

079 B

CITY COUNCIL, CITY OF LODI  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 3, 1992  
7:30 P.M.

ROLL CALL

Present: Council Members - Hinchman, Pennino,  
Sieglock, Snider (arrived 7:55 p.m.), and  
Pinkerton (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  
Reimche

INVOCATION

The invocation was given by Assistant City Manager Glenn.

PLEDGE OF  
ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pinkerton.

PRESENTATIONS

PROCLAMATIONS

NATIONAL SAFE BOATING WEEK

CC-37 Mayor Pinkerton proclaimed June 7 - 13, 1992 as "National  
Safe Boating Week".

UPDATE ON LODI ARTS COMMISSION EVENTS

CC-2(k) Lodi Arts Commissioner Pamela Van Fleet gave an update on  
the following City of Lodi Arts Commission events:

- \* Celebrate America!
- \* Brown Bag/Lodi Lunchtime Live
- \* Young Renaissance Contest
- \* Playwright Contest
- \* Annual Awards/Recognition Dinner

CONSENT CALENDAR

In accordance with report and recommendation of the City  
Manager, Council, on motion of Council Member Hinchman,  
Pennino second, approved the following items hereinafter  
set forth.

\*\*\*\*\*

CLAIMS CC-21(a) Claims were approved in the amount of \$3,138,895.60.

030

Continued June 3, 1992

MINUTES                    The Minutes of May 6, 1992 (Regular Meeting) were approved as written.

ACCEPTANCE OF IMPROVEMENTS AT  
1301 EAST VINE STREET

RESOLUTION NO. 92-100

CC-46                    The City Council adopted Resolution No. 92-100 accepting  
CC-300                    the development improvements for 1301 East Vine Street.

The City Council was advised that the improvements at 1301 East Vine Street have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and MCP Investments, dated July 11, 1989, as shown on Drawings No. 88D101 through 88D104, and as specifically set forth in the plans and specifications approved by the City Council.

No street dedications were made with this development.

RENEWAL OF JANITORIAL CONTRACT FOR  
VARIOUS CITY FACILITIES WITH KOREAN  
BUILDING MAINTENANCE APPROVED

RESOLUTION NO. 92-101

CC-90                    The City Council adopted Resolution No. 92-101 renewing the  
CC-300                    janitorial contract for various City facilities to Korean Building Maintenance for \$100,000.00.

Janitorial duties in the Public Safety Building, Carnegie Forum, Municipal Service Center, City Hall, Hutchins Street Square, and Parks and Recreation offices are carried out by a contract janitorial service. Korean Building Maintenance has maintained a portion of these facilities since July 1, 1984. Additional square footage and janitorial responsibilities have been added over the years as City facilities have expanded and been remodeled.

On June 5, 1991, in order that other commercial cleaning firms be able to be considered, the City Council approved updated specifications and authorized advertising for bids. Bids were opened on June 18, 1991 and four bids were received.

Korean Building Maintenance was the low bidder at \$5,950.00 per month, or \$70,000.00 per year. The second low bidder was Robert's Building Maintenance at \$9,815.68 per month, or \$117,788.16 per year. The difference between these two bidders was almost \$48,000.00 per year.

Korean Building Maintenance has proposed to contract janitorial services for the 1992/93 fiscal year at

051

Continued June 3, 1992

\$100,000.00. Although that appears to be a large increase (15%), it is only slightly over what we paid for the same janitorial services in 1990/91 (at \$86,700) because it now includes additional square footage and cleaning requirements at Hutchins Street Square, the Parks and Recreation administration building, trailer, and annex, and adds White Slough to the list of facilities maintained.

Primarily, the cleaning responsibilities have remained the same as in previous years, but these few additions/changes should be approved as an addendum to the contract:

- A) Parks and Recreation offices and annex shall be cleaned three times per week, with the tile areas mopped weekly, waxed bimonthly, and windows washed quarterly.
- B) Bins at Hutchins Street Square and Parks and Recreation facilities, containing paper for recycling, must be emptied as required.
- C) Janitorial services for the White Slough Administrative/Control Building have been added at \$600.00 per month, or \$7,200.00 per year. Duties shall be the same as specified for Municipal Service Center (Sections 5.4-5 and 5.4-6).
- D) The Animal Shelter office area shall be cleaned twice per week per Section 5.4-6.
- E) At Hutchins Street Square, the Kitchen and North Hall must be serviced six days per week.

