installation for the home being
constructed at Lakeshore Village, Unit No. 1, Lot 50,
CC-16 more commonly known as 1720 South Mills Avenue, Lodi,
CC-51(d) and presented a diagram of the subject structures.

Council was apprised that the electric meter installation at 1720 South Mills Avenue, Lodi, is being placed in a location and in such a manner that it will deny access to the installation as required by ordinance of the City of Lodi.

Section 13.20.130 of the Lodi Municipal Code - LOCATION, reading as follows, was presented for Council's information:

Electric meter installations shall be located so as to be accessible to any authorized representative of the utility department at all reasonable times for reading, testing and inspection. Outdoor meter locations are preferred.

B. Electric meter installations shall not be located in any of the following places:

1. On any floor higher than the ground floor;
2. In any place where moisture, fumes or dust may interfere with its operation or materially damage the meter;
3. In any elevator or hatchway;
4. In any hazardous location;
5. In any place not in general use;
6. Directly over any stairway, ramp or steps;
7. On any surface subject to excessive vibration, as determined by the utility department;

Continued April 28, 1987

8. In any doorway;
 9. On or recessed in the external surface of any wall or any building that is built within three feet of any property line or on the line of any walk, alley or driveway giving access to commercial or industrial property, except when permitted by the utilities Department;
 10. On any portion of a building which might at a later date be enclosed and thus make the meter inaccessible. Such as carports, breezeways, covered porches and similar places;
- C. Residential meter installations, when electric utilities are installed in the street, shall be located outdoors and shall be located within six feet of the front corner of the building or structure. No electric meter shall be enclosed by any fence, gate, shrub or any other type of structure or enclosure, and shall be accessible from the front of the building or structure.

City Attorney Stein also presented for Council's perusal a copy of a Grant Deed whereby Search Development granted to Robert H. Marti and Patricia Ann Marti a five foot wide easement for yard and landscaping purposes, including the right to erect fences thereon, which easement is described as the southerly five feet of Parcel "F".

The City Attorney also presented a section of the C. C. and R. for Lakeshore Village, Unit No. 1, which reads as follows:

- (b) Owner's Easements. The Owner of any Lot that is served by communication, service or utility facilities lying within the Common Area or within another Lot, may enter upon such Common Area or other Lot, or may have utility, communication, or service companies do so, at reasonable times after prior notice to the Owner and occupant of the Lot, to modify, repair, replace, or maintain such facilities as necessary, when such work is not the responsibility of the Association or for other reasons is undertaken by such Owner. Such Owner, and persons performing such work at his request, shall be jointly and severally liable for the full cost of restoring all property affected by such work to its previous condition. This Section does not apply to the Owners of Project Units with respect to facilities lying within the Project.

A very lengthy discussion followed with questions regarding the matter being directed to staff by the Council.

Continued April 28, 1987

Addressing the Council on the matter were:

1. Ms. Toby Fuller, 1768 LeBec Court, Lodi, owner of the home being constructed at 1720 South Mills Avenue, Lodi.
2. Mr. Robert H. Marti, 1726 South Mills Avenue, Lodi

Mr. Steve Huff, representing P.G. & E. addressed the Council indicating that the customer of record must allow P.G. & E. access to meters during regular business hours. Mr. Huff indicated that to his knowledge there is no regulation that P.G. & E. meters cannot be located behind a fence.

Further discussion followed with Council Member Reid making a motion that the Council take no action on the matter. The motion was seconded by Council Member Hinchman. The vote failed to carry by the following vote:

Ayes: Council Members - Olson and Reid

Noes: Council Members - Hinchman, Pinkerton, and Snider

Possible alternative solutions were discussed.

Following additional discussion with questions being directed to Ms. Fuller, Mr. Marti, Mr. Huff, and Staff, Council, on motion of Council Member Hinchman, Snider second, voted to move at the City's expense the electric utility meter and main breaker to the north/west corner of Ms. Fuller's garage (1720 South Mills Avenue, Lodi). The motion carried by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Snider, and Olson (Mayor)

Noes: Council Members - Reid

Mayor Olson adjourned the Special Meeting at approximately 8:40 a.m.

ATTEST:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk