

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JULY 17, 1991
7:30 P.M.

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, Assistant City Engineer
Prima, City Attorney McNatt, and City Clerk
Reimche

INVOCATION The invocation was given by Pastor Martin Shackleton, Lodi
Community Church.

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

PROCLAMATION Mayor Hinchman presented a proclamation proclaiming "Parks
and Recreation Month" to Recreation Superintendent, Marilyn
CC-37 Field.

CONTRIBUTION RECEIVED FROM
LODI-TOKAY ROTARY CLUB

Joe Handel, Lodi-Tokay Rotary Club President presented a
check in the amount of \$2,000 to the City Council which is
a progress payment for the rebuilding of the picnic shelter
in the RV area at Lodi Lake Park.

LODI BAMBINO NATIONAL BASEBALL
TEAM APPLAUDED

Mayor Hinchman and the members of the Lodi City Council
applauded the Lodi Bambino National Team on their recent
victory and presented members of the team with Lodi pins to
be distributed at their playoff games to be held shortly in
Utah.

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

Agenda item #E-16 entitled, "Improvement Agreement for
Water Main Relocation, 360 South Cherokee Lane, Lodi" was
removed from the agenda.

CLAIMS CC-21(a) Claims were approved in the amount of \$3,157,202.97 (July 3, 1991), and \$1,695,913.59 (July 17, 1991).

MINUTES The Minutes of June 5, 1991 (Regular Meeting), June 12, 1991 (Special Joint Meeting with the Planning Commission), and June 21, 1991 (Special Meeting) were approved as written.

SPECIFICATIONS FOR TYPE II
SLURRY SEAL FOR VARIOUS CITY
STREETS, 1991 APPROVED

CC-12.1(c) The City Council approved the specifications for Type II Slurry Seal for various City streets, 1991 and authorized advertising for bids to be received Wednesday, July 31, 1991.

Slurry sealing of City streets is done annually by contract. Funds to accomplish the project are included in the 1991-92 Operating Budget.

PLANS AND SPECIFICATIONS APPROVED
FOR CHURCH STREET RECONSTRUCTION

CC-12.1(a) The City Council approved the plans and specifications for Church Street Reconstruction - 300 feet north of Century Boulevard to Kettleman Lane and authorized advertising for bids.

This project will include the reconstruction of Church Street from 300 feet north of Century Boulevard to Kettleman Lane, installation of new curb, gutter, and sidewalks on the west side of the unimproved section of Church Street, and other miscellaneous and related work, all as shown on the plans and specifications for the project.

PURCHASE OF CLASS 3 WOOD UTILITY
POLES FOR ELECTRIC UTILITY
DEPARTMENT APPROVED

RESOLUTION NO. 91-120

CC-12(d)
CC-300 The City Council adopted Resolution No. 91-120 awarding the purchase of 123 Class 3 wood utility poles to the low bidder, McFarland-Cascade of Tacoma, Washington, in the amount of \$38,334.22.

On June 19, 1991, the City Council approved specifications and authorized advertisement for bids for 123 Class 3 wood utility poles.

Bids were opened on July 9, 1991, with the following results:

McFarland-Cascade, Tacoma	\$38,334.22
J. H. Baxter & Co., San Mateo	38,810.48
North Pacific Lumber Co., Portland	38,885.90
McCormick & Baxter, Stockton	44,370.37

These poles are to be used in conjunction with the wood pole testing program awarded by the City Council on May 15, 1991.

PURCHASE OF XEROX MODEL 5065
COPY MACHINE FOR LODI POLICE
DEPARTMENT - RECORDS DIVISION
APPROVED

RESOLUTION NO. 91-121

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-121 approving the purchase of a Xerox Model 5065 photocopier machine for the Lodi Police Department Records Division. Purchase price of this copier is \$22,812.93.

This photocopier replaces a copier that the Police Department inherited from City Hall last year. We have had repairmen working on the present copier on a weekly basis. Subsequently, we requested to replace it in this year's budget.

Cost Breakdown:

Photocopier price	\$25,070.00
7.75% sales tax	<u>\$ 1,942.93</u>
Subtotal	\$27,012.93
Trade-in credit for existing machine	<u>\$ 4,200.00</u>
Total cost	\$22,812.93

PURCHASE OF TWO 1991
KZ1000 KAWASAKI MOTORCYCLES
FOR POLICE TRAFFIC OFFICERS
APPROVED

RESOLUTION NO. 91-122

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-122 approving the purchase of two 1991 Kawasaki KZ1000 police motorcycles for \$14,609.50, which includes sales tax, labor, and parts.

In June of 1990 Council approved the standardized purchase of future police motorcycles used by the City of Lodi

Police Department with B & T Kawasaki, located in Sacramento, California.

Section 3.20.040 (exemptions from centralized purchasing) authorizes the City Council to standardize on specific supplies, services and equipment. Since this Council has already standardized the purchase of police motorcycles, it is our request that the City purchase these two motorcycles from B & T Kawasaki in Sacramento, California.

Both of these 1985 motorcycles are being replaced due to high mileage and the increased costs of repairing them.

PURCHASE OF ASPHALT MATERIAL FOR
FIRST AND SECOND QUARTERS OF
FISCAL YEAR 1991-92
APPROVED

RESOLUTION NO. 91-123

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-123 awarding the purchase of asphalt material for the first and second quarters of the fiscal year 1991-92, Item 1A, 1B, 1C, 2A, 2B and 2C to Claude C. Wood Company of Lodi, California.

The specifications for asphalt material were approved by the City Council at its meeting on June 5, 1991 and three bids were received.

A tabulation of the bids received was presented for Council review.

PURCHASE OF ROCK AND SAND
MATERIAL FOR FISCAL YEAR
1991-92 APPROVED

RESOLUTION NO. 91-124

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-124 awarding the purchase of rock and sand material for fiscal year 1991-92, Items 1 and 3 to FTG Materials Incorporated of Lodi, California and Item 2 to Claude C. Wood Company of Lodi, California.

The specifications for rock and sand material were approved by the City Council at its meeting on June 5, 1991 and five bids were received.

A tabulation of the bids received was presented for Council review.

PURCHASE OF USED VEHICLES FROM
RENTAL AGENCIES OR FLEET DEALERS
FOR VEHICLES APPROVED IN THE
1991-92 BUDGET

RESOLUTION NO. 91-125

CC-12(d) The City Council adopted Resolution No. 91-125 approving
CC-300 the purchase of used vehicles from rental agencies or fleet
dealers for vehicles approved in the 1991-92 Budget.

Ordinance No. 1399, adopted June 17, 1987, amended Lodi Municipal Code, Section 3.20.070 relating to bidding. The amendment states that bidding can be dispensed with when the City Council determines that the purchase or method of purchase would be in the best interest of the City of Lodi. The primary reasons for purchasing vehicles under this program are:

1. Lower initial cost;
2. Shorter lead time for delivery;
3. Vehicles purchased have maintenance and repair records available for review;
4. Higher resale value due to greater number of options available; and
5. Twelve month/12,000 mile warranty written by the agency.

CONTRACT AWARD FOR DISPOSAL
OF PCB CONTAMINATED WASTE

RESOLUTION NO. 91-126

CC-12(a) The City Council adopted Resolution No. 91-126 awarding
CC-300 the contract for disposal of PCB contaminated waste to the
low bidder U.S. Pollution Control, Inc. (USPCI) of Houston,
Texas, in the amount of \$13,160.

On June 5, 1991, the City Council approved specifications and authorized advertisement for bids. Bids were opened on June 25, 1991, with the following results:

<u>Supplier</u>	<u>Total Price</u>
U.S. Pollution Control, Inc. (USPCI)	\$13,160.00
General Electric Co.	16,520.00
American Environmental Mgmt. Corp.	17,250.00
APTUS Environmental Services	17,752.34

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Central Sierra Electric	Jackson	\$50,953.00*
Overhead Electric Co.	Elverta	\$54,027.00
Cabar Electric	Sacramento	\$61,878.00
Richard Heaps	Sacramento	\$62,568.00
Van Alt Co.	Lodi	\$64,100.00
Grason Electric	Sacramento	\$64,456.00
Tri-Technic Inc.	Jamestown	\$65,750.00
Commercial Systems Electric	San Mateo	\$88,750.00

*Did not include receipt of addendum

During the bidding, an addendum to the plans and specifications was issued. All the bidders except the low bidder returned the receipt of the addendum with their proposal. The low bidder has stated that he was aware of the addendum and simply failed to include the receipt in the proposal.

