

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 3, 1993
7:30 P.M.

ROLL CALL Present: Council Members - Davenport, Mann, Sieglock, Snider, and Pennino (Mayor)
Absent: Council Members - None
Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt, and City Clerk Perrin

INVOCATION The invocation was given by Pastor Derril Peabody, United Congregational Christian Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pennino.

PRESENTATIONS

PRESENTATION OF CHECK BY BOOSTERS OF BOYS SPORTS ORGANIZATION

CC-27(c) Dick Slawson, Secretary of the Boosters of Boys Sports Organization (B.O.B.S.) presented a check to the Mayor in the amount of \$1,500.00 for the purchase of irrigation supplies/materials for Kofu and Salas Park infields.

PRESENTATION OF CHECK BY GREATER KIWANIS OF LODI

CC-27(c) Walt Scheffer, President of Greater Kiwanis of Lodi, presented a check to the Mayor in the amount of \$1,500.00 to offset an earlier loan that was advanced to them toward the purchase and installation of playground equipment at the North Youth Area, Lodi Lake Park.

COMMENT REGARDING REGULAR CALENDAR ITEM #3 ENTITLED, "REPORT ON TRUCK PARKING AND TRAVEL ON CITY STREETS"

City Manager Peterson informed the public that a report regarding Regular Calendar Item #3 entitled, "Report on truck parking and travel on City streets" would not be given this evening. The intent of this item was to set the matter for a public hearing on March 3, 1993 and will be discussed at that time.

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Mann

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second, unanimously approved the following items hereinafter set forth.

CLAIMS CC-21(a) Claims were approved in the amount of \$3,306,927.80.

MINUTES There were no minutes for approval.

SALE OF SCRAP WIRE AND METAL APPROVED

RESOLUTION NO. 93-22

CC-47 The City Council adopted Resolution No. 93-22 authorizing
CC-300 the advertisement for bids for the sale of various items of scrap wire and metal.

During the course of operations the City utility departments generate quantities of scrap wire and metal. Periodically, the City will sell such quantities to scrap metal dealers on a highest-bid, all-or-none basis.

The current quantities of scrap metal to be advertised for sale are as follows:

Bare/Insulated Aluminum Wire	1,700 lbs.
Insulated Copper Wire	2,700 lbs.
Bare Copper Wire	550 lbs.
UG Cable (75% Aluminum, 25% Copper)	250 lbs.
Lead Pipe	552 lbs.
Copper Pipe	280 lbs.
Brass Fittings	930 lbs.
Scrap Iron	1 lot

PURCHASE OF ELECTRICAL CABLE FOR THE ELECTRIC UTILITY DEPARTMENT

RESOLUTION NO. 93-23

CC-12(d) The City Council adopted Resolution No. 93-23 authorizing
CC-47 the purchase of 30,000 feet of #2/0 15kV underground
CC-300 primary conductor, and 10,000 feet of #1/0 600V underground triplex, from the low bidders in each category:

#2/0 15kV primary - Delta Pacific Sales, Yuba City:
\$33,682.65

#1/0 600V triplex - Pirelli Cable Corp., Colusa, CA:
\$ 7,370.10

On November 18, 1992, the City Council approved specifications and authorized advertisement for bids. The following bids were received December 22, 1992:

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	<u>#2/0 15kV Conc.</u>	<u>#1/0 600V Tri.</u>
Delta Pacific Sales, Yuba City	\$33,682.65	No Bid
Pirelli Cable Corp., Colusa, CA	\$34,282.13	\$7,370.10
Maydwell & Hartzell, San Francisco	\$43,186.20	No Bid
Graybar Electric, Sacramento	No Bid	\$8,479.93
Capital Wholesale Electric, Sacramento	\$49,424.93	\$8,609.23

This cable will be needed for installation in eleven new residential and commercial subdivisions scheduled to begin during the next six to twelve months, and to provide an inventory for routine or emergency maintenance of the existing electrical system.

Some of the developments where this cable will be used are Sunwest Plaza 2, Johnson Ranch 2, Century Meadows 1, 2, and 3, Towne Ranch 1, and the new Target store. As home construction continues beyond the 12-month horizon, additional 600-volt triplex will be needed, and bids will be solicited at that time.

PURCHASE OF HYDRAULIC UNDERGROUND CABLE
 PULLER FOR THE ELECTRIC UTILITY DEPARTMENT
 APPROVED

RESOLUTION NO. 93-24

CC-12(d) The City Council adopted Resolution No. 93-24 authorizing
 CC-47 the purchase of a hydraulic underground cable puller to the
 CC-300 sole source supplier Sherman & Reilly, Inc., Chattanooga,
 Tennessee in the amount of \$31,678.50

This equipment will be used by the Line Division when installing high voltage cable in duct/vault systems. The cable manufacturers have developed parameters within which the cable installations must be done to avoid damage to the cable. Some of these parameters are maximum tension that can be applied to the cables, the pulling speed during installation and the quality of the pull, i.e., smooth, consistent pull to avoid 'galloping.' At present, the Department uses line truck capstans and rope to provide the pulling power, a method that yields a very 'elastic' pull with very little control over tension and speed.

This hydraulic underground puller has evolved over a period of years and today is a completely developed, tested and highly specialized piece of equipment for this very critical function. This equipment has been in use by a major Northern California electric utility for over a year with excellent results. The pulling equipment comes trailer mounted with a gas engine operated hydraulic power unit that provides a highly controllable pulling speed and tension through a special steel underground pulling cable. The unit is relatively compact, as compared to a line

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truck, and thus, can be placed in the optimum position for any pull.

To date, no other comparable equipment has been found in the market place with the characteristics and capabilities of this unit; therefore, the recommendation to purchase 'sole source' (Lodi Municipal Code, Section 3.20.070). The purchase price is approximately 8% higher than the unit price offered to the major Northern California electric utility 1-1/2 years ago and must be considered reasonable, especially since improvements have been made in this model and training and instruction of staff, on site, is included as well.

PURCHASE OF TWO TELECOMMUNICATIONS DEVICES
FOR THE DEAF (TDD) AND ONE VANDAL-PROOF
OUTDOOR TELEPHONE APPROVED

RESOLUTION NO. 93-25

CC-12(d) The City Council adopted Resolution No. 93-25 authorizing
CC-47 staff to purchase one Telecommunications Device for the
CC-118 Deaf (TDD) for the switchboard at City Hall, one TDD for
CC-300 the Dial-A-Ride Dispatch Office, and one vandal proof
CC-501 outdoor direct ringdown telephone to be located outside of
 City Hall.

The City is in the process of meeting the requirements as stipulated in the American Disabilities Act (ADA). One such requirement is that disabled citizens have access to City buildings. To accommodate this, an outdoor telephone will be placed at the back door of City Hall. Citizens in wheelchairs will have easy access to the telephone to call the switchboard operator for assistance. Once the switchboard operator has been contacted, the appropriate City staff can make arrangements to meet with the individual. The cost for the telephone, which includes Braille markings, the casing, and the pole mounting bracket is approximately \$500.00.

To further assist the disabled, a TDD will be placed at the City Hall switchboard so that individuals with hearing impairments can call City Hall for information and/or assistance. Dial-A-Ride services will also be enhanced with the placement of a TDD in the Dispatch Office so that hearing impaired individuals can request rides. Dial-A-Ride does not currently have any means of communicating with citizens who are hearing impaired. Each TDD costs approximately \$539.12 for a total of \$1,078.24.

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CONTRACT CHANGE ORDER - WELL 3-R DRILLING,
144 SOUTH ROSE STREET (SOUTHWEST CORNER OF
HUTCHINS STREET SQUARE) APPROVED

CC-90 This information was given to the City Council in accordance with the Contract Change Order policy approved by Resolution 85-72. One of the requirements of this policy is that we inform the City Council of all change orders over 10% of the contract amount.