Because the proposed annual cost for janitorial services is still significantly under last year's second low bid (by approximately \$18,000.00), it is recommended the Council renew the contract with Korean Building Maintenance rather than rebid at this time.

\* \* \* \* \*

COMMENTS BY CITY  
COUNCIL MEMBERS

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

INQUIRY REGARDING COMMUNITY-WIDE  
AFFORDABLE HOUSING

CC-25

Following an inquiry by Mayor Pro Tempore Pennino, Community Development Director Schroeder reported on what is being done community-wide regarding affordable housing.

032

Continued June 3, 1992

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

CITIZEN VOICES COMPLAINTS

CC-16                   Nguyen To Can, P. O. Box 9077, Stockton, addressed the City Council regarding her driver's license being suspended and numerous other complaints.

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 Pinkerton called for the Public Hearing to consider the Bennett/Compton Reorganization including annexation to the City of Lodi and detachment from certain districts as approved by the Local Agency Formation Commission (located north of Eilers Lane, and bounded by Lilac Street on the east, the Woodbridge Irrigation Canal on the north and Chestnut Street/Woodhaven Lane on the West).

BENNETT/COMPTON REORGANIZATION

RESOLUTION NO. 92-102

CC-8(a)  
CC-300

The City Council was informed that this public hearing regarding the Bennett and Compton Reorganization, including annexation to the City of Lodi and detachment from certain districts as is required because LAFCO added three parcels to the original City Council initiation. The area was added to make the annexation in conformance to LAFCO policy and provided for more orderly growth.

The two parcels which receive sewer service from the Woodbridge Sanitary District will continue with that service until City sewers are available. Upon connection to City sewer service, LAFCO will detach the area from the Sanitary District.

The Bennett and Compton portion of the annexation has been rezoned for multiple-family units and has received Growth Management Allocations for 144 units.

Council Member Snider arrived at approximately 7:55 p.m.

Speaking in support of the proposed reorganization was Mr. Terry Piazza, 323 West Elm Street, Lodi.

Addressing the City Council regarding concerns regarding the development of this area was Mr. Tom Gau, 2336 Eilers Lane, Lodi.

073  
V

Continued June 3, 1992

There being no other persons wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Pinkerton second, the City Council adopted Resolution No. 92-102 entitled, "A Resolution of the Lodi City Council Ordering the 'Bennett/Compton Addition' Annexation/Reorganization (LAFC 3-92) With Notice and Hearing, Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District, the Woodbridge Lighting District, and the San Joaquin County (S. J. C.) Resource Conservation District".

APPEAL OF GARY L. SKIPTON, 1617 FALLBROOK WAY, LODI OF LODI PLANNING COMMISSION'S DENIAL FOR A ZONING VARIANCE TO REDUCE THE REQUIRED REAR YARD SETBACK FROM 10 FEET TO 5 FEET TO PERMIT CONSTRUCTION OF A TWO-CAR GARAGE GRANTED

CC-53 (b)

Notice thereof having been published according to law, an affidavit of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing to consider the appeal of Gary L. Skipton, 1617 Fallbrook Way, Lodi of the Lodi Planning Commission's denial of his request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at that address (APN 062-330-79) in an area zoned P-D (26), Planned Development District No. 26.

Community Development Director Schroeder stated that Mr. Skipton had filed the following variance application request regarding his property located at 1617 Fallbrook Way, Lodi.

VARIANCE APPLICATION REQUEST

We would like to build a two-car garage on the south end of our property. This garage would be 26' wide X 22' deep. Due to the configuration of the cul-de-sac, the majority of the circle is taken from our side of the street. This limits the area available for our use. Our lot measures 79'5" on the north end, 130' across the west side, and 46'7" on the south end of the lot. The garage would set 5' from the south boundary, 5' from the west boundary and 20' from the sidewalk on the front of the property at the narrowest end. The purpose of building this garage is to allow us to convert the existing garage into a family room/den.