The addendum included four items:

- 1) Delivery Arrangement - The specifications stated that the Contractor was to pick up the City-furnished poles and lights at the Municipal Service Center. The addendum allowed the Contractor to make separate delivery arrangements directly with Musco. This could have no affect on the bid or save a few hundred dollars in handling costs depending on how the Contractor planned to do the work.
- 2) Pole Removal - The specifications required that the old poles were to be cut off one foot below grade and the holes backfilled. The addendum required them to be removed completely but also indicated if the Contractor cut off the poles seven feet above ground, the City would pull out the pole stub. The Contractor would fill the holes. Again, depending on how the Contractor planned to do the work, this could add a few hundred dollars in labor costs.
- 3) Enclosures - The addendum clarified the latching and padlock requirements for the service and switch panel door; no cost impact.
- 4) Plans - The control wiring diagram was clarified and a requirement that the electric service and lighting contractors be

in the same enclosure or in matching enclosures was added. This could have added up to \$1,000 depending on how the Contractor planned to order and assemble the equipment.

In contacting the other bidders, those who could be reached felt the addendum was of a minor nature with no substantial cost. One indicated the bid price with the addendum was \$3,500 lower than it would have been.

Since the addendum was of a minor nature in relation to the project cost, it is reasonable for the Council to waive the informality and award the bid to the low bidder. Alternately, the Council could reject the bid and award to the second bidder. In order to meet the construction schedule, it is recommended that the project not be rebid since the Contractor still must order a service and switch panel which will take some time.

CONTRACT AWARD FOR WELL 24
PUMP AND MOTOR, 640 NORTH
STOCKTON STREET (NORTH OF
GRAPE BOWL STADIUM)

RESOLUTION NO. 91-129

CC-12(c) The City Council adopted Resolution No. 91-129 awarding the
CC-12(d) contract for the Well 24 Pump and Motor, 640 North Stockton
CC-300 Street (North of Grape Bowl Stadium) to Anderson Pump
Company in the amount of \$25,200.00.

This project is for the purchase and installation of pumping equipment for the new water well at 640 North Stockton Street. The equipment will include a 150-horsepower electric motor and pump capable of pumping approximately 1,750 gallons per minute.

Plans and specifications for this project were approved on June 5, 1991. The City received the following two bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$28,820.00
Anderson Pump	Chowchilla	\$25,200.00
Pump Repair Service	San Francisco	\$27,420.00

IMPROVEMENT AGREEMENT FOR
GARDEN INN, 118 NORTH CHEROKEE
LANE, LODI

CC-90 The City Council approved the Improvement Agreement for the Garden Inn, a 50-unit motel, to be located at 118 North

Cherokee Lane, and directed the City Manager and City Clerk to execute the agreement on behalf of the City.

Wan-Li Investment, Inc., the developer of this property, has furnished the City with the improvement plans, the necessary agreements, easement deeds, guarantees, insurance certificates, and fees for the proposed development.

The developer is applying for a building permit and must install off-site improvements on this existing commercial site.

IMPROVEMENT AGREEMENT FOR WATER
MAIN RELOCATION, 360 SOUTH CHEROKEE
LANE, LODI REMOVED FROM AGENDA

At the request of Staff, agenda item #E-16 entitled, "Improvement Agreement for Water Main Relocation, 360 South Cherokee Lane, Lodi" was removed from the agenda.

IMPROVEMENT DEFERRAL AGREEMENT,
536 AND 540 HOWARD STREET, LODI

CC-90

The City Council approved the Improvement Deferral Agreement for 536 and 540 Howard Street (formerly 550 North Loma Avenue), and directed the City Manager and City Clerk to execute the agreement on behalf of the City.

The developer, Mr. Tony White, has presented a final parcel map to the City for approval. Access to the two proposed parcels is currently provided by a private driveway from Loma Avenue. The Howard Street specific plan (Ordinance No. 917, City of Lodi Drawing 69D78) calls for future access to be provided by extending Howard Street to the north in a cul-de-sac. Since only a small portion of the Howard Street right-of-way will be acquired with the filing of the map, and in order to allow the development of Parcel 1, the developer has requested that the necessary street improvements be deferred until such time as the adjacent properties develop or upon demand by the City. The developer has agreed to post a bond for his proportionate share of the design and installation costs and City engineering and inspection fees for the improvements. The developer has further agreed that Parcel 2 will not be a buildable site until the design and installation of the Howard Street improvements have been completed and accepted by the City.

At the request of the Fire Department, the new parcels have been assigned Howard Street situs addresses. Access to the parcels, however, will continue to be provided by the private driveway from Loma Avenue until Howard Street is improved. The developer has provided a cross-over

agreement between Parcels 1 and 2 assuring Parcel 1 access to Loma Avenue.

CONTRACT WITH DAVID M. GRIFFITH
AND ASSOCIATES, LTD. TO FILE THE
CITY OF LODI'S 1991-92 STATE
MANDATE CLAIMS

CC-90 The City Council was apprised that for the past few years the City has contracted with DMG to file its SB 90 claims.

The cost of this service is \$2,450 plus 30% of all claims filed and paid to a maximum of \$7,000.

Last year the City received \$60,764 from State mandated costs. We paid \$11,679.20 for these same services for a net of \$49,084.80.

The City Council authorized the City Manager to enter into a contract with David M. Griffith and Associates, Ltd. (DMG) to file the City's 1991-92 State Mandated claims.

RETENTION OF CONSULTANT FOR
PREPARATION OF SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT
FOR WHITE SLOUGH WATER POLLUTION
CONTROL FACILITY EXPANSION PROJECT

CC-88 The City Council authorized retaining the firm of Whitley, Burchett and Associates to prepare a supplemental Environmental Impact Report (EIR) for the White Slough Expansion Project.

The City Council was advised that the California Regional Water Quality Control Board staff is presently preparing a National Pollutant Discharge Elimination System (NPDES) permit for our White Slough Water Pollution Control Facility Expansion Project.

The present draft NPDES permit prepared by the Regional Board is proposing a 10/10 mg/L for BOD and suspended solids for all White Slough discharges. The City's present discharge requirements are 20/20 mg/L for BOD and suspended solids in the summer months, and 30/30 mg/L for BOD and suspended solids in the winter months.

The Regional Board has indicated that they are requiring the 10/10 mg/L discharge requirement because there was a statement in the City's final EIR document that indicated that, "Installation of the proposed clarifiers and other components, in conjunction with aeration system improvements recently completed, would allow the Water Pollution Control Facility to produce domestic effluent having 10 mg/L or less of BOD and suspended solids more

than 90 percent of the time." It is felt that when our new plant expansion comes on-line, we will initially be able to meet the 10/10 requirement; however, as the plant approaches 80% capacity (approximately 7 mgd), the City would have to construct sand filters at a cost of \$1.5 to \$3 million plus a substantial increase in annual maintenance costs in order to meet the 10/10 mg/L requirement. We have been meeting and negotiating with the Regional Board staff on this item for some time. The Regional Board's legal counsel has indicated that if we provide additional CEQA documentation on a lesser discharge requirement, they would be able to modify their proposed 10/10 mg/L discharge requirement.

Max Burchett and my staff met with the Regional Board staff to discuss what additional CEQA documentation was needed and the requirements for changing the 1988 EIR. A proposal from Whitley, Burchett and Associates which accomplishes this task with the minimum amount of effort was presented for Council review. The cost of this work would be approximately \$36,000. The proposal submitted has been reviewed by Lodi's Community Development Director and it is felt that the procedure proposed is appropriate and the employee hours submitted are in line.

APPROVAL OF CONTRACT WITH IBM
AND A. L. ROARK FOR COMPUTER
HARDWARE AND SOFTWARE LEASE
PURCHASE FOR POLICE DEPARTMENT

CC-90

The City Council authorized Captain Hansen to initiate the contract with IBM Inc. and A. L. Roark, Inc. for the following: A five-year lease-purchase of computer hardware and software equipment for the Lodi Police Department and Lodi Fire Department Computer Aided Dispatch and Records Management Systems.

The monthly cost of this lease-purchase will be \$4,087.43, for a total of \$49,049.16 for the first year.

As the Council was advised in the April 30th Shirtsleeve Session, the Lodi Police Department and Fire Department are in need of a new Computer Aided Dispatch and Records Management System. In addition, the Lodi Police Department will be beginning a merger with the Finance Department running the Records Management System on their AS400 computer system. The purchase of this equipment will enable us to start the process of converting our system from the BRC system to the A. L. Roark software package.

The purchase will include the following:

IBM Hardware

IBM Software

- | | |
|-------------------------------------|-------------------------------|
| *1 AS400 16MB Memory
800 MB Disk | 3 DOS |
| 1 PS2 Model 55SX | 3 Work Station Emulation kits |
| 2 PS2 Model 30-286 | 1 Communication Software |
| 4 Pro-Printers | *1 Operating System (AS400) |
| 8 Display Terminals 3477 | |

*Including 5 year maintenance

Roark Software

- Police and Fire Computer Aided Dispatch
- Police Records Management System
- Fire Management System
- Communications
- Five-Years' Maintenance

CONCESSION CONTRACT WITH BOOSTERS
 OF BOYS/GIRLS SPORTS ORGANIZATION
 FOR USE OF THE SOFTBALL COMPLEX
 AND ARMORY PARK FACILITIES APPROVED

CC-90

The City Council approved the contract between the Boosters of Boys/Girls Sports Organization and the City of Lodi to operate the concession stands at the Softball Complex and Armory diamond for the remainder of the calendar year 1991.

The City Council was advised that the contract between Jacobs Concessions and the City was terminated by Jacobs just prior to this summer's softball season. We were not, and have not been, approached by any other concessionaire so staff contacted the BOBS and asked if they would be interested in expanding their current operations (Zupo Field, Kofu Park, and Salas Park) to include the Complex and Armory.

The City has experienced a wide swing in the percentage amounts from the various concessionaires operating the Complex, Armory and Lodi Lake, so we felt that having the Boosters take over this portion of concessions would give us an opportunity to accurately measure what can be expected from a well run operation. The Boosters request the contract end the end of 1991 so they can evaluate whether or not they can handle the additional sites.

The BOBS will be paying the City 25% of the net.

PROGRAM SUPPLEMENT TO STATE-LOCAL
MASTER AGREEMENT NO. SLTPP-5154
FOR HUTCHINS STREET IMPROVEMENTS,
PINE STREET TO LOCKEFORD STREET APPROVED

RESOLUTION NO. 91-130

CC-7(f) The City Council adopted Resolution No. 91-130 approving
CC-90 Program Supplement No. 3 to the State-Local Master
CC-300 Agreement No. SLTPP-5154 covering the street improvements
 to Hutchins Street, Pine Street to Lockeford Street.

This is another project using State-Local Partnership Program funds as provided by Sections 2600 et seq. of the Streets and Highways Code. The amount the City receives is based on the estimate first submitted with the application to receive these funds. On this project, the City will receive approximately 18% of the total construction and construction engineering costs. That amounts to \$23,710. The matching funds for this project are budgeted under the Transportation Development Act (TDA) funds in the Street Capital Improvement Program.

AUTHORITY APPROVED FOR FINANCE
DIRECTOR/TREASURER DIXON FLYNN
TO BE ISSUED A CREDIT CARD
(CITY OF LODI)

RESOLUTION NO. 91-131

CC-6 The City Council adopted Resolution No. 91-131 approving
 the issuance of a City credit card to Dixon Flynn with an
 authorized amount of \$5,000.

For the past several years certain staff member in administrative positions have carried City credit cards. These are MasterCard issued by Farmers' & Merchants' Bank. Those employees to whom credit cards have been issued are the City Manager, Assistant City Manager, Finance Director, Community Development Director, Parks and Recreation Director, and City Clerk.

With the appointment of the new Finance Director, it is requested that the City Council approve the "transfer" to Dixon Flynn of the card previously held by the recently-retired Finance Director, Bob Holm.

The City utilizes these cards in conjunction with the attendance by the City Council and staff at conferences, training seminars and other miscellaneous meetings. It has been our experience that the use of these cards provides the City with excellent accountability of expenditures in these areas.

RESOLUTION AMENDED EXTENDING
AUTHORITY FOR SETTLEMENT OF
LIABILITY CLAIMS NOT TO EXCEED
\$5,000 TO KIRK EVANS, ADMINISTRATIVE
ASSISTANT TO THE CITY MANAGER

RESOLUTION NO. 91-132

CC-6 The City Council adopted Resolution No. 91-132 approving
CC-21.1(a) the addition of Kirk Evans, Administrative Assistant to the
CC-300 City Manager, to the list of City officials with payout
 authority for verified claims up to \$5,000.

Kirk Evans has now assumed all of the duties and responsibilities of the City's risk management function. In this capacity, it is appropriate that he be given the authority to assume payout authority for verified claims up to \$5,000. The City's liability insurance administrators (Insurance Consulting Associates, Inc.) have authority to settle claims up to \$1,000. The City Manager, Assistant City Manager, City Attorney, and City Clerk have the authority to settle claims up to \$5,000. City Council approval of this recommendation will add Mr. Evans to this list.

CONSIDERATION OF GROWTH
MANAGEMENT PLAN SET FOR
PUBLIC HEARING

CC-6 The City Council set a public hearing at a Special Joint
CC-35 Meeting with the Planning Commission on Wednesday, July 31,
CC-35(a) 1991 to consider the Growth Management Plan.

PUBLIC HEARING SET FOR STREET
IMPROVEMENT INSTALLATIONS ON
1990 BLOCK SOUTH CHURCH STREET

CC-45(a) The City Council set a public hearing regarding
CC-45(e) installation of curb, gutter and sidewalk at 1905, 1907,
 1909 and 1911 South Church Street for Wednesday, August 7,
 1991, and directed staff to proceed with the appropriate
 notification.

In June 1990, the City Council determined the need for installation of curb, gutter and sidewalk in both the 1700 and 1900 blocks of South Church Street where none now exists. At that time, a public hearing was also set to allow the property owners to have input into this decision. That public hearing was held but because the project was delayed, the City did not notify the owners that the installation must proceed. The project is now scheduled to be bid and the City Attorney recommended that we set another public hearing because of the length of time since the project was discussed.

The necessary rights-of-way for the improvements in the 1900 block were dedicated when the parcels were in the County. The owners of the property were notified one year ago of the Council's determination and the choices that they as property owners will have regarding the installation of these improvements. Those choices are that the property owners could:

1. Install the improvements on their own.
2. Agree to reimburse the City for doing the work as part of its project.
3. Wait for the City to install the improvements and formally lien the property.

The estimated construction costs of the improvements range from \$1,300 to \$2,000, depending on the length of the parcel's frontage. The City could add various engineering and administrative costs; however, it is recommended that these be waived if the owners opt for choice 1 or 2 described above.

ACCEPTANCE OF IMPROVEMENTS AT
633 EAST VICTOR ROAD

RESOLUTION NO. 91-133

CC-46 The City Council adopted Resolution No. 91-133 accepting
CC-300 the development improvements for 633 East Victor Road.

Improvements at 633 East Victor Road have been completed in substantial conformance with the requirements of the Improvement Agreement between the City of Lodi and Christian J. Knox, dated December 19, 1990, as shown on Drawing No. 90D069, and as specifically set forth in the plans and specifications approved by the City Council.

ESTABLISHMENT OF WATER RATES
FOR SERVICES OUTSIDE CITY LIMITS

RESOLUTION NO. 91-140

CC-183(e) The City Council adopted Resolution No. 91-140 establishing
CC-300 outside City limit water rates at 150% of similar rates
 within the City limits.

The City of Lodi presently provides water in the City limits to the following businesses or residences:

	<u>Type of Service</u>
All State Packers, Inc. 6011 East Pine Street	Metered
Residence 6051 East Pine Street	Flat Rate
Residence 6093 East Pine Street	Flat Rate
Nazarene Church 1207 East Highway 12 (Kettleman Lane)	Metered

Prior to 1984, City Code Section 13.08, Water Service, set the water rate for service outside the City at 150% of the in-City rate. In 1984, the Code was changed to allow this rate to be established by resolution; however, the resolution was never presented to the Council. This section of the Code now reads:

Since this last Code modification, the City has continued to charge the 50% surcharge to outside City service, even though a resolution was never adopted. Therefore, it is appropriate to adopt a resolution establishing the outside water service rate at 150% of the inside water service rates.

TEMPORARY "NO PARKING" ZONE
ESTABLISHED 452 AND 458 ALMOND DRIVE

RESOLUTION NO. 91-134

CC-48(e) The City Council adopted Resolution No. 91-134 approving
CC-300 the installation of a 175' temporary "No Parking" zone in
front of the residences at 452 and 458 Almond Drive.

Curb, gutter and sidewalk installation at these locations have been given preliminary approval by City Council to be included in the 1991-92 Capital Improvement Program budget. These two parcels are the only locations along Almond Drive within the City limits without curb, gutter or sidewalk.

The City has received a request from a resident for a "No Parking" zone to improve visibility.

Available accident records indicate that there has been one recent accident at this location. This 1991 accident occurred as a driver at 458 Almond Drive was attempting to back out onto Almond Drive. Both the driver of the backing vehicle and the responding police officer indicated that parked vehicles and narrow roadway conditions limit the drivers' ability to see oncoming vehicles.

Due to the narrow roadway conditions and verified sight problem created by parked vehicles, staff recommended the

installation of a 175' temporary "No Parking" zone at 452 and 458 Almond Drive. When street improvements are completed, this "No Parking" zone can be removed; authorization to do so was included in the resolution.

"NO PARKING" ZONES ESTABLISHED AT
420 SOUTH PLEASANT AVENUE (NEEDHAM
SCHOOL SITE)

RESOLUTION NO. 91-135

CC-48(e)
CC-300

The City Council adopted Resolution No. 91-135 approving the installation of "No Parking" zones on the east side of Pleasant Avenue adjacent to the parking lot driveway at the Needham School site.

The Public Works Department has received a request from the Lodi Unified School District to install "No Parking" zones adjacent to the parking lot driveway on the east side of Pleasant Avenue. Vehicles parked on-street adjacent to this driveway are creating a sight problem for drivers exiting onto Pleasant Avenue.

The results of staff's analysis indicate that in order to provide adequate sight distance for drivers exiting the parking lot, 110' of "No Parking" south of the driveway and 70' of "No Parking" north of the driveway are needed. On-street parking for the drivers displaced by these "No Parking" zones is available along the school site to the south and on-site parking is available in the lots on the east and west sides of Pleasant Avenue.

Due to the availability of alternate parking in the area, staff recommended the installation of these "No Parking" zones.

COMMENTS BY CITY
COUNCIL MEMBERS

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

"CELEBRATE AMERICA" APPLAUDED
AS OUTSTANDING SUCCESS

Mayor Pro Tempore Pinkerton applauded the July 3, 1991 "Celebrate America" celebration and congratulated the Lodi Arts Commission and all those who were involved in making the event such a success.

COMPLAINT REGISTERED REGARDING
SAN JOAQUIN DELTA COLLEGE PUBLICATION

Mayor Pro Tempore Pinkerton indicated that he has received three copies of a newsletter being published by San Joaquin Delta College and suggested that the funds used for producing, mailing, etc of this document could be put to better use. Mr. Pinkerton further indicated his displeasure at some of the courses that were being offered by the college.

USE OF LIGHTING TO BE REMOVED
FROM KOFU PARK SUGGESTED BY
COUNCIL MEMBER SIEGLOCK

CC-27(c) Council Member Sieglock stated that the City Council under
CC-27(e) the Consent Calendar had approved new lighting for Kofu Park and suggested that perhaps the Public Works Department could look at using the lighting that is being removed from Kofu Park at another location such as Hutchins Street Square for the lighting of basketball courts.

COUNCIL MEMBER SIEGLOCK COMMENTS
ON RECENT LETTER TO THE EDITOR

Council Member Sieglock commented on a recent letter to the editor that appeared in the Lodi News Sentinel regarding, among other things, speed limit increases on Tokay Street, the speed limit in the area of Vinewood School, and the speed limit on Kettleman Lane. Mr. Sieglock pointed out that in order to use radar, speed limits must be set based on the results of official traffic studies (California Vehicle Code and State of California guidelines). Mr Sieglock also pointed out that Kettleman Lane is controlled by the State of California, and therefore is not under the control of the City of Lodi.

COUNCIL MEMBER SIEGLOCK APPLAUDS
EFFORTS OF LODI FIRE DEPARTMENT

CC-112 Council Member Sieglock indicated that he recently had the opportunity to watch the Lodi Fire Department in action and applauded the Department on its outstanding job. He indicated that he was not only impressed with how they kept the fire from spreading, but how well coordinated they were in calling in Fire Departments from other areas.

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:

Continued July 17, 1991

CITIZEN PRESENTS NEWS ARTICLE
REGARDING PROPOSED SENIOR PROGRAM
IN MANTECA

CC-169

Mr. Walter Pruss, 2421 Diablo Drive, Lodi presented a newspaper article telling of a recent program being suggested by Manteca Police Chief Willie Weatherford, whereby he wants to train 20 senior-citizen volunteers, put them in uniform, and assign them to such tasks as making vacant-home checks, locating abandoned vehicles, and assisting in traffic control. They would be armed--but just with pads and pencils and two-way radios and be paired in regular patrol cars. Mr. Pruss suggested that the City of Lodi should consider implementing a like program. Mayor Hinchman directed the City Clerk to work with Mr. Pruss in getting this suggestion disseminated to Police Chief Williams and to the Lodi Senior Citizens Commission.

CITIZEN COMPLAINTS REGARDING
SAN JOAQUIN DELTA COLLEGE NEWSLETTER

Mr. Charles Trowbridge, 350 Del Mont Avenue, Lodi addressed the City Council concurring with Mayor Pro Tempore Pinkerton's complaints regarding the San Joaquin Delta College Newsletter.

SUPPORT OF 4TH ANNUAL BOYS/GIRLS
CLUB BENEFIT URGED

Ms. Sherry Haeffner, 1874 Lakeshore Drive, Lodi invited the City Council to the 4th Annual Boys/Girls Club Benefit Concert which will be held August 3, 1991 at the Lodi Grape Bowl which proceeds will go towards the Club's building fund. Ms. Haeffner and the Club's Executive Director then gave commemorative T-shirts to the members of the City Council.

COMPLAINT REGISTERED REGARDING
RECENT "NO PARKING" ZONES
ESTABLISHED IN THE AREA OF
CHEROKEE LANE AND HALE ROAD

CC-16
CC-48(e)

Mr. Clint Kelly of Kelly Motors, 730 South Cherokee Lane, Lodi addressed the City Council complaining about the recent removal by the City Council of three of the four parking spaces in front of his business and asked for Council reconsideration of the matter. The City Clerk was directed to place the matter on the agenda for the August 7, 1991 meeting.

LODI UNIFIED SCHOOL DISTRICT
ADOPTS MITIGATION FEE FOR NEW
GROWTH IN THE CITY OF LODI

CC-7(e) Mr. Jeffrey Kirst, 120 North Pleasant Avenue, a
CC-43 representative of the Lodi Property Owners Steering
Committee addressed the City Council report that at its
meeting of July 16, 1991, the Lodi Unified School District
Governing Board adopted the fee of \$3.64 as full mitigation
for new growth in the City of Lodi for a one-year period
with a \$9,000 cap.

