

CITY COUNCIL, CITY OF LODI  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, APRIL 3, 1991  
7:30 P.M.

PERFORMANCE BY RIVERBOAT  
RASCALS

Beginning at 7:15 p.m., the Riverboat Rascals under the direction of Bob Romans performed. Mayor Hinchman and the entire City Council expressed sincere appreciation and applauded this very talented group of young people.

ROLL CALL

Present: Council Members - Pennino, Pinkerton, Sieglock, Snider, and Hinchman (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 Jerry Glenn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hinchman.

PRESENTATIONS

PROCLAMATIONS

Mayor Hinchman presented a Proclamation proclaiming April 5 - 7, 1991 as "National Days of Thanksgiving".

CC-37

CONSENT CALENDAR

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

- a) Agenda item E-11, entitled, "Retain consultant to evaluate City telephone system" was pulled from the Consent Calendar and discussed and acted upon under the Regular Calendar.

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CLAIMS CC-21(a)

Claims were approved in the amount of \$2,943,920.77.

MINUTES

The Minutes of March 6, 1991 (Regular Meeting) and March 20, 1991 (Regular Meeting) were approved as written.

BID PROPOSAL FOR TREE  
WORK AT LODI LAKE PARK  
APPROVED

CC-12.1(c) The City Council approved the specifications for a tree trimming contract for Lodi Lake Park and authorized advertising for bids thereon. The bid opening date has been set for April 19, 1991.

The Parks and Recreation Department requested approval to utilize a tree trimming contractor for the removal of any weak or cracked limbs, lighten over burdened limbs, and inspect all crotches for splits or rotten areas in trees. The trees affected will be the poplars at Lodi Lake Park.

PLANS AND SPECIFICATIONS FOR  
SACRAMENTO STREET OVERLAY,  
LOCKEFORD STREET TO TURNER  
ROAD APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Sacramento Street Overlay, Lockeford Street to Turner Road and authorized advertising for bids.

This project consists of constructing an asphalt overlay, replacement of various sections of curb and gutter, and removal of the buried and deteriorated railroad tracks and ties that run down the center of the roadway.

Sacramento Street will be closed for two days during the paving operation.

Although the preliminary project estimate exceeds the current appropriation, requests for additional funding will be based upon actual contract prices presented at the time of award.

PLANS AND SPECIFICATIONS FOR  
TRAFFIC SIGNAL AND LIGHTING  
INSTALLATION AT CLUFF AVENUE/VICTOR  
ROAD APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Traffic Signal and Lighting Installation at Cluff Avenue/Victor Road and authorized advertising for bids.

This project consists of the installation of a new traffic-actuated traffic signal with left turn phases (arrows) on Highway 12 and minor pavement widening at the north side of the intersection for right turning vehicles.

This project has been delayed for a number of reasons:

- The Southern Pacific Transportation Company (SPTC) railroad crossing protection adjacent to the intersection needed to be upgraded in order to install a traffic signal; this required revision of the Public Utilities Commission crossing list, processing an agreement through Caltrans and SPTC, and installation by SPTC.
- During the above processing, it was found that no formal street crossing easement had ever been obtained for Cluff Avenue; this agreement also needed to be processed.
- The signal plans and specifications and a right-of-way certification needed to be reviewed and approved by Caltrans.

We have received Caltrans approval to advertise the project subject to our making some minor changes to the plans and specifications.

PLANS AND SPECIFICATIONS FOR  
MILLS AVENUE OVERLAY, LODI  
AVENUE TO ELM STREET APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Mills Avenue Overlay, Lodi Avenue to Elm Street and authorized advertising for bids.

This project will place a pavement reinforcing fabric and an asphalt concrete overlay on Mills Avenue from Lodi Avenue through the Elm Street intersection.

The paving operation for this project will require that Mills Avenue be closed. The street closure will be done in two phases; Lodi Avenue to Pine Street and Pine Street to Elm Street. The phasing of the street closure will be less of an inconvenience to the public than if the entire length of the project is closed at one time.

CONTRACT AWARD FOR HAM  
LANE IMPROVEMENTS, KETTLEMAN  
LANE TO VINE STREET

RESOLUTION NO. 91-63

CC-12(a)  
CC-300 The City Council adopted Resolution No. 91-63 awarding the contract for Ham Lane Improvements, Kettleman Lane to Vine Street to Ragsdale and Son, Inc. in the amount of \$138,136.85.

This project will provide an asphalt overlay on Ham Lane between Kettleman Lane and Vine Street. This project will

also do some minor widening on the north side of Kettleman Lane to provide two left turn lanes for the southbound traffic on Ham Lane.

Ham Lane will be completely closed during the paving operation. Staff estimates the actual paving will be done in two days.

Plans and specifications for this project were approved on February 6, 1991. The City received the following six bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$144,772.75
Ragsdale & Son, Inc.	Waterford	\$138,136.85
Azteca Construction, Inc.	Rancho Cordova	\$172,453.00
Teichert Construction	Stockton	\$190,840.00
Claude C. Wood Co.	Lodi	\$191,356.50
AM Stephens Construction Co., Inc.	Rio Vista	\$195,686.00
Granite Construction Co.	Watsonville	\$200,062.00

PURCHASE OF PADMOUNT TRANSFORMERS  
FOR ELECTRIC UTILITY DEPARTMENT  
APPROVED

RESOLUTION NO. 91-64

CC-12(d)  
CC-300

The City Council adopted Resolution No. 91-64 awarding the purchase of 14 padmount transformers to the bidders whose proposals and equipment met all Electric Utility specifications, and whose transformers yielded the lowest overall lifecycle costs:

Westinghouse Utilities, Concord, CA:

4 ea. 37.4 KVA Single-phase	\$ 4,914.16
1 ea. 150 KVA Three-phase	4,664.00
4 ea. 300 KVA Three-phase	23,256.40
1 ea. 750 KVA Three-phase	11,541.28
1 ea. 1,000 KVA Three-phase	12,741.20
TOTAL	\$57,117.04

Maydwell & Hartzell, Brisbane, CA:

1 ea. 167 KVA Single-phase	\$ 2,971.18
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Pauwells Transformers, Washington, MO:

2 ea. 150 KVA Three-phase	\$ 8,995.16
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On February 6, 1991, the City Council approved the specifications and authorized advertisement for bids. Bids were opened on March 6, 1991. A summary of the bids received and of the evaluation are shown below:

TRANSFORMER DESCRIPTION	SUMMARY BIDS RECEIVED*/LIFE CYCLE COSTS PADMOUNT TRANSFORMERS BIDS OPENED MARCH 6, 1991					
	WEST'GHOUSE CONCORD	G.E. SUPPLY MARTINEZ	MAYD & HART BRISBANE	PAUWELS MISSOURI	COOPER BURLINGAME	SQUARE D PLEASANTON
<u>SINGLE-PHASE PADMOUNT:</u>						
4 EA 37.5KVA, 240/120V	\$ 4,914.16/ <u>\$ 8,994.16</u>	\$ 5,092.37/ \$ 9,388.37(a), (b)	\$ 5,410.24/ \$ 9,754.24	NO BID	\$ 4,541.04/ \$ 9,125.04(b)	NO BID
1 EA 167 KVA 240/120V	\$ 3,021.00/ \$ 6,593.00	\$ 2,649.46/ \$ 6,929.46(a), (b)	\$ 2,971.18/ \$ 6,525.18	NO BID	\$ 2,099.86/ \$ 7,321.86(b)	NO BID
<u>THREE-PHASE PADMOUNT:</u>						
2 EA 150 KVA 208Y/120V	\$ 8,437.60/ \$16,933.60	\$11,439.16/ \$17,079.16(a)	\$ 9,164.76/ \$18,116.76	\$ 8,995.16/ <u>\$16,767.16</u>	\$ 7,244.04/ \$17,480.04	NO BID
1 EA 150 KVA 480Y/277V	\$ 4,664.00/ <u>\$ 8,348.00</u>	\$ 5,749.40/ \$ 8,741.40(a)	\$ 4,490.16/ \$ 8,780.16	\$ 4,687.32/ \$ 8,581.32	\$ 3,817.06/ \$ 8,719.06	NO BID
4 EA 300 KVA 480Y/277V	\$23,256.40/ <u>\$50,064.40</u>	\$30,510.32/ \$48,566.32(a)	\$27,538.80/ \$53,626.80	\$29,065.20/ \$54,001.20	\$21,602.80/ \$52,146.80	\$30,392.32/ \$59,912.32
1 EA 750 KVA 480Y/277V	\$11,541.28/ <u>\$25,641.28</u>	\$14,961.45/ \$25,785.45(a)	\$11,798.86/ \$25,886.86	\$10,611.66/ \$25,849.66	\$12,327.80/ \$28,367.80	\$14,731.88/ \$27,811.88
1 EA 1000 KVA 480Y/277V	\$12,741.20/ <u>\$30,531.20</u>	\$14,811.73/ \$32,901.73(a)	\$14,340.74/ \$32,640.74	\$12,546.16/ \$32,226.16	\$14,416.00/ \$34,036.00	\$16,439.54/ \$33,179.54

\* BIDS RECEIVED ARE TOTAL BID PRICES FOR EACH SIZE, TAXES INCLUDED, DELIVERED

FOOTNOTES: (a) EQUIPMENT DOES NOT MEET SPECIFICATIONS FOR CABINET CONSTRUCTION  
(b) EQUIPMENT DOES NOT MEET SPECIFICATIONS FOR MINIMUM NUMBER OF PARKING STANDS

These transformers will be used to replenish padmount inventory.

PURCHASE OF POLEMOUNT TRANSFORMERS  
FOR ELECTRIC UTILITY DEPARTMENT  
APPROVED

RESOLUTION NO. 91-65

CC-12(d)  
CC-300

The City Council adopted Resolution No. 91-65 awarding the purchase of 69 polemount transformers to the bidders whose proposals and equipment met all Electric Utility specifications, and whose transformers yielded the lowest overall lifecycle costs:

General Electric Supply Co., Martinez, CA:

10 ea. 50 KVA 120/240V CP	\$12,687.03
13 ea. 15 KVA 120/240V Conventional	8,710.61
3 ea. 50 KVA 277V Conventional	3,460.09
2 ea. 50 KVA 120/240V Conventional	2,366.05
TOTAL	\$27,223.78

Cooper Power Systems, Burlingame, CA:

8 ea. 37.5 KVA 120/240V CP	\$ 7,080.80
17 ea. 25 KVA 120/240V Conventional	10,091.20
10 ea. 27.5 KVA 120/240V Conventional	7,780.40
TOTAL	\$24,952.40

Western States Electric, Portland, OR:

6 ea. 37.5 KVA 277V Conventional	\$5,444.16
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On February 6, 1991, the City Council approved specifications and authorized advertisement for bids. Bids were opened on March 6, 1991. a summary of the bids received and of the evaluation are shown on the following page.