The contract change order, approved by the City Manager, was in the amount of \$11,190, which is 16.4% of the contract. Under normal circumstances, the development of a well consists of dropping a portable pump into the well to remove the mud and sand. Occasionally, this procedure is not effective and there are times when the well will become clogged during the drilling operation.

When a well becomes clogged, as did Well 3-R, specialized procedures such as chemical treatments and selective strata pumping must be attempted. Both were tried and the strata pumping was successful. This change order covers the work needed to do the selective strata pumping.

Fifteen working days were added to this contract.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

COMMENT REGARDING THE HIRING OF THE POLICE CHIEF

CC-16 Council Member Davenport first informed the public that if
CC-34 anyone had any questions to call him anytime. Second, Mr. Davenport once again expressed his opinion regarding the hiring of the Police Chief and welcomed any public comments on the matter. He also stated that he would like to see the testing for the position be extended to lieutenants and sergeants.

LETTER RECEIVED REGARDING POLICE DISCRIMINATION

Council Member Davenport asked that the citizen who wrote him a letter regarding police discrimination to please contact him.

REQUEST FOR DIFFERENT BUDGET FORMATS

CC-21(b) Council Member Davenport directed the City Manager, with Council concurrence, to request sample budget formats from two or three comparable cities.

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COMMENT ON ARTICLE REGARDING GANGS THAT
APPEARED IN THE CHAMBER OF COMMERCE'S
NEWSLETTER

Council Member Davenport commented on the article that appeared in the Chamber of Commerce's newsletter regarding gangs.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons wishing to comment under the "Comments by the public on non-agenda items" segment of the agenda:

PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the continued Public Hearing to consider update of Development Impact Mitigation Fees.

CONTINUED PUBLIC HEARING TO CONSIDER UPDATE
OF DEVELOPMENT IMPACT MITIGATION FEES

RESOLUTION NO. 93-26

CC-56
CC-300

Assistant City Engineer Prima presented the following report.

The City Council was advised that the City's Development Impact Mitigation Fee Program, adopted in 1991, provides for an annual update of the fees based on the Engineering News Record (ENR) 20 Cities Construction Cost Index. Further adjustments can be made if there are substantial changes in the fee program projects, their costs, or other factors. The City has used the ENR for updating the storm drainage impact fee since 1972.

On November 18, 1992, the City Council conducted a hearing on increasing the fees 3.61% based on the change in the ENR Index. At the hearing, a number of people spoke in opposition to the increase. They generally felt the use of a national index was inappropriate for recent conditions in the Lodi area. The Council requested additional background information in response and continued the public hearing to February 3, 1993.

To more accurately address this "index" issue, the projects which the impact fees are financing must be broken down into categories. The fees are paying for a wide variety of capital facilities ranging from water wells to police cars, each with their own market conditions. The following discussion focuses on each category in order of their proportion of the total fee.

Buildings

The cost of various public buildings accounts for nearly one-quarter of the total fee. Since no buildings have been constructed under the fee program, staff cannot compare actual costs to the program estimates. There is no local "index" for building costs. In December 1992, the Engineering News Record published a summary of various cost indexes. Increases range from 1.2% to 2.9%. A local architect's office felt an increase of between 2% and 3% was appropriate. The recommended adjustment for buildings was an increase of 2% except for the City Hall project. The recent changes in the plan for expansion of City Hall are substantially different from the original, underestimated project which was included in the fee program. Based on the latest plans and cost estimates, the cost of the portion of the project included in the fee program should be increased 22%.

Street Improvements

Typical street improvements, i.e., paving for wide streets, basin and park frontage improvements and miscellaneous street and park improvements, account for just over 20% of the total fee. These prices have declined since the fee study. This is confirmed by local engineers and the Caltrans Construction Cost Index. However, this has been partially offset by two factors. One is that the City has paid for more street work than estimated in the program, primarily on Kettleman Lane near Lower Sacramento Road. The other is that the cost of excess right of way was not consistently included in the estimates for new "wide" streets. Under the City's fee and reimbursement program ordinance, right of way dedications in excess of 68 feet are to be reimbursed under the fee program.