RESIDENT VOICES COMPLAINTS
REGARDING HER NEIGHBORHOOD

CC-16 Lorie Frost, 26 North Washington Street, Lodi addressed the
City Council complaining that there appears to be some drug
dealing going on in her neighborhood between the hours of
4:00 p.m. and 8:00 p.m. Ms. Frost also expressed her
concern regarding distribution programs of free food,
clothing, etc, that are taking place at Hale Park, pointing
out that the park already has an exceptionally high
transient population. She feels that this inhibits
children from playing at the park. Ms. Frost indicated
that she would like to see distribution programs of this
type held at various City parks rather than just at Hale
Park.

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 the appeal of Fazal E. and Asman P.
Khan of a building inspection order to abate a detached
garage which has been converted to a living unit without
permits or inspections at 317 Hilborn Street.

PUBLIC HEARING REGARDING BUILDING
INSPECTION ORDER TO ABATE A DETACHED
GARAGE WHICH HAS BEEN CONVERTED TO A
LIVING UNIT WITHOUT PERMITS OR INSPECTIONS
AT 317 HILBORN STREET

CC-24(c) Mr. Khan appeared before the City Council advising that the
CC-35 family wished to withdraw its appeal and asked for a
reasonable time frame in which to tear down the structure.

Mayor Hinchman directed City Staff to work with the
property owners to have the subject building abated in a
timely manner.

PLANNING COMMISSION Community Development Director Schroeder presented the
CC-35 following Planning Commission Report of the Planning
Commission Meeting of June 20, 1991:

The following actions were taken at a Special Joint Meeting between the Stockton and Lodi Planning Commissions at Micke Grove on June 20, 1991.

- a. The purpose of the joint meeting was to hear (1) General Plan Update of San Joaquin County, (2) Special Planning Area Study for Stockton, (3) General Plan Update for Lodi, and (4) to discuss the desirability of an open-space green-belt area between the two cities.

The two Planning Commissions agreed to meet later in the summer, after the Stockton Planning Commission had received further data from its consultant concerning open space preservation and green belts.

Community Development Director Schroeder presented the following report of the Planning Commission of its meeting of June 24, 1991:

The following actions were taken at the regular Planning Commission meeting of June 24, 1991.

The Planning Commission -

- a. Conditionally approved the requests of Tim Mattheis, Wenell, Mattheis, Bowe, Inc. on behalf of Carol Muller and Bob Spiekerman:
1. for approval of the Tentative Subdivision Map of a .84 acre, 5-lot single-family residential subdivision to be located at 535 South School Street in an area zoned R-1*, Single-Family Residential - Eastside; and
 2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.
- b. Continued the following requests of David Cerutti until July 8, 1991:
1. to amend the Lodi Municipal Code (Zoning Ordinance) to allow full service car washes in the C-S, Commercial Shopping District; and
 2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above zoning text amendment.
- c. Conditionally approved the requests of California Waste Removal Systems Inc. (CWRS):

1. for a Use Permit to expand an existing solid waste transfer station and resource recovery facility located at 1333 East Turner Road in an area zoned M-2, Heavy Industrial; and
 2. to certify the Final Environmental Impact Report, including the Mitigation Monitoring and Report Plan, as adequate environmental documentation for this project.
- d. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Consulting Engineers, on behalf of Pacific Coast Producers for approval of a Lot Line Adjustment to join three lots at 32 East Vine Street and 901 and 941 South Stockton Street in an area zoned M-2, Heavy Industrial.
- e. Extended for one final year the request of Faye B. Conklin on behalf of All-Star Ceramic Supply for a Use Permit for a temporary office trailer for a wholesale ceramic mold distribution business at 322 North Sacramento Street in an area zoned M-2, Heavy Industrial.
- f. Elected the following officers for the 1991-1992 Fiscal Year:
- a. Chair - Susan Hitchcock
 - b. Vice Chair - Larry Mindt
- Community Development Director Schroeder presented the following report of the Planning Commission meeting of July 8, 1991:
- The following actions were taken at the last regular Planning Commission meeting of July 8, 1991.
- a. Recommended approval of the requests of James J. Verseput on behalf of Hi Hopes Venture and Barbara Ann Craig to prezone the parcels at 5279 East Kettleman Lane (APN 049-070-15) and 15514 and 15602 Beckman Road (APN's 049-070-66 and 67) from GA 20, General Agriculture to M-1, Light Industrial.
 - b. Recommended that the City Council certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.
- On motion of Council Member Snider, Hinchman second, the City Council set the heretofore listed items a. and b. for public hearing at the Regular Council Meeting of August 7, 1991.

Further, the Planning Commission -

- c. Continued consideration of the following requests of David Cerutti until July 22, 1991:
 - 1. to amend the Lodi Municipal Code (Zoning Ordinance) to allow full service car washes in the C-S, Commercial Shopping District; and
 - 2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above zoning text amendment.
- d. Conditionally approved the request of Robert Lawson to create two lots from one lot at 1924 Colette Street in an area zoned R-2, Single-Family Residential.
- e. Extended for one final year the request of the Lodi Parks and Recreation Department for a Use Permit for a temporary modular building at 125 North Stockton Street.

At the end of the extension (July 15, 1992) the temporary building must be removed or placed on a permanent foundation.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c) On recommendation of the City Attorney and the City's Contract Administrator, Insurance Consulting Associates, Inc., the City Council, on motion of Council Member Snider, Sieglock second, denied the following claims and referred them back to the City's Contract Administrator:

- a) Richard Romero, Date of loss 12/17/90;
- b) Susie Romero, Date of loss 12/17/90;
- c) George K. Stolberg, III, Date of loss 12/14/90;
- d) Brenda and David Stringer, Date of loss 5/31/91; and
- e) David B. Towne, Date of loss 5/30/91.

ABC LICENSE
APPLICATIONS

CC-7(f) City Clerk Reimche presented an application for Alcoholic Beverage Control License for China King Express, Inc., 100 West Turner Road, Suite E, Lodi, Michael M. Crete,

President, Original License, On Sale Beer and Wine Eating Place.

APPOINTMENT TO 49-99 LIBRARY SYSTEM

CC-2(a) On motion of Council Member Sieglock, Pennino second, the City Council concurred with the Mayor's appointment of William J. Fairgrieve to the 49-99 Library System to a two-year term ending July 1, 1993.

REGULAR CALENDAR

SAN JOAQUIN COUNTY INDUSTRIAL TOUR - 1991

CC-6 City Manager Peterson advised the City Council that the Stockton Chamber of Commerce is coordinating this year's San Joaquin County Industrial Tour. This year's event will be structured quite different from those in the past.

The City is being requested to contribute \$1,000 toward the sponsorship of the event and to commit certain personnel to staff a booth for the purpose of answering questions and providing information to attendees. Among the invitees are industrial site locators, corporate real estate personnel, economic development consultants and commercial brokers from Sacramento, the Bay Area and Southern California.

The cities of Stockton and Tracy have already committed participation and the City of Manteca will hear this presentation at its City Council meeting of Monday, July 15, 1991.

Mr. Steve O'Dell, Senior Vice-President/Managing Officer of CB Commercial, who is the chairman of this event was in attendance at the meeting to make a brief presentation regarding the matter and responded to questions posed by Council Members.

The event will be held at the Spanos Center Monday, October 21, 1991.

Following discussion with questions being directed to Mr. O'Dell and to the President of the Lodi District Chamber of Commerce, Deanna Enright, who was in the audience, the City Council took the following actions regarding the matter.

On motion of Council Member Pennino, Hinchman second, the City Council voted to contribute \$500.00 toward the sponsorship of the event contingent on the Lodi District Chamber of Commerce contributing \$500.00. Further, if the Lodi District Chamber of Commerce joins with the City toward sponsorship of this event, the City Council committed staff participation to man a booth jointly with

representatives of the Lodi District Chamber of Commerce for the purpose of answering questions and providing information to attendees.