SUMMARY  
BIDS RECEIVED\*/LIFE CYCLE COSTS  
POLEMOUNT TRANSFORMERS  
BIDS OPENED MARCH 6, 1991

<u>TRANSFORMER DESCRIPTION</u>	<u>G.E. SUPPLY MARTINEZ</u>	<u>COOPER BURLINGAME</u>	<u>WEST'N ST. PORTLAND</u>	<u>WESTINGHOUSE CONCORD</u>
<u>SINGLE-PHASE CIRCUIT-PROTECTED:</u>				
8 EA 37.5 KVA 120/240V	\$ 9,850.88/ \$16,058.88(a)	\$ 7,080.80/ <u>\$16,792.80</u>	\$ 9,065.12/ \$17,737.12	\$ 7,055.36/ \$16,847.36
10 EA 50 KVA 120/240V	\$12,687.03/ <u>\$24,867.03</u>	\$12,221.80/ \$26,401.80	\$12,062.80/ \$26,162.80	\$10,547.00/ \$25,467.00
<u>SINGLE-PHASE CONVENTIONAL:</u>				
13 EA 15 KVA 120/240V	\$ 8,710.61/ <u>\$13,650.61</u>	\$ 6,063.20/ \$13,707.20	\$ 7,813.26/ \$14,365.26	\$ 7,317.18/ \$14,155.18
17 EA 25 KVA 120/240V	\$16,899.52/ \$24,957.52(a)	\$10,091.20/ <u>\$24,847.20</u>	\$12,073.40/ \$25,095.40	\$11,604.88/ \$25,204.88
10 EA 37.5 KVA 120/240V	\$11,379.95/ \$18,639.95(a)	\$ 7,780.40/ <u>\$19,340.40</u>	\$10,260.80/ \$20,040.80	\$ 7,950.00/ \$19,690.00
6 EA 37.5 KVA 277V	\$ 4,679.37/ \$11,435.37	\$ 4,878.12/ \$11,526.12	\$ 5,444.16/ <u>\$11,360.16</u>	\$ 4,750.92/ \$11,614.92
3 EA 50 KVA 277V	\$ 3,460.09/ <u>\$ 6,850.09</u>	\$ 2,925.60/ \$ 7,203.60	\$ 2,604.42/ \$ 7,254.42	\$ 2,722.08/ \$ 7,372.08
2 EA 50 KVA 120/240V	\$ 2,366.05/ <u>\$ 4,630.05</u>	\$ 2,189.96/ \$ 4,785.96	\$ 2,141.20/ \$ 4,769.20	\$ 1,780.80/ \$ 4,948.80

\* BIDS RECEIVED ARE TOTAL BID PRICES FOR EACH SIZE, TAXES INCLUDED, DELIVERED

FOOTNOTES: (a) EQUIPMENT EXCEEDS SPECIFICATIONS FOR MAXIMUM WEIGHT

These transformers will be used to support the Electric Utility Department's ongoing PCB transformer replacement program.

ACCEPTANCE OF IMPROVEMENTS UNDER  
LANE LINE PAINTING, VARIOUS  
STREETS, 1990, CONTRACT

CC-90

The City Council accepted the improvements for "Lane Line Painting, Various Streets, 1990" and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Traffic Limited, Lodi on November 7, 1990, in the amount of \$16,892.23. The contract has been completed in substantial conformance with the specifications approved by the City Council on October 17, 1990.

The contract completion date was December 14, 1990, and the actual completion date was March 7, 1991. The delay in completing the project was due to the City placing a "Temporary Suspension of Work" until the weather was more conducive to the application of paint on traffic stripes.

MODIFICATION OF JOINT POWERS  
AGREEMENT BETWEEN CITY OF LODI  
AND THE SAN JOAQUIN COUNTY  
COUNCIL OF GOVERNMENTS (COG)

RESOLUTION NO. 91-66

CC-7(n)  
CC-90  
CC-300

The City Council adopted Resolution No. 91-66, a resolution entitled "A Resolution of the Lodi City Council Approving the First Modification of Joint Powers Agreement Establishing the San Joaquin County Council of Governments (COG), Thereby Formalizing the City of Lathrop's Membership, and Giving COG Taxing Powers as the San Joaquin Local Transportation Authority."

Two actions have occurred in the recent past which necessitates the first modification to the Joint Powers Agreement establishing the San Joaquin County Council of Governments since that agency was formed in 1983. The first is the incorporation of the City of Lathrop in 1989. The second is the passage by the voters in 1990 of Measure K putting in place a 1/2-cent sales tax earmarked for local transportation improvements.

The modification provides for membership on COG of one representative of the City of Lathrop. It also provides that the new quorum be increased from five members to six; and that the Executive Board now consist of four members instead of three. Finally, the modification provides

language to permit COG to coordinate the distribution of Measure K funds as set forth in Measure K.

AGREEMENT WITH COLVIN RANCH,  
3820 EAST ALMOND DRIVE, LODI  
FOR TEMPORARY EXTENSION OF  
ELECTRIC UTILITY LINE ACROSS  
COLVIN RANCH PROPERTY APPROVED

CC-27(a)           The City Council approved the agreement with Colvin Ranch  
CC-90               for a temporary extension of an electric utility line  
                    across Colvin Ranch property and authorized the City  
                    Manager and City Clerk to execute the Agreement on behalf  
                    of the City.

This Agreement permits the City to construct, operate and maintain an approximately 740 feet overhead 12-kv electric line in an easterly direction from Stockton Street south of Almond Drive. The electric line completes a loop and thereby a backup supply to 993 residential and commercial customers in the area south of Kettleman Lane between Cherokee Lane and Stockton Street. The Agreement provides for the City to remove the line or sections thereof as the area develops. It is likewise extendable in one-year increments and can be terminated upon thirty days written notice. Consideration in the amount of \$1 per year is a part of the Agreement as well and has been included for a three-year period.

RAILROAD CROSSING PROTECTION  
AGREEMENT - TURNER ROAD AT  
MILLS AVENUE, SOUTHERN PACIFIC  
RAILROAD CROSSING

RESOLUTION NO. 91-67

CC-7(h)           The City Council adopted Resolution No. 91-67 approving  
CC-90               Program Supplement Nos. 029 and 032 to the Local  
CC-300             Agency-State Agreement No. 10-5154 for railroad crossing  
                    protection improvements at the Turner Road/Mills Avenue  
                    intersection and the Southern Pacific Railroad tracks, and  
                    authorized the City Manager and City Clerk to execute the  
                    agreement on behalf of the City.

A team of City, Caltrans, California Public Utilities Commission, Federal Highway Administration, and Southern Pacific Railroad staff have recommended that improved railroad crossing protection devices be installed at the Southern Pacific railroad tracks where they cross the Turner Road/Mills Avenue intersection. City staff had questioned the original plan for crossing gates which would conflict with the City's plans for a future traffic signal. We felt that a railroad preempted signal similar to the Cherokee Lane/Lodi Avenue intersection would be

appropriate. After a field meeting with the above parties, it was agreed that the Federal railroad crossing fund could be used for a traffic signal.

The necessary estimates and agreements have been prepared. There are two agreements as the railroad will be installing the necessary track improvements to preempt the traffic signal and the City, under formal contract, will handle the signal installation. The cost breakdown is:

<u>Work</u>	<u>Federal Funds</u>	<u>City Funds</u>	<u>Notes</u>
Preemption	\$ 76,500	\$ 8,500	Supplement #029
Signals	\$ 85,680	\$ 9,520	Supplement #032
Signal Design		\$15,000	by consultant
Sidewalk, misc. improvements		\$ 4,000	within RR R/W
Contingencies		\$ 4,980	
Subtotal	\$162,180	\$42,000	
Total	\$204,180		

The "City Funds" share is not presently appropriated and will need to be included in the 1991/92 Streets Capital Improvement Program. The "Federal Funds" share is not part of the Federal Aid-Urban (FAU) program and will not affect other projects.

IMPROVEMENT AGREEMENT FOR  
1020 SOUTH BECKMAN ROAD,  
LODI, CALIFORNIA APPROVED

CC-46  
CC-90

The City Council approved the Improvement Agreement for 1020 South Beckman Road, site of a proposed automobile dealership, and directed the City Manager and City Clerk to execute the agreement on behalf of the City.

Geweke Family Trust, the developers of this parcel, have furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed development. Improvement fees referenced in the Agreement and Memorandum of Understanding Public Improvement Fees dated July 11, 1990 and recorded January 18, 1991 as Instrument No. 91005640, San Joaquin County Records, are being deferred until a Certificate of Occupancy is requested for this project.

This development is located south of Vine Street immediately adjacent to the southerly boundary of C-Basin and contains a total of one light-industrial lot.

Continued April 3, 1991

ACCEPTANCE FOR IMPROVEMENTS  
FOR SUNWEST UNIT NO. 11,  
LOCATED AT THE SOUTHEAST  
CORNER OF LOWER SACRAMENTO ROAD  
AND VINE STREET

RESOLUTION NO. 91-68

CC-46  
CC\_300

The City Council adopted Resolution No. 91-68 accepting the development improvements for Sunwest Unit No. 11.

Improvements at Sunwest Unit No. 11 have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Lodi Sunwest Senior Project, dated November 29, 1989, as shown on Drawing Nos. 89D045, 89D048, 89D049, 89D096, 89D097, and 89D098, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Cologne Court	<u>0.08</u>
TOTAL NEW MILES OF CITY STREETS	0.08

PUBLIC HEARING SET TO CONSIDER  
THE INDUSTRIAL SUBSTATION  
REORGANIZATION, INCLUDING  
ANNEXATION TO THE CITY OF LODI  
AND DETACHMENT FROM THE MOKELUMNE  
FIRE DISTRICT, AND THE S.J.C.  
RESOURCE CONSERVATION DISTRICT

RESOLUTION NO. 91-69

CC-8(a)  
CC-300

The City Council adopted Resolution No. 91-69 directing the City Clerk, pursuant to State of California Government Code Section 5700 et seq., to set a public hearing for Wednesday, 7:30 p.m., May 1, 1991 to consider the Industrial Substation reorganization including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District.

On October 17, 1990 the Lodi City Council adopted Resolution No. 90-160 entitled, "A Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed Industrial Substation Addition Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi". The subject resolution together with the appropriate fees and pertinent

documentation was forwarded to the Local Agency Formation Commission on October 30, 1991.

Following a public hearing regarding the matter held on March 15, 1991, the Local Agency Formation Commission of San Joaquin County determined and ordered the following:

1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.
2. The above titled organization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 5700 et seq. of the Government Code.
6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

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COMMENTS BY CITY  
COUNCIL MEMBERS

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

MEMBERS OF LODI CITY  
SWIM CLUB APPLAUDED

Council Member Pennino complimented three students representing Lodi High School that went back to Wisconsin with the Lodi City Swim Club; Eric Jorgenson, Jason Taylor, and Justin Stafford under the coaching of John Griffin. They did very well and also Eric Jorgenson qualified for Senior Nationals.

LIGHTING CONCERNS AT ERMA  
REESE SCHOOL AND GEORGE  
WASHINGTON SCHOOL

CC-7(e) Council Member Pennino stated that he had received calls  
CC-16 regarding street lights primarily at Erma Reese School and  
CC-133 George Washington School. Council Member Pennino suggested  
that perhaps the City could look at forming street lighting  
districts in these areas.

REVIEW OF CITY'S UTILITY  
DEPOSIT POLICY REQUESTED

CC-6 Council Member Pennino suggested that the City Council look  
CC-16 at the City's utility deposit policy whether it be for  
CC-51(a) water, sewer, or electricity and suggested that this be a  
future agenda item.

RIVERBOAT RASCALS COMPLIMENTED  
ON PERFORMANCE

Council Member Pinkerton complimented the Riverboat Rascals  
on their outstanding performance.