The recommended adjustment for these improvements was a decrease of 2%.

Other special or large-scale street improvements, including the Highway 12/99 interchange, WID Canal crossing widenings, railroad crossings and traffic signals, account for nearly 7% of the fee. The only work paid by the fees in this category has been the signal work at Highway 12/Lower Sacramento Road, and the signal at Highway 12/Tienda Drive. Both were added to the program after the fee was set. These two projects would increase the fee by 1.5%. Preliminary discussions with Caltrans indicate that the cost of the Highway 12/99 interchange will substantially exceed the cost included in the fee program. On the other hand, the cost of signals has not increased over the past year, and may be decreasing.

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It was recommended there be no adjustment for these projects.

Land

The cost of land for storm drainage basins and parks is approximately 22% of the total fee. The cost of land was estimated in the study to be \$100,000 per acre. Only one acquisition has been made (E-Basin/Westgate Park) in which the price was set at \$115,000 per acre. In addition, nearly 2 acres (14%) more land was acquired than was estimated in the fee calculations. However, this should not be a typical occurrence once the Parks Master Plan is adopted. We also have an appraisal on another basin which is slightly lower than \$100,000 per acre.

The recommended adjustment for land was an increase of 4%.

Water Wells

New wells account for 11% of the total fee. A significant portion (40%) of this cost is for granular activated carbon (GAC) treatment units for DBCP. In order to provide proper system operation, the City will have to drill some new wells in areas with DBCP levels exceeding the allowable limit. Whether or not the City will need the number of estimated treatment units is unknown at this time. City well costs are showing a slight increase.

The recommended adjustment for wells was an increase of 1/2%.

Underground Utilities

Oversizing credits for water and sewer lines and the cost of master storm lines account for 5% of the total fee. Based on local engineers' estimates and data provided by local contractors, these prices have either declined or stayed the same. However, in the few projects in which the City has paid credits, or for master storm drains, the footages have exceeded those included in the original estimates.

The recommended adjustment for underground utilities was a decrease of 1%.

Equipment

Police cars, fire fighting equipment and other miscellaneous vehicles and equipment account for approximately 4% of the total fee. Although no purchases have been made under the fee program, we do know costs have continued to increase. A fully equipped police car, estimated to cost \$18,000 in January 1990, now costs

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\$21,000; roughly a 5% per year increase. Cost increases for fire fighting equipment have been lower.

The recommended adjustment for equipment was an increase of 4%.

Miscellaneous

This category includes program administration and the various studies for the next two General Plan updates. The fee study consultants estimated the equivalent of two full-time positions would be needed to administer the program. With slow development, it has not been necessary to add positions although some existing staff time and equipment has been charged to this account. Given this, but assuming additional staff will be needed in the future, a decrease of 1.5% was recommended. For other studies yet to be done, an increase of 3% was recommended.

Agreements

The City has a number of formal agreements and adopted policies providing for reimbursements to either developers or the City for past expenses. These account for just under 3% of the total fee. These agreements specifically call for an adjustment based on the ENR Index. This adjustment should be 3.61% as indicated in the previous staff report.

Lift Stations

There are three separate sanitary sewer service areas identified in the fee study with their own supplemental fee for lift stations. In one case, a development has paid the fee and installed temporary facilities. It is likely this will occur again before it is necessary to construct the permanent lift station. When it is finally necessary to construct the permanent lift station, the actual costs will be apportioned to the areas served. If the fees previously collected are less than the amount needed, the City will have to make up the difference. Thus, it is important that the fee be kept up to date.

The recommended adjustment for lift stations was a 3.5% increase.