ADULT CROSSING GUARD STUDY
AT VARIOUS LOCATIONS

CC-7(e)
CC-48(m)
CC-43

Assistant City Engineer Richard Prima advised the City Council that the Public Works Department has received a request from the Lodi Unified School District (LUSD) to perform adult crossing guard studies at various locations due to the School District's elimination of the majority of student busing (except special education) within the City limits as of July 1. The School District has requested that the City of Lodi perform adult crossing guard studies at the following schools and locations.

<u>School</u>	<u>Location</u>
Erma Reese	Lower Sacramento Road @ Elm Street
Heritage	Cherokee Lane @ Hale Road
Lawrence	Turner Road @ Coloma Street Lockeford Street @ Washington Street

The adult crossing guard agreement between the City and the School District states that the City will study any location where the School District provides information indicating that the minimum State of California (Caltrans) guidelines for the placement of adult crossing guards may be satisfied. The minimum number specified in these guidelines is 40 elementary school pedestrians for each of any two hours daily. Due to the low number of students (15 to 20) indicated by the School District residing north of Turner Road at Coloma, the staff did not perform a study at this location. This does not prevent the School District from providing an adult crossing guard at this location or any other location(s) at the School District's expense.

The results of the City's study of the remaining three locations are as follows:

Lower Sacramento Road @ Elm Street

At signalized intersections, Caltrans guidelines are satisfied when there are at least 40 elementary school pedestrians and 300 vehicular uncontrolled turning movements (right turns) over the crosswalk for each of any two hours of the day, or crosswalks are over 80 feet long with no intermediate refuge area or there is a high proportion of large commercial vehicles. The total volumes of all legs of the intersection are:

<u>Pedestrians</u>		<u>Turning Vehicles</u>	
AM	PM	AM	PM
21	22	123	151

Staff observed 3 commercial trucks in the morning and 15 trucks in the afternoon. Staff also reviewed the pedestrian timing and observed that all of students had sufficient time to cross Lower Sacramento Road.

Available accident records from 1987 through March of 1991 indicate that there have been no pedestrian accidents at this location. This traffic signal was activated in July of 1990. The posted speed limit on Lower Sacramento Road is 45 mph. The curb-to-curb width at the crosswalk is 86 feet.

Based on the above guidelines, an adult crossing guard is not satisfied at this location. In order to accommodate the LUSD request, staff studied this location as soon as possible after receiving the request. We subsequently learned this track does not have the largest amount of students from the Park West subdivision. We will restudy this intersection after August 26, 1991 when the largest amount of students use this crossing.

Cherokee Lane @ Hale Road

While staff was performing traffic counts at this location, a number of students were observed crossing at Eden Street. The Eden Street pedestrians were included in the study since Heritage School is located on Eden Street. Also, there is no sidewalk on portions of the west side of Cherokee Lane between Hale Road and Eden Street.

At uncontrolled crossings, Caltrans guidelines are satisfied when there are at least 40 elementary school pedestrians and 350 vehicles through that crosswalk for each of any two hours of the day. The total volumes for Eden and Hale crossings are:

<u>Pedestrians</u>		<u>Vehicles</u>	
AM	PM	AM	PM
28	31	871	1183

In addition, there was an additional 28 adults crossing Cherokee Lane with their children in the morning and afternoon.

In reviewing available accident records for a 4-1/2 year period (1987 through March 1991), both intersections have pedestrian accidents. At the Cherokee and Hale intersection, there were six pedestrian/vehicle accidents.

Three of the six accidents involved a child under 13 with one occurring near school hours. At the Cherokee and Eden intersection, there were five pedestrian/vehicle accidents. None of these accidents involved elementary school age children. The posted speed limit on this section of Cherokee Lane is 35 mph. The curb-to-curb street width is 75 feet.

City Council recently approved a yellow flashing beacon installation at Cherokee Lane and Hale Road to warn motorists of a pedestrian crossing. The equipment has been ordered and should be installed in the next four to six weeks.

Staff intends to recommend a yellow flashing beacon at Cherokee/Eden in the 1991/92 Capital Improvement Program.

Although the pedestrian volumes do not meet the Caltrans guidelines, staff feels that due to the high number of pedestrian accidents and lack of controls, an adult crossing guard is reasonable at one of these intersections.

The cost could be shared with the LUSD for an adult crossing guard at one of these locations. The proper location should be determined with City staff and LUSD officials.

Lockeford Street @ Washington Street

While staff was performing traffic counts at this location, a large number of students were observed crossing at Calaveras Street. The pedestrians observed crossing at Stockton Street and at Calaveras Street have been included in this survey. The majority (approximately 80%) of pedestrians were observed crossing at Calaveras Street.

At uncontrolled crossings, Caltrans guidelines are satisfied when there are at least 40 elementary school pedestrians and 350 vehicles through the crosswalk for each of any two hours of the day. The total volumes are:

<u>Pedestrians</u>		<u>Vehicles</u>	
AM	PM	AM	PM
86	85	733	742

Available accident records from 1987 through March of 1991 indicate that no school age pedestrians were struck by vehicles at Calaveras Street, Washington Street or Stockton Street. The posted speed limit on this section of Lockeford Street is 30 mph. The curb-to-curb street width is 40 feet.

The results of the City's study indicate that Caltrans guidelines for an adult crossing guard are satisfied at Lockeford Street and Calaveras Street. The guidelines were not satisfied at Washington Street or at Stockton Street. Staff has observed that students using the crossing at Calaveras Street are walking across one railroad branch line and three siding tracks located between Railroad Avenue and Lockeford Street. Although these railroad tracks are seldom used, there is not formal crossing provided. There is also no sidewalk along much of the south side of Lockeford Street. Based upon these factors, staff is reluctant to encourage students to cross the railroad tracks by placing the adult crossing guard at Calaveras Street. However, we cannot expect these students to walk down to Washington Street if the adult crossing guard is placed there. Staff recommends that an adult crossing guard be approved for Lawrence School at Lockeford Street and that the District determine the appropriate intersection. We recommend that the School District apply to the Public Utilities Commission for a pedestrian walkway across the railroad tracks. City staff will assist in the preparation of this application.

Addressing the City Council regarding the matter were:

- a) Stan Geiszler, 317 Applewood Drive, Lodi;
and
- b) Michael Sprague, 1018 Wintun Drive, Lodi.

A lengthy discussion followed with questions being directed to Staff and to those who had addressed the City Council regarding the matter.

A motion by Council Member Snider, Hinchman second, regarding the matter failed to pass. After additional discussion, on motion of Council Member Pinkerton, Pennino second, the City Council approved the placement of an adult crossing guard on Lockeford Street in the area of Washington/Calaveras Streets. The exact location where the Adult Crossing Guard is to be placed is to be determined by the Lodi Unified School District. Further, staff was directed to consult immediately with School District officials regarding the recent elimination of school busing in certain areas and its impact on children's safety going to and from school. Further, it was suggested that parents be invited to participate in these meetings.

RECESS

Mayor Hinchman declared a five-minute recess and the meeting reconvened at approximately 9:45 p.m.

ULTIMATE USE OF G-BASIN/DEBENEDETTI
PARK, SOUTHEAST CORNER OF LOWER
SACRAMENTO ROAD AND FUTURE CENTURY BOULEVARD

CC-27(c)

The City Council was advised that over the past six years, the Parks and Recreation Department has proceeded with the thinking that the G-Basin/DeBenedetti Park area (52 acres) was to be developed as a golf driving range/9-hole, 3-par golf facility. Recently, staff has been contacted by citizen Randy Snider as to a possible change of use or the potential for same. Mr. Snider's suggestion is that this area could be better used as a youth sports facility. As such, the staff was asked to present to the Parks and Recreation Commission various plans for use--golf configuration, youth sports, adult sports complex, etc. This was done at the May 7 meeting of the Parks and Recreation Commission. Mr. Tim Sullivan of Buchanan Field of Concord presented a golf concept; Ron Williamson and the Recreation staff presented youth/adult sports facility concepts.