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:

CONCERNS EXPRESSED BY CITIZEN  
REGARDING TRAFFIC AND SPEED  
ON SOUTH HUTCHINS STREET

CC-16 John Sorich, 519 South Hutchins Street, Lodi expressed  
CC-48(a) his concern about traffic and speed on South Hutchins Street

GATE REQUESTED AT HENRY  
GLAVES PARK

CC-16 Karl Greenlee, 2387 Hyde Park Circle, Lodi requested that a  
CC-27(c) spring-loaded gate be installed at Henry Glaves Park to  
allow entrance to the park by residents of Park View  
Terrace. The matter was referred to the Parks and  
Recreation Commission.

ESTABLISHMENT OF BIKE  
LANES IN CITY REQUESTED

CC-16 Eddie Irons, 2081 Sylvan Way #808, Lodi; Pat Yee, Cardinal  
CC-66 Street, Lodi; and Robert Riggle, 712 North Cross Street,  
Lodi addressed the City Council requesting that bike lanes  
be established on City streets in Lodi. The matter was  
referred to staff for review and placement on a future City  
Council agenda.

PARKING ON ONE SIDE OF THE  
STREET ON ONE-WAY STREETS URGED

CC-16 Mr. Robert Riggle, 712 North Cross Street, Lodi indicated  
CC-48(a) that he felt parking on one-way streets such as Pleasant  
CC-48(e) and Lee should be allowed only on one side of the street.

CLEANUP OF HALE PARK AREA URGED  
CONCERN EXPRESSED REGARDING  
POOR LIGHT ON WASHINGTON STREET  
IN THE AREA OF ELM STREET

CC-16 Virginia Lahr, 311 East Elm Street, Lodi expressed her  
CC-27(c) delight in the cleanup of her neighborhood and invited the  
CC-133 City Council to come and view it. Mrs. Lahr also asked the  
City Council to look into cleanup of the Hale Park area and  
expressed concern regarding the poor lighting on Washington  
Street in the area of Elm Street.

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 Hinchman called for the Public  
Hearing to consider recommendation of the Lodi Parks and  
Recreation Commission to ban the conducting of organized  
track meets/events and bicycling in the nature area at Lodi  
Lake Park.

RECOMMENDATION OF LODI PARKS  
AND RECREATION COMMISSION TO BAN  
THE CONDUCTING OF ORGANIZED TRACK  
MEETS/EVENTS AND BICYCLING IN THE  
NATURE AREA AT LODI LAKE PARK

CC-27(c) The matter was introduced by Parks and Recreation Director  
Ron Williamson and Park Superintendent Scott Essin.

The City Council was advised that at a meeting held in  
January 1991, the Nature Area Advisory Committee  
recommended to the Lodi Parks and Recreation Commission  
that all track meets/events being held in the Nature Area,  
along with bicycling be banned.

Their reasoning was the interpretation of the Richard  
Bigler (Lodi Lake Park Master Plan) where he called for  
limited and moderate use of the Nature Area and in light of  
the tremendous damage that is currently taking place in the  
area. The NAAC indicated that major track events and  
bicycles are going off of the main rails and causing  
widening and destruction to the area by nonsensitive  
people/citizens, etc. The Committee also indicated that  
this is their effort to interpret the Bigler plan and make  
the Commission aware of area problems/concerns.

The Parks and Recreation Commission heard the recommendation at their meeting of February 5, 1991, and solicited comments from both NAAC representatives at the meeting and citizens. After an hour of comments, the Commission asked that the issue be put on the March Commission Agenda to give them a month to talk to residents and get opinions on what to do. It was also decided by Chairman Bob Johnson that the Parks staff bring back an interpretation of the Bigler Master Plan and what its position is on uses of this area. The item was again put on the agenda in March with representatives from NAAC, Lodi Lake docents, park rangers and general citizens (approximately 20 people) present. Positions on this subject on this subject were presented. Scott Essin, Parks Superintendent, recapped the Master Plan. Citizens spoke out on bicycling almost exclusively, dealing with restrictions, children and families enjoying the area, etc. After an hour of presentations it was brought back to the table for a vote. A motion voting in favor of banning organized track events and bicycles in the Nature Area, and Elvera Melby and Dennis Jones voting against the ban.

Addressing the City Council regarding the matter were:

- a) Jay Bell, 335 Louie Avenue, Lodi;
- b) Bob Phillips, 15 South Rose Street, Lodi;
- c) Joel Sypnieski, 1301 South Washington Street, Lodi;
- d) Barbara Brown, Park Ranger, Lodi Parks and Recreation Department;
- e) Robert Riggle, 712 North Cross Street, Lodi;
- f) Jim Sanders, 1517 Mariposa, Lodi;
- g) Todd Greenwood, 747 Greenwood Drive, Lodi;
- h) Ken Hajek, 1609 Saratoga Way, Lodi;
- i) Glenn Robison, 1056 Mason, Lodi;
- j) Terry and Tina Zezzo, 1201 South Central Avenue, Lodi;
- k) Eddie Irons, 2081 Sylvan Way #808, Lodi;
- l) Lodi Parks and Recreation Commissioner Steve Scott;
- m) Larry Skelton, 1700 Lake Street, Lodi;

- n) Renee Jones, 2401 West Tokay Street, Lodi;
- o) Pat Brown, 777 Palm Avenue, Lodi;
- p) Lucy Reller, 16870 Tretheway Road, Lodi;
- q) Lodi Parks and Recreation Commissioner Bob Johnson;
- r) Bill Dias, 9631 Peltier Road, Lodi; and
- s) Janet Pruss, 2421 Diablo Drive, Lodi.

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

Mayor Pro Tempore Pinkerton then moved for introduction of Ordinance No. 1509 to ban the conducting of organized track meets/events and bicycling in the nature area at Lodi Lake Park.

The motion died for lack of a second.