Summary

The City-wide fee categories and subcategories, along with their relative percentages and the recommended adjustments, were shown on an exhibit which was presented for Council's review. The total adjustment was a 1.99% increase which was less than the 3.61% previously recommended. Another exhibit presented to Council summarized all the fees and

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compared the proposed fees to the existing fees and the previously recommended fees. The total increase was \$800 per acre of low-density residential use, or roughly \$160 per single-family dwelling.

Following a lengthy discussion among the City Council, the Mayor opened the hearing to the public. Speaking against the matter were the following persons:

- a) Jeff Kirst, 109 River Meadows Drive, Lodi, presented a memorandum addressed to Russ Munson regarding unit costs for public improvements (a copy of which is on file in the City Clerk's office);
- b) Dennis Bennett, 1225 North Rivergate Drive, Lodi, presented a report with tabulations of bids received on various different City of Lodi projects (a copy of which is on file in the City Clerk's office);
- c) Frank Alegre, 2000 Edgewood Drive, Lodi;
- d) Steve Pechin, 323 West Elm Street, Lodi, representing Baumbach and Piazza, Inc.;
- e) Russ Munson, 1530 Edgewood Drive, Lodi;
- f) Mark Dispenza, representing the Builders Association;
- g) Ken Boyd, 414 Cork Oak Way, Lodi; and
- h) Marilyn Burns, 5430 Kettleman Lane, Lodi.

Following a lengthy discussion among the City Council, staff and those who had given testimony, the City Council on motion of Council Member Mann, Snider second, unanimously adopted Resolution No. 93-26 not increasing the total fees and approving the individual fee category adjustments.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of January 25, 1993.

CC-35 The Planning Commission -

ITEMS OF INTEREST

- a. Accepted withdrawal of the request of Hai Nguyen for a video store and small arcade at 429 West Lockeford Street, Suite B, in an area zoned C-2, General Commercial.

b. Conditionally approved the request of Daryl Duncan on behalf of Wanda J. Cherry for approval of a Tentative Parcel Map to create 2 lots from 1 lot at 819 James Street in an area zoned R-2, Single-Family Residential.

c. Denied the request of Claude C. Wood Co. to extend the Use Permit for a temporary office trailer at 636 East Lockeford Street in an area zoned M-2, Heavy Industrial.

This Use Permit was originally granted on May 9, 1988 and subsequently renewed by the Planning Commission on June 12, 1989, August 20, 1990 and September 12, 1991.

The September 12, 1991 extension was for a period of 16 months with the Provision that no additional extensions be granted.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c) On recommendation of the City Attorney and the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Sieglock, Davenport second, unanimously rejected the following claim:

a) Danny G. Jones, Date of loss 6/22/92

ABC LICENSE
APPLICATIONS

City Clerk Perrin presented the following applications for Alcoholic Beverage Control Licenses which had been received:

CC-7(f) a) Ravez/Saleem Khan and Bernard C. Kooyman, East Side Market, 360 East Lodi Avenue, Lodi, Off Sale Beer and Wine, Original License; and

b) Alice J./Harry G. Potter, Bumble Bee, 20 North Main Street, Lodi, On Sale Beer and Wine, Public Premises, Person to Person Transfer.

REPORT ON CABLE TELEVISION RATE ADJUSTMENTS

CC-6 City Manager Peterson presented the following report.

CC-22(c)

CC-56

Existing law provides that cable television companies advise local agencies 30 days in advance of the implementation of rate adjustments. King Videocable Company has met this requirement by notifying the City on January 27, 1993 of a scheduled rate adjustment to be effective March 1, 1993. Unfortunately, the notice was not received until after the deadline for preparation of the agenda for the regular meeting of Wednesday, February 3,

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1993. However, the company has mailed notices of this scheduled rate adjustment to all subscribers, and these notices should reach all customers within the next day or two.

Deanna Enright, King Videocable, was in attendance and presented a brief report to the City Council regarding the rate adjustments.