At the conclusion of all presentations, the commission made a motion and voted 3-0, with an abstention by Commissioner Casalegno, to continue with the golf facility idea/concept for development.

The consideration is still up in the air--the golf enthusiasts want to see a first-class driving range/golf complex, the youth/adult sports people would like to see their interests met. Our professional staff sees both areas/interests needing facilities with a leaning toward a youth sports complex and an indoor athletic facility. Parks and Recreation Director Williamson indicated he goes along with the golf complex idea, with consideration for a youth facility to take place in the City's next major basin facility development and to stay with the general plan concept of development of Pixley Park and the adjacent area into a major six to seven diamond facility for adults.

Addressing the City Council regarding the matter were the following persons:

- a) Robert Holm, 550 Willow Glen, Lodi;
- b) Chas. Trowbridge, 350 Del Mont, Lodi; and
- c) Bob Johnson, Chairman, Lodi Parks and Recreation Commission.

Following a lengthy discussion with questions being directed to Staff and to those who had addressed the City Council regarding the matter, Council, on motion of Council Member Pinkerton, Hinchman second, by the following vote determined that the ultimate use of G-Basin/DeBenedetti

Park, southeast corner of Lower Sacramento Road and future Century Boulevard, will be a golf driving range/9-hole, 3-par golf facility:

Ayes: Council Member - Pennino, Pinkerton, Sieglock, and Hinchman

Noes: Council Members - Snider

Abstain: Council Members - None

Absent: Council Members - None

1991-92 SAN JOAQUIN COUNTY
COUNCIL OF GOVERNMENTS (COG)
BUDGET APPROVED

RESOLUTION NO. 91-136

CC-7(n)
CC-300

The City Council was advised that the Board of Directors of the San Joaquin County Council of Governments has requested City Council ratification of COG's budget previously approved by the COG Board of Directors. This is being done in compliance with the terms and conditions of the Joint Powers Agreement between COG and each member agency.

On motion of Council Member Pennino, Pinkerton second, the City Council ratified the 1991-92 San Joaquin County Council of Governments Operating Budget.

APPROVAL OF SALE OF KING VIDEOCABLE
COMPANY AND AUTHORIZATION FOR
EXECUTION OF APPROPRIATE DOCUMENTS

RESOLUTION NO. 91-137

CC-22(c)
CC-300

City Manager Peterson advised the City Council that the City of Lodi has been notified by King Videocable Company, in accordance with the requirements of the Municipal Code, that the company is in the process of being sold. King Videocable Company is being purchased by the Providence Journal Company, a newspaper publishing and communications company headquartered in Providence, Rhode Island.

Deanna Enright, the local cable company's manager and a representative of the Providence Journal Company/Colony Communications, Inc, a wholly-owned subsidiary of Providence, who will manage King Videocable here in Lodi were in the audience, addressed the City Council regarding the matter and responded to questions as were posed by the Council.

On motion of Council Member Snider, Pinkerton second, the City Council adopted Resolution No. 91-137 approving the

sale of King Videocable Company to Providence Journal Company and authorized the execution of appropriate documents.

REPORT TO COUNCIL BY CITY ATTORNEY
REGARDING CONSIDERATION OF RESIDENT
MANAGER/PROPERTY MAINTENANCE ORDINANCE
FORMATS CONTINUED TO A SPECIAL MEETING

CC-24(b) City Attorney McNatt introduced agenda item #K-6 entitled, "Report to Council by City Attorney regarding consideration of resident manager/property maintenance ordinance formats".

Following a brief discussion, on motion of Council Member Sieglock, Hinchman second, the City Council directed that a Special Council meeting be scheduled in the very near future to study this subject and directed the City Clerk to notice interested citizens regarding this meeting.

REQUEST BY SAN JOAQUIN WAREHOUSE
COMPANY, 6161 EAST HIGHWAY 12,
FOR CITY WATER SERVICE APPROVED

CC-51(b) The City of Lodi received the a letter from San Joaquin Warehouse Company (formerly Roma Winery) dated May 15, 1991 requesting permanent domestic water service.

The City Code reads as follows with respect to providing water service outside the City limits:

13.08.020 RATES OUTSIDE CITY.

The city will not normally serve water outside the city limits. In those cases where it is authorized by the city council the rates shall be established by resolution of the city council. (Ord. 1333, Section 1 (9) (I), 1984: prior code Section 26-2

The above City Code section requires that the City Council authorize any service outside the City limits.

In 1948, the City of Lodi, as part of its negotiations for purchasing sites for old Well 10 and 11 (both of which are now abandoned) and the easement for the interconnecting 14" and 12" mains, entered into agreements with Roma, East-Side, and Guild Wineries indicating that the City would provide standby fire protection. These wineries have been paying for standby City water for fire protection since 1948. These agreements also had provisions for the City providing them with "surplus water" for industrial and domestic uses. The request by San Joaquin Warehouse Company (SJWC) for industrial and domestic water is for a standard City water service and not for surplus water.

The City of Lodi is presently serving the following parcels outside the City with standard City water service. These parcels, along with SJWC, are outside the existing City limits but are all within our 2007 Planning Limits of the newly adopted General Plan.

	<u>Type of Service</u>
All State Packers, Inc. 6011 East Pine Street	Metered
Residence 6051 East Pine Street	Flat Rate
Residence 6093 East Pine Street	Flat Rate
Nazarene Church 1207 East Highway 12 (Kettleman Lane)	Metered

It is strongly recommended that the City does not serve "surplus water". The City does not want to be in a position where it has to make a determination to shut a customer's water off because there is no longer surplus water. Therefore, if we're going to serve water outside the City limits, it should be a standard water service. SJWC has a number of industrial uses on their site, all of which would be considered dry industry with water only being used for sanitary purposes. Serving SJWC with City water should be conditioned upon the following requirements:

1. That SJWC agree to all applicable conditions of the Lodi City Code related to water service, cross connections, water conservation, etc.
2. That SJWC pay the established outside City water rate.
3. That SJWC pay the impact mitigation fee for water which the City Council will be approving in August of 1991. This fee will be approximately \$1,400 per acre. The City's last three annexations of commercial property have agreed to pay the future impact fees. The only impact fee applicable to this request would be the water impact fee.
4. That SJWC enter into a letter-type agreement covering the above items together with a statement not to protest future annexation. Agreements with existing water users outside the City limits have included a statement that reads as follows:

"The undersigned do hereby agree that, in the event that the property owned by the undersigned and served by this subject water service is included in any petition for annexation to the City, the undersigned will agree to said annexation proceedings and will not file an objection to same."

On June 25, 1991, the City met with SJWC, East-Side Winery and All State Packers to discuss the pros and cons of annexation. SJWC is presently interested in annexation, however, they cannot annex without East-Side Winery also annexing.

On motion of Council Member Snider, Pennino second, the City Council approved the request of San Joaquin Warehouse Company, 6161 East Highway 12 for City Water Service conditioned on certain requirements heretofore identified as Requirements 1 through 4.

ARCHITECTURAL SERVICE AGREEMENT
FOR THE INSTALLATION OF A MODULAR
OFFICE BUILDING FOR THE ELECTRIC
UTILITY DEPARTMENT APPROVED

CC-51(a)
CC-90

The City Council was advised that temporary modular offices were installed in 1986 and 1989 at the Electric Utility Service Center due to insufficient space for housing of staff. Use Permit extensions for these temporary facilities were granted at the last extension request (May 1991) for a one-year period with the condition that permanent facilities be constructed. Therefore, the Department must proceed to provide permanent facilities in a short time. The architectural services recommended will provide siting as well as necessary bidding documents to have a permanent modular office structure installed, either by a lease or purchase agreement.

The Electric Utility Department has been diligently pursuing a solution to its overall space deficiency since 1988. These deficiencies include general office space, rest room facilities (no women's rest room at all), control room compaction, tool and vehicle storage, tool and equipment repair shops and lack of any conference room. Schematic design plans to address all of these needs have been prepared and presented to the City Council on several occasions in the past. Development of these plans into construction plans followed by actual construction has been placed on hold due to other construction needs within the City organization. This recommendation will not address all the deficiencies listed above; it will only provide intermediate relief in the areas where relief must be provided at this time.

That the City Council approve the agreement for architectural services associated with the planning, siting and bidding of a modular office building at the Municipal Service Center for the Electric Utility Department at a cost of \$2,860.

On motion of Council Member Pennino, Pinkerton second, the City Council approved the agreement for architectural services associated with the planning, siting and bidding of a modular office building at the Municipal Service Center for the Electric Utility Department at a cost of \$2,860.

USE OF "PURCHASE POWER COST ADJUSTMENT
(PPCA)" FOR A THREE-MONTH PERIOD
APPROVED

RESOLUTION NO. 91-138

CC-6
CC-51(d)
CC-56
CC-300

Following introduction of the matter by City Manager Peterson, Electric Utility Director Rice advised the City Council that the Electric Rate Proposal approved by the City Council January 16, 1991 acknowledged that language was added in the tariff sheets to incorporate a PPCA clause to protect against revenue erosion. The PPCA was characterized as a method to collect revenue to cover significant expense items which were not anticipated.

When the January 16, 1991 proposal was made, we could not adequately project the full impact of either the Middle East war on fuel prices or large purchases of supplemental energy during our summer peak load period.

The success of 'Desert Storm' maintained stable fuel prices, but adjustment in power plant operation planned for summer 1991 will result in unanticipated energy purchases during the summer period. Power plant operation is set by Northern California Power Agency (NCPA). The power plants being controlled include hydroelectric, geothermal steam and gas turbine. Hydroelectric and gas turbine production is expected to remain consistent with the budget; however, geothermal steam production has been restructured to maintain capacity for future periods. Project participants have determined that such altered production will require some supplemental purchases of energy this summer and next.

Such supplemental purchases of energy this summer will be from PG&E and others and result in an increased Lodi revenue requirement of approximately \$1,250,000.

These peak period purchases were not anticipated when the NCPA budget was incorporated into our rate determination. Imposition of a PPCA during August, September and October

will collect most of the revenue difference attributable to this summer peak period.

Anticipated revenue shortfall of approximately \$1,250,000 is expected to be collected as follows:

Month	Anticipated Sales	PPCA	Collection Amount
August	37,858,000 kwh	11 mills/kwh	\$416,488
September	37,997,000 kwh	11 mills/kwh	417,967
October	28,769,000 kwh	11 mills/kwh	316,459
			<u>\$1,150,914</u>

Existing rates applied to a residential customer using the average amount of energy per month of 550 kwh would yield \$49.72. Application of this PPCA would increase that bill \$6.05 per month to \$55.77 over the three-month period.

It should be noted that City Attorney McNatt determined that Council Member Pennino did not need to abstain from discussion and voting on this matter.

A lengthy discussion followed with questions being directed to staff.

Following an earlier motion that was withdrawn, on motion of Mayor Hinchman, Sieglock second, the City Council adopted Resolution No. 91-138 approving application of the "Purchase Power Cost Adjustment (PPCA)" at a level of 11 mills/kwh beginning with bills prepared on or after August 1, 1991 and terminating with completion of the October 1991 billing cycle. The motion carried by the following vote:

- Ayes: Council Members - Pinkerton, Sieglock, Snider, and Hinchman (Mayor)
- Noes: Council Members - Pennino
- Absent: Council Members - None
- Abstain: Council Members - None

CONTRACT PRESCRIPTION SERVICE
UNDER THE CITY INSURANCE COVERAGE

CC-910
CC-21.1(9)

Assistant City Manager Glenn introduced agenda item #E-10 entitled, "Contract to provide prescription service under the City insurance coverage".

Following his request, on motion of Mayor Hinchman, Pennino second, the City Council authorized staff to continue to explore avenues for the City to self-insure prescription drugs and to contract for administration of the program.

PURCHASE OF RADIOS FOR THE
FINANCE DEPARTMENT FIELD
SERVICE EMPLOYEES APPROVED

RESOLUTION NO. 91-139

CC-12(d)
CC-47
CC-300

The City Council was informed that Meter Readers and Account Collectors perform work in the field which occasionally puts them in unsafe situations. Employees have complained of dog attacks, agitated members of the public, and threats by the public involving guns. The Meter Readers and Account Collectors have requested a radio system to allow them direct and immediate communication with the Police Department and the Finance Department office. The request is based on the following issues:

1. Account Collectors and Meter Readers execute tasks which may occasionally irritate members of the public.
2. History has demonstrated that the field workers are put into circumstances which are unsafe. A radio system would provide them with communications to the Police Department and the Finance Department.
3. All other City departments which have field workers are equipped with radio communications for their employees (Public Works, Electric Utilities, Parks and Recreation, Police, and Fire).
4. A survey of NCPA cities was conducted with results showing only the City of Palo Alto and the City of Lodi as not providing the radio equipment for Meter Readers and Account Collectors. Palo Alto does provide pagers for employees.
5. Meter Readers and Account Collectors often request information from the Finance Department administration office regarding pending accounts. To obtain the information, an employee presently must drive back to the office or use a pay telephone. The current practice takes up valuable time which could otherwise be spent in the field.
6. Meter Readers and Account Collectors often witness accidents, water abusers, and other situations which are important to immediately report to the appropriate City

departments. Radios will allow this communication to occur.

Portable radios, chargers, and a remote desk set will cost approximately \$10,000. This will provide hand-held radios for two Account Collectors and four Meter Readers. Maintenance costs for the radio system will be approximately \$834.00. Motorola will be the vendor which will allow the Finance Department radio system to be compatible with the other departments' radios.

Following discussion with questions being directed to Staff, the City Council on motion of Council Member Pennino, Pinkerton second, adopted Resolution No. 91-139 authorizing the purchase of a portable radio system for the Meter Readers and Accounts Collectors and finding Motorola as being the sole source supplier.

ORDINANCES

REVISED SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE ADOPTED

ORDINANCE NO. 1514 ADOPTED

CC-183(e)
CC-149 Ordinance No. 1514 entitled, "An Uncodified Ordinance of the Lodi City Council Adopting a Revised Schedule of Rates and Charges for Water Service and Repealing Ordinance No. 1448" having been introduced at a regular meeting of the Lodi City Council held June 20, 1991 was brought up for passage on motion of Council Member Pinkerton, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council.

LODI MUNICIPAL CODE CHAPTER 3.12 - TRANSIENT OCCUPANCY TAX AMENDED

ORDINANCE NO. 1515 ADOPTED

CC-6
CC-149
CC-177 Ordinance No. 1515 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 3.12 - 'Transient Occupancy Tax' by Adding Thereto a New Subsection 3.12.035 Entitled 'Surcharge'" (This ordinance will be in force and take effect immediately upon its passage and approval) having been introduced at a regular meeting of the Lodi City Council held June 20, 1991 was brought up for passage on motion of Council Member Pinkerton, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council.

CLOSED SESSION At approximately 11:30 p.m., the City Council adjourned to Closed Session regarding the following matters:

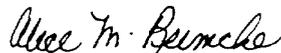
- CC-200(a) a) Labor Negotiations - IBEW; and
- CC-200(d) b) Litigation - USA (WAPA) v. PG&E, NCPA, and Cities, Case No. C-88-1600-WWS, United States District Court, NDC.

Council Member Pennino announced that because of a possible conflict of interest, it was his intention to leave the Closed Session prior to the introduction and discussion regarding Litigation - USA (WAPA) v. PG&E, NCPA, and Cities, Case No. C-88-1600-WWS, United States District Court, NDC.

The City Council convened into Regular Session at approximately 11:45 p.m. No formal action was taken by the City Council on the matter discussed in Closed Session.

ADJOURNMENT There being no further business to come before the City Council, the meeting was adjourned at approximately 11:45 p.m.

ATTEST:


Alice M. Reimche
City Clerk