Following additional discussion, on motion of Council Member Pennino, Hinchman second, the City Council, by the following vote directed the City Attorney to draft an ordinance to be considered at the April 17, 1991 City Council meeting which would allow bikes on the main trails in the Lodi Lake Nature Area and allowed already established organized track meets in the subject area:

Ayes: Council Members - Pennino, Sieglock and Hinchman

Noes: Council Members - Pinkerton and Snider

Absent: Council Members - None

RECESS

Mayor Hinchman declared a five-minute recess and the City Council reconvened at approximately 10:55 p.m.

PUBLIC HEARING TO AMEND LODI  
CITY CODE REGARDING WATER SERVICE  
(WATER CONSERVATION)

ORDINANCE NO. 1509 INTRODUCED

CC-183(d)  
CC-149

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider amending Chapter 13.08 et seq. of the Lodi Municipal Code entitled, "Water Service".

Public Works Director Ronsko reminded the City Council that at its meeting of March 6, 1991 it considered a number of proposed changes in the City's water conservation effort. From the directives staff received at that meeting, staff is commencing with miscellaneous studies and are proposing changes of the ordinance at this time.

The major changes being proposed are as follows:

1. Article III  
The title of Article III is changed from "Waste" to "Water Conservation" to better reflect the intent of the ordinance.
2. Section 13.08.235A  
A change in watering days is being proposed. The three main alternatives shown are: 1) Eliminate Monday as a watering day for all and making Sunday a watering day for odd addresses; 2) Eliminate Sunday as a watering day for both odd and even addresses; 3) Leave as existing.
3. Section 13.08.235B  
Restriction of watering hours for lawns, landscaping, and gardens. Watering is not allowed from 10 a.m. to 6 p.m. daily from May 1 through September 30. This saves water lost to evaporation during the hottest parts of the year and helps with electrical peak shaving.
4. Section 13.08.230E (new)  
When using a hose, it must have a positive shut-off nozzle. This is to stop the waste of allowing an open hose to run when set down or walking between watering areas.
5. Section 13.08.240, Enforcement Procedures
  - 1) Added a first warning before a written notice is mailed. This has been the policy, but not spelled out in the ordinance.
  - 2) Defines a time limit for what constitutes subsequent violations as 12 months from a previous violation. This is not currently defined and can be

interpreted as much longer than 12 months or less than 12 months.

- 3) Adjust the charges for waste of water which were established in 1977.

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>
Existing:	Notice	\$25	\$50	\$100	not addressed
Proposed:	Warning Notice		\$35	\$75	\$150

- 4) Allow the City to install a flow restricter if all other means to abate water wasting have failed. A flow restricter will allow enough water for health purposes (drinking, toilet flushing, cooking), but not enough for high volume uses.

6. Section 13.08.250, Metering  
Took out the metering section which conflicted with Section 13.08.240.

7. Section 13.08.265 (new)  
Added a section titled "Appeals" which outlines to the citizen the procedures to follow if they disagree with a ruling by the Public Works Director.

8. Section 13.08.300 (new)  
Added a section to address "Emergency Water Conservation". Gives powers to the Public Works Director to put in place, with proper notice, additional water restrictions depending on the severity of the emergency.

Under Section 13.08.235A, the City Council will have to discuss and make a decision on the appropriate watering days. Staff feels strongly that four watering days are not needed and there are many citizens watering on the fourth day only because it's available. All landscapers will agree that three watering days per week are sufficient for established plantings. The new ordinance does provide for needed additional watering of newly-planted material.

At the March 6 meeting, the Council approved having the users of large irrigated areas (i.e., Festival grounds, golf range, Caltrans, LUSD, and City of Lodi) submit an irrigation plan to reduce water consumption by 25 percent.

Continued April 3, 1991

It's staff feeling that this should not go into the ordinance since it may be only a one-time requirement.

Staff feels we can work with these agencies to provide us with the required plan on an informal basis. The City Attorney points out that if it's not made a part of the ordinance that we cannot enforce the requirement. It's staff feeling that we can work informally with these agencies and still obtain the desired result.

Addressing the City Council regarding the matter were:

- a) Clifford Nitschke, 62 South Corinth;
- b) Verne Weigum, 513 Gerard Drive, Lodi;
- c) Mr. Robert Riggle, 712 North Cross Street;  
and
- d) Mrs. Virigina Lahr, 311 East Elm Street,  
Lodi.

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

On motion of Council Member Snider, Sieglock second, the City Council by unanimous vote introduced Ordinance No. 1509 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.08 - Water Service - Article III - Waste". The City Council chose alternate 1 for watering days which would eliminate Monday as a watering day for all and make Sunday a watering day for odd addresses. Further, the ordinance would restrict watering hours for lawns, landscaping, and gardens from May 1 through September 30, whereby watering would not be allowed from 10:00 a.m. to 6:00 p.m. daily during that period.

PUBLIC HEARING TO AMEND LODI  
MUNICIPAL CODE CHAPTER 13.12  
BY ADDING THERETO A NEW SECTION  
13.12.195 ENTITLED, "DOWNTOWN  
BUSINESS DISTRICT CONNECTION FEES"

ORDINANCE NO. 1510 INTRODUCED

CC-14 Notice thereof having been published according to law, an  
CC-16 affidavit of which publication is on file in the office of  
CC-44 the City Clerk, the Mayor called for the public hearing to  
CC-51 consider amending Lodi Municipal Code Chapter 13.12 by  
CC-56 adding thereto a new section 13.12.195 entitled "Downtown  
CC-149 Business District Connection Fees."

Avenue, and the Southern Pacific Railroad right of way. This is simpler and includes just about all businesses which foreseeably might benefit from such an ordinance. Reduction of City revenue would be less if the rectangular district was used because fewer properties would be included.

B. Who would the ordinance be intended to affect?

- 1) If desired, the City Council can specify that the ordinance applies only to those businesses already existing within the downtown boundaries which might choose to expand or relocate within the same district. This narrow approach may be easiest to administer but admittedly favors some businesses over others.
- 2) It is also possible to include in the ordinance any business whether presently located in the district or moving in from outside. The legal justification would be to preserve and protect the vitality of the downtown area by providing incentives for businesses to locate or remain there.

C. How much of the fees would be waived or reduced?

The possibilities on this point range from complete waiver of SSU fees for eligible businesses to a limit on the number of SSU's to be assessed against a new, relocated or expanded use. It is certainly possible, as has been suggested, that the ordinance place a cap or maximum fee of (for example) 2 SSU's on applicants for new, relocated or expanded uses in the district. However, provisions would have to be made for "water-intensive" uses.

Aside from these 3 components, any ordinance should include findings to justify different treatment of similar businesses based on the factors outlined above. A provision should also be included specifying that monthly or yearly service charges (after initial connection fees have been paid) would be based on what such businesses would have paid if the full number of SSU's had been assessed. Otherwise, new or relocated businesses in the

Continued April 3, 1991

On motion of Mayor Pro Tempore Pinkerton, Sieglock second, the City Council introduced Ordinance No. 1511, entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.12 By Adding Thereto a New Section 13.12.195 Entitled 'Downtown Business District Connection Fees'".

PLANNING COMMISSION City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of March 18, 1991 and March 25, 1991:

CC-35

1) March 18, 1991:

The Planning Commission recommended that the City Council adopt a Growth Management Plan and Growth Management Development Plan for the evaluation of residential projects.

2) March 25, 1991:

The Planning Commission:

- a. Conditionally approved the request of Steven and Cyndi McFadden for a Use Permit to operate a large family day care facility (maximum of 12 children) at 37 North Corinth Avenue in an area zoned R-1, Single-Family Residential.
- b. Conditionally approved the request of Steven E. Pechin, Baumbach and Piazza, Consulting Engineers on behalf of DMJ Investments for a Tentative Subdivision Map to convert Pioneer Place, a 120-unit existing apartment complex, to a 6-lot, 120-unit condominium subdivision located at 505 Pioneer Drive in an area zoned C-2, General Commercial.
- c. Conditionally approved the request of Steven E. Pechin, Baumbach and Piazza, Consulting Engineers on behalf of Ron Thomas for a Tentative Subdivision Map for a 1-lot commercial condominium at 1000-1010 West Lodi Avenue in an area zoned C-1, Neighborhood Commercial.
- d. Continued consideration of the following items until 7:30 p.m., Monday, April 8, 1991 because no one was present to represent the applicant:
  - 1. Review the request of Tiger Lines, Inc. of an existing Use Permit for a temporary portable office at 927 Black Diamond Way in an area zoned M-2, Heavy Industrial.
  - 2. Request of Fred L. Muther for a Use Permit to install a ship-to-shore container to be used for storage at 208 East Pine Street in an area zoned C-2, General Commercial.

Continued April 3, 1991

- e. Set the following requests of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of Irvin Bender, et al for public hearing at 7:30 p.m., Monday, April 22, 1991:
1. to rezone the 1.2 acre parcel at 2008 West Tokay Street from R-2, Single-Family Residential, to P-D, Planned Development;
  2. for the approval of the Tentative Subdivision Map of Camellia Way, a proposed single-family residential project at 2008 West Tokay Street; and
  3. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above projects.

COMMUNICATIONS  
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and Insurance Consulting Associates, Inc., (ICA), the City's Contract Administrator, the City Council, on motion of Council Member Pennino, Hinchman second denied the following claim and referred it back to the City's Contract Administrator:

- a) Mary Whitmire, Date of loss 4/17/90

APPOINTMENT TO CITY OF LODI  
AD HOC TRANSPORTATION COMMITTEE

CC-2(n) On motion of Council Member Snider, Pennino second, the City Council concurred with the Mayor's appointment of Olivia Bartel, representative of Tokay High School to the City of Lodi Ad Hoc Transportation Committee.

CITY OF LODI NEPOTISM POLICY  
QUESTIONED

CC-6  
CC-34 Following receipt of a letter from Robert J. Johnson, Parks and Recreation Commissioner, regarding the City of Lodi nepotism policy, the City Council directed the City Clerk to place this matter on the agenda for the Regular Council Meeting of April 17, 1991.

ORDER OF AGENDA CHANGED

Following recommendation of the City Attorney and City Manager, on motion of Council Member Snider, Pinkerton second, the City Council approved changing the order of the agenda to consider the Regular Calendar prior to going into Closed Session.

REGULAR CALENDAR

PRESENTATION OF CITY OF  
LODI GENERAL PLAN

CC-35(a) The City Council received the Planning Commission's recommendation on the Lodi General Plan and adopted a calendar for the review of the General Plan and the Growth Management Criteria and Development Plan.

The City Council concurred with the following Special Meeting dates for review of this matter:

- 1) April 24, 1991
- 2) May 2, 1991
- 3) May 8, 1991

REQUEST OF COUNTY SUPERVISOR  
SIMAS FOR FUNDING FOR COUNTY  
DRUG FREE ZONE/OUTREACH ISSUES  
COORDINATOR DENIED

CC-105 City Manager Peterson presented the following letter which had been received from County Supervisor Simas requesting funding for a County Drug Free Zone/Outreach Issues Coordinator:

At the meeting on January 30, 1991, I proposed that each of the cities, plus the County, consider contributing \$3,000 each to pay for a Drug Free Zone/Outreach Issues Coordinator. The person will spend at least 5 hours a week in each City within San Joaquin County.

The role of the Coordinator is to work within each of the cities in our County to either reinforce positive activities in various neighborhoods so they can continue to be drug free, or identify areas where there is drug dealing and help organize the neighborhood community in those areas to address the problem. This Coordinator will be a liaison for the cities and County and will work closely with law enforcement, local groups, schools, and churches to help a neighborhood maintain a positive image to prevent drug activities from beginning. In addition, the Coordinator will identify and help negatively impacted neighborhoods

Continued April 3, 1991

organize and correct the problem to turn the neighborhoods around.