"This...is notification to the City of Lodi of our planned rate adjustment and channel line-up changes for our franchise area.

Effective March 1, 1993, King Videocable will be changing rates as follows:

- ° basic service will decrease from \$16.50 to \$14.00
- ° basic plus service will increase from \$4.00 to \$7.95
- ° additional outlets will increase from \$3.50 to \$4.25 each

Customers with basic and basic plus service will see a total increase of \$1.45. However basic service will be available at a more economical rate. As a reminder, basic plus service is comprised of ESPN, CNN, Discovery, and many more popular cable channels.

These changes in our price structure are the result of several factors. With respect to the increase, despite our efforts to hold down controllable costs, programming as well as other uncontrollable costs continue to increase. Concerning the decrease in our basic service rate, effective March 1, 1993, we will be changing our channel alignment. This reconfiguration enables us to make basic service available at a more economical rate. Unfortunately it also means that the home shopping channel will be moved out of the basic service. Customers with both basic and basic plus will have no change in the total number of channels received.

A major reason for these changes in channel position is to comply with the Cable Television Consumer Protection and Competition Act of 1992. It is clear that the act intends for customers to receive an economically priced entry level of service.

We at King Videocable continue our efforts to remain competitive in the video entertainment market by providing the best value for the entertainment dollar through programming selection, the installation of an improved communication system to better respond to customer needs, and by keeping changes in rates to a minimum."

RECESS

Mayor Pennino called for a ten-minute recess and the City Council reconvened at approximately 9:35 p.m.

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REGULAR CALENDAR

MODIFIED FRANCHISE FEE FOR SOLID WASTE DISPOSAL

ORDINANCE NO. 1565 INTRODUCED

CC-22(b) Assistant City Manager Glenn prepared the following report.
CC-54
CC-149

The franchise agreement with Sanitary City Disposal has an 8% franchise fee for the collection and transportation of refuse within the City limits. When the City Council adopted the new rates for the curb side recycling program, it was agreed the City would reduce the franchise fee from 8% to 6% in order to lower the collection and disposal rates.

Following a brief discussion, the following person spoke regarding the matter:

a) Janet Pruss, 2421 Diablo Drive, Lodi.

Council Member Davenport stated for the record that pursuant to State statute, he felt this item did not meet the requirement to be adopted as an urgency ordinance. The City Attorney agreed on the matter.

On motion of Council Member Mann, Snider second, the City Council introduced Ordinance No. 1565 entitled, "An Ordinance of the City Council of the City of Lodi Amending Exclusive Franchise for Waste Disposal Services" by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

RENEWAL OF WORKERS' COMPENSATION ADMINISTRATION SERVICE AGREEMENT APPROVED

CC21.1(b) Administrative Assistant to the City Manager Evans
CC-90 presented the following report.

The City of Lodi renews its service agreement with its workers compensation third party administrator on an annual basis, every November 1st.

In November 1990, the City first began using Greenfield-Thompson Associates, Inc. (now known as Associated Claims Management, Inc.) as its third party administrator, the service fee was established at \$4,400 per month. Council approved an increase to \$4,750 per

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month for the year beginning November 1, 1991. This firm has now agreed to a \$4,916.25 fee per month for the 92-93 year, which represents a 3.5% increase relative to last year's fee.

It should be noted that when staff originally began negotiations with this administrator, the administrator had requested a fee of \$5,250 per month (an increase of 10.52%).

This firm justifies its request on the basis that its staff, and employees in this industry in general, are still expecting salary increases in the 5% to 7% range. This has dropped somewhat from a period three years ago when salary increases were generally around 10%. Burnout and turnover amongst third party administrator staff is very high. The philosophy of this firm is to hire sufficient staff to cover the workload, invest in employee training and provide competitive salaries in order to prevent turnover. Clerical support staff at the Pleasanton office were recently increased from a ratio of 1.0 per examiner to 1.5 per examiner. Ultimately, Associated Claims Management, Inc. feels the cost of maintaining a stable, quality staff are lower than those of employee turnover and regular disruptions in the processing of client's claims.