Approval of the Variance is needed because the current laws state that a new building must be at least 10' from the back property line. We would need to be 5' from the back

034

Continued June 3, 1992

property line for the garage to be used for normal sized vehicles.

Because of the location of the new garage it would not in any way interfere with anyone else's property.

At its meeting of April 14, 1992, the Lodi City Planning Commission denied the request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at 1617 Fallbrook Way (APN 062-330-79) in an area zoned P-D (26), Planned Development District No. 26. In denying the request the Planning Commission determined that a "Zoning Hardship" as defined in Section 17.72.030 of the Lodi Municipal Code (Zoning Ordinance) did not exist.

Speaking on behalf of his appeal was Mr. Gary L. Skipton, 1617 Fallbrook Way, Lodi.

Also addressing the City Council regarding the matter was Ngujen To Can, P. O. Box 9077, Stockton.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following a lengthy discussion with questions being directed to staff and to Mr. Skipton, the City Council, on motion of Council Member Hinchman, Pinkerton second granted the subject appeal. The motion carried by the following vote:

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

Noes: Council Members - Pennino

Absent: Council Members - None

PLANNING COMMISSION REPORT Community Development Director Schroeder presented the following Planning Commission Report of the Planning Commission Meeting of May 26, 1992.

CC-35 The Planning Commission -

ITEMS OF INTEREST

- a. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Robert Batch for the Tentative Subdivision Map of Lodi West, Unit No. 1, a 19.73 acre, 80 lot single-family residential project proposed for 16891 North Lower Sacramento Road in an area zoned R-1 and R-2, Single-Family Residential.

035

Continued June 3, 1992

The Planning Commission also approved the Development Plan of Lodi West which includes the above project, four later stages of residential development, a school site and an addition to Westgate Park - Storm Drainage Basin.

- b. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Bruce Towne and Bennett and Compton Inc. for the Tentative Subdivision Map of Towne Ranch, Unit No. 1, a 21/4 acre, 107 unit single-family residential project proposed for 398 East Turner Road in an area zoned R-2, Single-Family Residential.

The Planning Commission also approved the Development Plan of Towne Ranch which includes the above project, five later stages of development and a neighborhood park.

- c. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Consulting Engineers on behalf of R.L. Lee for the Tentative Subdivision Map of Century Meadows III Unit No. 1, a 14.1 acre, 73 lot single-family residential development proposed for 1601 East Harney Lane in an area zoned R-2, Single Family Residential.

The Planning Commission also approved the Development Plan for Century Meadows III which includes the above project, a future stage in Phase I area of the Growth Management System with the remainder in Phase II area.

- d. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Delmar Batch for the Tentative Subdivision Map of Century Meadows II, Unit No. 1, a 15.1 acre, 76 lot single-family residential project proposed for 1767 East Harney Lane in an area zoned R-2, Single-Family Residential.

The Planning Commission also approved the Development Plan for Century Meadows II, which includes the above project, a future stage in Phase I area of the Growth Management System with the remainder in Phase II area.

- e. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Delmar Batch for the Tentative Subdivision Map of Century Meadows IV, Unit No. 1, an 18.86 acres, 87 lot single-family residential project proposed for 14100 North Lower Sacramento Road in an area zoned R-2, Single-Family Residential.

The Planning Commission also approved the Development Plan of Century Meadows IV which includes the above project, a future stage of residential development as well as an addition to G-Basin (De Benedetti Park - Golf Course) and a neighborhood park.

Continued June 3, 1992

f. Continued until Monday, June 8, 1992 the request of Terry Piazza, Baumbach and Piazza, Inc. Consulting Engineers on behalf of James Anagnos, et al for approval of a Tentative Parcel Map to create two parcels from one parcel at 801 East State Route 12 in an area zoned C-S, Commercial Shopping.

g. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Bruce Towne to create four parcels from two parcels at 398 East Turner Road in an area zoned R-2, Single-Family Residential.

Janet Pruss, 2421 Diablo Drive, Lodi addressed the City Council regarding Planning Commission reports and Planning Commission minutes.

Following introduction of the subject of Council Member Hinchman, the City Council asked that in the future additional oral information be provided at City Council meetings regarding development proposals.

COMMUNICATIONS  
(CITY CLERK)

REAPPOINTMENTS TO VARIOUS CITY BOARDS  
AND COMMISSIONS

CC-2(d) On motion of Mayor Pro Tempore Pennino, Pinkerton second,  
CC-2(g) the City Council concurred with the following  
CC-2(k) reappointments to various City of Lodi Boards and  
Commissions:

Library Board of Trustees

Sachiko A. Ishida three-year term expiring June 30, 1995  
Louise Zastrow three-year term expiring June 30, 1995

Lodi Arts Commission

Evelyn Olson three-year term expiring July 1, 1995  
Tim Mattheis three-year term expiring July 1, 1995

Planning Commission

Michael A. Lapenta four-year term expiring June 30, 1996  
Craig Rasmussen four-year term expiring June 30, 1996

PUC APPLICATION

CC-7(f) The City Council was advised that notice has been received from Pacific Gas and Electric Company advising that it has filed Application No. 92-05-009 with the California Public

037

Continued June 3, 1992

Utilities Commission requesting authority to increase its electric and gas rates.

PUBLIC HEARING RESCHEDULED REGARDING  
NOTICE OF PUBLIC NUISANCE AND ORDER TO  
ABATE PROPERTY LOCATED AT 4 WEST SIERRA  
VISTA PLACE, LODI

CC-53(b) On motion of Council Member Sieglock, Pinkerton second, the City Council rescheduled the public hearing concerning the appeal received from Joe (Mark) Newfield regarding Notice of Public Nuisance and Order to Abate property located at 4 West Sierra Vista Place, Lodi issued by James H. Siemers, Code Enforcement Officer to Wednesday, August 5, 1992.

REGULAR CALENDAR

1992-93 COUNCIL OF GOVERNMENTS (COG)  
BUDGET RATIFIED

CC-7(n) Mr. Bart Meays, COG Executive Director of the San Joaquin County Council of Governments addressed the City Council reviewing the 1992-93 COG Budget as approved by the COG Board on April 28, 1992. Pursuant to the COG's Joint Powers Agreement, following the adoption of the budget by the COG Board, it is presented to member agencies for ratification by each governing body.

Following discussion, with questions being directed to Mr. Meays, the City Council, on motion of Mayor Pro Tempore Pennino, Pinkerton second, ratified the 1992-93 Council of Governments (COG) Budget.

1992-93 OPERATING BUDGET FOR CITY OF  
LODI RECEIVED

ORDINANCE NO. 1551 INTRODUCED

CC-21(b) The City Council received the 1992-93 Operating Budget for  
CC-149 the City of Lodi. The City Council was advised that as presented, this budget is balanced; precariously balanced, but balanced. The State of California's budget will greatly affect the budget as presented.

Following a presentation regarding the matter by Assistant City Manager Glenn, with questions being directed to Mr. Glenn and City Manager Peterson, the City Council on motion of Mayor Pro Tempore Pennino, Hinchman second, introduced Ordinance No. 1551 as the initial step in the budget adoption process.

0.38

Continued June 3, 1992

CLOSED SESSION

CC-200(d) At approximately 9:10 p.m., the City Council adjourned to a Closed Session regarding the following matter:

- a) Litigation - Celiz/Lovell v. City of Lodi  
San Joaquin County Superior Court Case Nos.  
227183/227151.

The City Council reconvened at approximately 9:25 p.m.

ORDINANCES

There were no ordinances up for adoption.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pinkerton adjourned the meeting at approximately 9:25 p.m.

ATTEST:

*Alice M. Reimche*  
 Alice M. Reimche  
 City Clerk