The Coordinator will be hired by the Office of Substance Abuse on a one-year contract and will be managed by Dan Bava, Director of the Office, but in each of the cities will take direction from whomever he/she is assigned to work with.

The end result of this project is that each community will see there is a coordinating individual in their area who will bring all available resources together to attack the drug problem. In some areas, rather than attack the drug problem, the Coordinator will reinforce the positive activities going on and immediately curtail any drug activities which may try to move in.

This is not a planning effort. It is an activity to organize specific neighborhoods in cities to maintain their drug-free status or become drug-free. The Coordinator will solicit volunteers in each of the 7 cities to enable the problem to be addressed swiftly so that within one year's time the community can see the impact of the work of this individual.

The financial commitment requested of each city is \$3,000 for Fiscal Year 1991-92. Each Mayor is asked to take this proposal to his/her city council with a request that the City Manager set aside \$3,000 to fund this full-time person. If your council members wish a presentation regarding this issue, please do not hesitate to contact Mr. Bava at 468-6851.

I believe the citizens of each of the 7 cities in San Joaquin County will visibly see that their city is doing something to address the drug and alcohol problem. I further believe a Drug-Free Zone/Issues Outreach Coordinator will make a difference over the next year for each of the cities and the County.

I hope this proposal provides sufficient information for you to take this request to your council. This is one more sign of the cooperative effort taking place in San Joaquin County to attack the drug and alcohol problem in our area.

I believe that together, as a unified force, we can make San Joaquin County a drug-free county.

Edward A. Simas  
Supervisor, Third District

Following discussion, on motion of Mayor Pro Tempore Pinkerton, Snider second, the City Council rejected the request.

ITEM REMOVED FROM AGENDA

RECEIVE MEMORANDUM OF UNDERSTANDING  
BETWEEN CITY OF LODI AND INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL WORKERS  
(IBEW), LOCAL 1245 (ELECTRIC UTILITY  
DEPARTMENT)

Staff advised the City Council that agenda item L-3, "Receive Memorandum of Understanding between City of Lodi and International Brotherhood of Electrical Workers (IBEW), Local 1245 (Electric Utility Department)" was not ready for action and was, therefore, pulled from the agenda.

CONSULTANT RETAINED TO EVALUATE  
CITY TELEPHONE SYSTEM

CC-6  
CC-88  
CC-90

The City Council received the following report regarding retaining a consultant to evaluate the City telephone system.

The recommendation for this study is based on the following factors:

1. Current hardware is antiquated and has limited potential for continuing to meet the City's growing demand for telecommunication services.
2. Telephone problems arise daily and are being solved in a "band-aid" fashion with further problems ensuing.
3. City employees are experiencing phone lines going dead during the middle of conversations, diminishing volume, squealing noises, inability to reach outside service area lines, and numerous other problems which ultimately results in additional staff time returning phone calls, and/or lost time from work while lines are being checked for repair.
4. The City currently uses Pacific Bell, AT&T, Executone, AmeriCall, and Contel to support its system. The juggling act of keeping applicable services in order is cumbersome and costly.

To resolve the telephone problems which are nearing crisis levels, a needs assessment and feasibility study must be conducted to give the City direction for planning improvements. Northern California Communications Network

(NCCN) has the expertise and ability to put together such a study for the City of Lodi.

NCCN has demonstrated a thorough knowledge of the City of Lodi's telephone system and has also demonstrated knowledge of options which the City may pursue to resolve the telephone problems. NCCN does not represent any one particular telephone company, so they will not be advocating or selling a product from their company. Once the study is completed, NCCN will present the City with three to four options at which time the City will review and take into consideration the most feasible solution. NCCN estimates that the time to complete the study will range from 50 to 60 hours. Their cost is \$100.00 per hour.

NCCN is currently conducting a telecommunications feasibility study and a needs assessment for the City of Placerville. Placerville's system is similar to Lodi's; however, it is a few year's older and is not as heavily overloaded as Lodi's system. Placerville has expressed much respect for NCCN and recommended the company to help Lodi meet its objectives for expansion.

Staff recommended that the City Council find it in the best interest of the City to contract with NCCN and not go to formal bid. A lengthy discussion followed.

On motion of Council Member Snider, Hinchman second, the City Council by the following vote authorized Northern California Communications Network to conduct a telecommunications feasibility study and a needs assessment for the current telephone system:

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

#### ITEM ADDED TO AGENDA

Pursuant to the requirements of State statute, the City Council, on motion of Mayor Hinchman, Pennino second, determined the need to add an urgency item to the agenda, which matter arose subsequent to the preparation of the agenda.

On motion of Council Member Sieglock, Hinchman second, the City Council added the following item to the agenda:

- 1) Attorneys' fees, L.I. F. E. Committee v. City of Lodi, San Joaquin County Superior Court Case No. 178641

CLOSED SESSION

At approximately 11:45 p.m., the City Council adjourned to a Closed Session regarding the following matters:

- CC-200(a)            1)            Labor relations;
- CC-200(d)           2)            Litigation - Reed v. City of Lodi, Case No. 227667;
- CC-200(c)           3)            Property acquisition - 13 North Church Street, Lodi, California; and
- CC-200(d)           4)            Attorneys' fees, L.I.F.E. Committee v. City of Lodi, San Joaquin County Superior Court Case No. 178641

The City Council reconvened to regular session at approximately 12:23 a.m.

CC-30            On motion of Mayor Hinchman, Pennino second, the City Council authorized the City Attorney to negotiate for settlement in the matter of attorneys' fees, L.I.F.E. Committee v., City of Lodi, Superior Court Case No. 178641.

ADJOURNMENT            There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 12:25 a.m.

ATTEST:

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