Included in this contract renewal is a managed care/medical cost-containment program. Roberta Penarelli, Executive Vice President has stated that through this program of medical billing reviews, the City could realize a savings of roughly \$25,000 per year, assuming our medical billings fall around \$100,000 per year. For this, a fee of 15% of all savings through the bill review system would be charged, and 30% for savings through negotiated reduced fees with designated medical providers.

Speaking on behalf of Associated Claims Management were Karen Esperance, and Stacii Marchbanks.

Following discussion, the City Council, on motion of Council Member Mann, Davenport second, unanimously approved the renewal of the Workers Compensation Claim Administration Service agreement as presented.

REPORT ON TRUCK PARKING AND TRAVEL ON CITY STREETS

CC-6
CC-48(a)

City Manager Peterson introduced the matter and reminded the Council and the public of the comment he made earlier in the meeting, that the intent of this item is to set this matter for public hearing for March 3, 1993.

At the June 17, 1992 meeting, City Council reviewed the Public Works Department's recommendation regarding increased truck parking restrictions on City streets in response to citizen complaints. Prior to taking any action

on this matter, Council directed staff to meet with the Chamber of Commerce and the trucking industry for their comments.

The Chamber sponsored two meetings, held on July 10 and July 22, 1992. City staff presented the problems and possible solutions at these meetings. The first meeting involved the Chamber's Government and Transportation Review Committee, Chamber Directors and general membership. Two large trucking firms were represented at the first meeting. At the second meeting, which was targeted towards independent truckers, only one representative from the trucking industry was in attendance along with three concerned citizens. The comments received from the Chamber meeting were presented to the Council in Appendix 1 of the report.

At the request of one independent trucker, the Council meeting was postponed until the beginning of the year, a less busy time for most independent truckers. A truck driver who attended one of the Chamber's meetings volunteered to notify independent truckers.

The Council Communication was expanded in the report to include complaints and problem areas received through the City's complaint system regarding truck parking and truck travel. The report also includes the existing regulations and restricted locations, and past discussions and Council action on truck issues. This report is summarized below:

Report Summary

Since most of the changes being recommended require a modification of the Lodi Municipal Code (LMC), no final action can be taken until a formal public hearing is held on the specific changes.

Staff has prepared three alternatives addressing truck parking and travel issues. The first alternative is to modify the existing truck parking ordinance by changing the definition of "residential district" as defined in LMC Section 10.52.050. Under this alternative, truck parking would be prohibited adjacent to nonresidentially zoned areas located on two-lane roadways if a "residential district" exists across the street, unless it has reverse frontage. The second alternative is to consider repealing the existing truck parking ordinance and establishing a "truck route" system, thereby allowing truck parking only on those routes. The third alternative is to leave the existing truck parking ordinance as is and install no-parking zones as truck parking problems are reported.

After reviewing the alternatives and comments received regarding this matter, staff recommended that the City

Council set a public hearing to consider Alternative 1 since it satisfies the City's intent to prohibit truck parking near residences while providing considerably more available truck parking than Alternative 2. Also, the amount of additional restricted area will not severely affect the total amount of City-wide truck parking currently available. Staff had no major objections to Alternative 2 since it can be used to regulate truck travel as well as truck parking and can be written to eliminate truck parking in residential areas, similar to the existing truck parking ordinance. Staff's major concern is the reduction of available truck parking and that truck parking would not be permitted in commercial and industrial areas not on the truck routes. Staff does not recommend Alternative 3 due to its ineffectiveness in controlling truck parking and the cost to evaluate, install and maintain no-parking zones. Also, an excessive amount of passenger vehicle parking would have to be eliminated in order to keep trucks from parking in undesirable areas.

Staff also recommended setting a public hearing to change a section of LMC 10.52.050 which reads "maximum gross weight of five tons" to "maximum gross vehicle weight rating of 10,000 pounds". This change conforms with the Vehicle Code.

The final item for Council review through the hearing process is the existing ordinance regulating commercial vehicle travel on City streets (LMC 10.52.010). Staff felt the wording should be changed in order to make it clear that it is legal to regulate vehicle travel based on the number of axles as provided in the California Vehicle Code. As stated in the report, it is easier for police officers to enforce the number of axles of a vehicle rather than the weight limit. Therefore, staff also recommended that the streets listed below be changed as shown. Any future vehicle travel restrictions will be proposed based on vehicle axles.

- ~ Holly Drive (all) - Change from "commercial vehicles and vehicles over 3 tons prohibited" to "commercial vehicles over 2 axles prohibited".
- ~ Tokay Street (from Stockton Street to Cherokee Lane) - Change from "commercial vehicles and vehicles over 5 tons prohibited" to "commercial vehicles over 2 axles prohibited".

Speaking on the matter was the following person:

- a) Jane Holden, 207 East Walnut Street, Lodi.

On motion on Council Member Davenport, Sieglock second, the City Council unanimously set a public hearing for March 3, 1993 to consider truck parking and travel on City streets.

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EASTSIDE TASK FORCE CONSIDERED

CC-2(s)
CC-6

City Manager Peterson presented the following report.

At its regular meeting of Wednesday, January 20, 1993, the City Council heard a request from Ms. Virginia Snyder for the formation of a group of citizens living on the east side of the City to review and evaluate suggestions and concerns of the residents of that area. Ms. Snyder was advised that this item would appear on this agenda. Below is a letter supplied by Ms. Snyder.

"An interesting article about Oakland's efforts to fight drugs, crime, and urban decay..(was presented for Council's review). If you decide to appoint an eastside task force to look for solutions to Lodi's problems, maybe we can learn from Oakland's experience.

The one thing that troubles me about this article is the apparent differences between the Safe Streets movement and the Oakland Police Department. It's my feeling that any eastside task force should work closely with the Lodi Police Department and also with the Gang Task Force.

Since my presentation at the last Council meeting, I've received lots of support for an eastside task force. If eastside residents will convert the verbal support into action, I believe within a few years we'll see significant improvement in our eastside neighborhoods. We don't have a lot to lose by trying. Things are getting worse every year.

My prayers are with you as you consider your decision. I know you have to take into account many things I'm not aware of. I also appreciate the fact that the City Council will take the heat for task force recommendations that might be unpopular with certain elements; slum landlords might fall into that category. That's one of the reasons I feel it's vitally important we:

1. Demonstrate how property values rise and maintenance costs go down when rentals are properly managed.
2. Let eastside business people know how valuable they are to the community and do everything we can to create conditions that will allow them to earn a greater profit.
3. Show eastside churches we are a force for decency and good in our city, and solicit their support.
4. Involve Lodi's diverse ethnic groups in the effort.

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5. Operate within the framework of existing city ordinances to protect the City of Lodi from possible legal complications.

This started out to be a short note. I'm sure I'm not telling you anything you don't already know. Please approve an eastside task force.

Thanks very much for your time."

Speaking on the matter were the following persons:

- a) Virginia Snyder, 412 East Oak Street, Lodi;
- b) Virginia Lahr, 311 East Elm Street, Lodi;
- c) John Young, 600 Tara Place, Lodi;
- d) Joseph Young, 744 South Central Avenue, Lodi; and
- e) Ken Owen, Christian Community Concerns, Lodi.

Following a lengthy discussion regarding the possible formation of a committee, the Mayor directed Virginia Snyder, Virginia Lahr and John Young to work together with staff to formulate ideas and guidelines for a committee and to return to the City Council with its recommendations within 30 days.

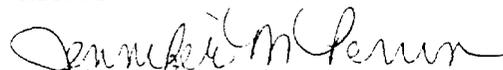
ORDINANCES

There were no ordinances for adoption.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 10:55 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk