

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 21, 1990
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson, Reid,
Pinkerton and Snider
(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 Pastor Derril Peabody,
United Congregational Christian Church.

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

PRESENTATIONS

UNITED WAY CAMPAIGN
1989/90 AWARDS

Eric Whitaker, Administrative Assistant to the City Manager
presented United Way Campaign 1989/90 Departmental Awards.

PROCLAMATIONS Mayor Snider presented the following Proclamations:

- a) "National Engineers Week"
- b) "International Friendship Day"
- c) "1990 Year of the Oak"

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Mayor Pro Tempore
Hinchman, Reid second, approved the following items
hereinafter set forth.

Further, Agenda items E-3 - "Receipt of audited Financial
Statements" and E-5 - "Sale of surplus vehicles and
equipment" were pulled from the Consent Calendar,
discussed, and acted upon immediately following approval of
the Consent Calendar.

CLAIMS CC-21(a) Claims were approved in the amount of \$1,277,958.06.

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MINUTES The Minutes of January 17, 1990 and January 31, 1990 (Special Meeting) were approved as written.

SPECIFICATIONS AND
PURCHASE OF JACOBSEN
HR-15 FAIL GANG LAWN
MOWER APPROVED

RES. NO. 90-20

CC-20 The City Council adopted Resolution No. 90-20 approving the
CC-47 specifications for one Jacobsen HR-15 Fail Gang Lawn
CC-300 Mower, and authorized the purchase of same from H. V.
 Carter Company. The estimated cost of the new equipment is
 \$42,000 which has been budgeted in the 1989/90 Equipment
 Fund.

ACCEPTANCE OF IMPROVEMENTS
UNDER HUTCHINS STREET
IMPROVEMENTS, TOKAY STREET
TO LODI AVENUE, CONTRACT
APPROVED

CC-90 The City Council accepted the improvements under the
 "Hutchins Street Improvements, Tokay Street to Lodi Avenue"
 contract, and directed the Public Works Director to file a
 Notice of Completion with the County Recorder's office.

The City Council was advised that the contract was awarded to Claude C. Wood Company of Lodi on August 2, 1989 in the amount of \$464,960.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract and actual completion date was December 14, 1989. The delay in acceptance was due to final resolution of change orders. The final contract price was \$510,245.75. The difference between the contract amount and the final contract price is mainly due to payment for overtime work and changes in the design as directed by the City to minimize street closure time.

FINAL MAP FOR
CRAWFORD ESTATES,
1016 SOUTH HUTCHINS
STREET APPROVED

CC-46 The City Council approved the final map for Crawford
 Estates, Tract No. 2273, and directed the City Clerk to
 execute the map on behalf of the City.

The City Council was advised that Sidney and Glenda Crawford, the developers of this subdivision, have

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furnished the City with the plans and fees for the proposed subdivision.

This is a one-lot condominium subdivision located at 1016 South Hutchins Street. It contains a total of eight residential units.

C-BASIN REORGANIZATION,
SOUTHEAST CORNER OF
SOUTH BECKMAN ROAD AND
EAST VINE STREET
(CONTIGUOUS), INCLUDING
ANNEXATION TO THE CITY
OF LODI AND DETACHMENT
FROM THE WOODBRIDGE FIRE
DEPARTMENT AND THE MOKELUMNE
FIRE DEPARTMENT

RES NO. 90-22

CC-8(a)
CC-300

The City Council adopted Resolution No. 90-22, "A Resolution of the Lodi City Council Ordering the C-Basin Reorganization including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District and the Mokelumne Fire District."

The City Council was advised that the C-Basin Reorganization application was filed with the Local Agency Formation Commission by submittal of Resolution No. 89-175 adopted by the Lodi City Council December 6, 1989 proposing annexation of 9.21 acres of contiguous City-owned property. The City of Lodi recently purchased the subject two parcels to permit the expansion of the C-Basin Park to its ultimate size in accordance with the master plan for the facility within the City limits.

The purpose of the annexation is to allow City jurisdiction over the City-owned property and to allow the property to be removed from the property tax roll.

The proposed reorganization includes territory in both the Woodbridge Fire District and the Mokelumne Fire District. As a part of the proposed reorganization it would be necessary to approve detachment of the subject property from these fire districts.

Following a Public Hearing before the Local Agency Formation Commission of San Joaquin County held January 26, 1990, the Commission adopted Resolution No. 774 approving the C-Basin Reorganization (LAFC 28-89) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District and the Mokelumne Fire District with the following conditions:

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- o The boundaries are hereby approved as submitted.
- o The affected territory is uninhabited.
- o The City of Lodi is designated as the conducting authority and the City Council is authorized to complete proceedings for uninhabited reorganization without notice and hearing in accordance with Section 57002(b) of the Government Code.

CLASS SPECIFICATIONS
AND SALARY RANGE FOR
UTILITY SERVICE OPERATOR
I AND AMENDED CLASS
SPECIFICATIONS FOR
UTILITY SERVICE OPERATOR
II APPROVED

RES. NO. 90-23

CC-34
CC-300

The City Council adopted Resolution No. 90-23 approving the establishment of a new classification and class specification for:

Utility Service Operator I

and amend the current classification title of Utility Service Operator to:

Utility Service Operator II

The City Council was advised that for the past six months the City has conducted continuous recruitments for the position of Utility Service Operator. This is a journey level position in the Electric Utility Department which requires extensive experience working in the area of system operation or dispatch. We have not been able to recruit applicants who have journey level experience for this position.

As a result, we would like to establish an entry level classification to enable us to fill this classification.

The classification of Utility Service Operator I would be flexibly staffed to Utility Service Operator II, thus enabling the department to promote the employee without a formal examination process, when he/she meets the minimum requirements of Utility Service Operator II. The new classification would be placed in the Electrical Utility bargaining unit.

The proposed bi-weekly salary range is as follows:

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A	B	C	D	E
\$1129.60	\$1186.40	\$1245.60	\$1308.00	\$1373.60

RECEIPT OF AUDITED
FINANCIAL STATEMENTS

CC-21(a) The City Council, on motion of Council Member Reid, Pinkerton second, accepted for filing the following documents connected with the audit of the City of Lodi as of and for the year ended June 30, 1989:

1. Single Audit Suggestions (Management Letter)
2. Finance Director's Comments--Single Audit Suggestions
3. Report on Compliance with the City's Investment Policy
4. Single Audit Report
5. General Purpose Financial Statements

Further, the City Council determined that this matter should be placed on a future Shirtsleeve Session Agenda.

RESOLUTION APPROVING
SALE OF SURPLUS
VEHICLES AND EQUIPMENT

RES. NO. 90-21

CC-20 The City Council was advised that vehicles and equipment
CC-47 listed below have been removed from service and are of no
CC-300 use to the City. It is proposed that we auction off these
items at the minimum bids proposed.

<u>Quantity</u>	<u>Item</u>	<u>Proposed Minimum Bid</u>
1	1982 Chevrolet Impala Wagon	800.00
1	1979 Mercury Zephyr	500.00
1	1981 Ford Fairmont	1,000.00
1	1978 Ford F-100	1,500.00
3	318 Dodge Engines	250.00
3	Dodge Diplomat Differentials	75.00
1	1982 Mercury Lynx	700.00
1	1981 Mercury Zephyr	700.00
1	1980 Buick Regal	800.00
1	1981 Chevrolet Citation	800.00
1	1976 Ford CA Dump Truck	2,500.00

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1	1965 Ford F-100 Pickup	1,350.00
1	1981 Buick LeSabre	1,500.00
1	1981 Chevrolet Impala Wagon	1,000.00
1	1985 Chevrolet Caprice Classic Wagon	1,000.00
1	1979 Ford F-250 Pickup	1,500.00
1	1976 Wayne 3-Wheel Sweeper	500.00
1	1970 Wayne 3-Wheel Sweeper	500.00
1	1968 Chevrolet 50 Cab & Chassis	1,000.00

Following discussion, the City Council on motion of Council Member Pinkerton, Hinchman second, adopted Resolution No. 90-21 approving the sale of surplus vehicles and equipment and authorized advertising for bids.

Further, the City Council directed that, a to be determined vehicle, shown on the list of surplus vehicles and equipment would be withdrawn from the list awaiting a legal opinion from the City Attorney following an inquiry by an interested prospective purchaser.

COMMENTS BY CITY

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

SCHOOL FUNDING
FROM LOTTERY

Council Member Pinkerton commented about the amount of money that school systems would benefit from this evening's lottery.

UPDATE BY ELECTRIC
UTILITY DIRECTOR
REGARDING RECENT STORM

CC-24(b) Following an inquiry by Council Member Reid, Electric Utility
CC-51(d) Director Rice gave an update on the recent storm and its effect on the City's electrical utility system.

REMINDER OF NEXT
GENERAL PLAN UPDATE
MEETING

CC-35(a) Mayor Snider reported that the final Special Meeting of the City Council and the Planning Commission for review of the City of Lodi Draft General Plan - Health and Safety, Urban Design and Cultural Resources, Parks, Recreation and Open Space Element will be held at the Carnegie Forum on Wednesday, February 28, 1990 at 7:30 p.m.

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:

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REQUEST FOR HOME
OCCUPATION PERMIT
FOR NAIL SALON AT
10 NORTH CENTRAL AVENUE

CC-53(a) Following an inquiry from Penny Gamaza, 1010 Augusta Street, Woodbridge, as to the status of her previous request for a Home Occupation Permit to operate a nail salon at 10 North Central Avenue, Lodi, the Mayor asked the City Attorney to bring back to the City Council at its meeting of March 21, 1990, a review of the Home Occupancy Permit section of the Lodi Municipal Code.

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 Snider called for the Public Hearing to obtain view of citizens on Lodi's housing and community development needs as stipulated by CFR Section 470.301 (a) (2) (ii).

PUBLIC HEARING
REGARDING LODI'S
HOUSING AND COMMUNITY
DEVELOPMENT NEEDS

CC-55 Community Development Director Schroeder advised the City Council that Community Development Block Grant Program regulations require each grant recipient to hold a public hearing prior to submission to HUD for its annual grant to allow citizens the opportunity to participate in the process.

Comments received from the public during this hearing are to be taken under advisement only; the regulations make it clear that it is still the responsibility of the grantee (the City) to prepare specific project proposals.

After receiving citizen comments and views, staff will prepare a draft list of proposed projects for City Council deliberation in March.

Tonight's hearing was continued from the meeting held Wednesday, February 21, 1990 at 1:30 p.m. at the Lodi Public Library. Highlights of the earlier meeting were presented by Mr. Schroeder.

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

No formal action was required by the City Council on this matter.

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PUBLIC HEARING TO
HEAR AND PASS UPON
THE REPORT OF COST OF
REPAIRS FOR SIDEWALK AT
315 SIERRA VISTA PLACE,
1418 SOUTH SCHOOL STREET
AND 900 NORTH MILLS AVENUE

RES. NO. 90-24

CC-45(a) Notice thereof having been published according to law, affidavit
CC-300 on which is on file in the office of the City Clerk, Mayor Snider
called for the public hearing to hear and pass upon the report of
cost of repairs for sidewalk at 315 Sierra Vista Place, 1418 South
School Street, and 900 North Mills Avenue.

The City Council was apprised that as part of the City's sidewalk
upgrade program, seven property owners were notified in September
of the dangerous condition of sidewalk fronting their property.
They were given two weeks to begin repairs. Three of the property
owners did not make the repairs and the City's contractor repaired
the sidewalks. Streets and Highways Code Section 5616 requires
that a public hearing be held to hear and pass upon the report of
the cost of repairs and to hear protests which may be raised by
property owners.

Shown below is the Report of Costs, Repair of Sidewalks on the
subject parcels:

Address	Assessor's Parcel	Square Feet of Sidewalk Replaced	Cost
315 Sierra Vista Place	045-170-06	255	\$1,703.25
900 North Mills Avenue	035-020-01	270	1,631.50
1418 S. School Street	062-043-30	135	915.75

Addressing the City Council regarding the matter was property
owner, Ray White, 1418 S. School Street, Lodi who advised the City
Council that the tree that had caused the problem which
necessitated these repairs had been removed prior to his
purchasing the property.

The following letter which had been received from Mr. Russell
Appleton, 315 Sierra Vista Place, Lodi, was presented to the
City Council:

I was notified back in August of the repair work needed at 315
Sierra Vista Place, Lodi. At the time I was unemployed and having
a hard time making ends meet for my family. I contacted Kay
Tamura at (209) 333-6706 and explained my situation and was in the
process of selling the house and had stipulated with the Realtor

that whomever bought the house would need to fix the sidewalk. Kay said he would get back to me in a couple of weeks. The house still has not sold yet and making two mortgage payments is straining. Kay never got back to me and I assumed it was on hold. If it would have been a case, under this policy, that I had to repair the work I would have gotten estimates and gotten the best rate.

When I received the notice on February 5th of the repair work already done I was furious. I do not feel I should pay for this work that has already been done without contacting me first.

If this matter means challenging the work in court I will because I feel this was unauthorized without my consent.

If you have any questions, give me a call after 5:00 p.m. at (916) 726-7244.

James Russell Appleton

There being no other persons addressing the City Council on the matter, the public portion of the hearing was closed.

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council adopted Resolution No. 90-24 confirming the Cost of Repair Report and the assessments against the real property at 315 Sierra Vista Place, 1418 South School Street, and 900 North Mills Avenue.

Following discussion, the City Council deferred action regarding the method of collection of this assessment requesting that this be a matter of discussion on a future agenda.

EXTENSION OF ORDINANCE
NO. 1424, IMPOSING A
MORATORIUM ON RESIDENTIAL
SEWER CONNECTIONS

CC-56

City Attorney McNatt reported that in April 1988, the Council adopted Ordinance 1424, imposing a moratorium on all new residential sewer connections to the domestic system, pending completion of the White Slough Water Pollution Control Facility expansion. The construction is now proceeding apace. Under Government Code §65858, the original ordinance remains valid for a period of 22 months and 15 days.

In order to extend the moratorium during construction of the facility, it is necessary that the Council:

- 1) Accept, pursuant to Government Code §65858(d), the report by Public Works Director Jack Ronsko dated February 8, 1990 (set forth below) describing measures taken to alleviate the

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condition which led to the adoption of the moratorium; and

2)

Find and declare that there remains a current and immediate threat to the public health, safety or welfare, and that approval of additional subdivisions, use permits, variances, building permits or any other applicable entitlement for use which is required in order to comply with the zoning ordinance would result in a threat to the public health, safety or welfare.

<u>Date (month/year)</u>	<u>Action by City</u>
November 1986	Retained Jones & Stokes Associates to prepare EIR for plant expansion. Expansion increases capacity from 5.8 MGD to 8.5 MGD.
February 1987	Retained Black & Veatch to prepare pre-design memo.
April 1988	Adoption of present sewer moratorium.
May 1988	Retained Black & Veatch to design and prepare construction plans and specifications.
July 1989	Approved plans and specifications and authorized advertising for bids.
August 1989	Retained Black & Veatch for contract administration and contract inspection.
November 1989	Approved revised plans and specifications.
January 1990	Bids opened and contract awarded to Alder Engineering and Construction Company. Contract documents sent to Alder for execution.

Anticipated Scheduling of Expansion Project

February 1990	Execution of contract documents. Completed "Notice to Proceed" sent to Contractor. Contractor has 19 months to complete project.
February 1990	Black & Veatch to hold pre-construction conference
July 1991	Plant expansion operational
September 1991	Project completion

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

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council accepted a report from the Public Works Director regarding the moratorium established the heretofore listed findings and granted an extension for twelve months of Ordinance No. 1424.

PLANNING COMMISSION

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of February 12, 1990:

ITEMS OF INTEREST

CC-35

The Planning Commission -

1. Continued until 7:30 p.m., Monday, February 26, 1990, the requests of Terry Piazza, Baumbach and Piazza, Consulting Engineers, on behalf of J. Jeffrey, et al.,
 - a. for approval of the Tentative Subdivision Map of Almondwood Place, a 2.5 acre, 26-lot residential subdivision proposed for 428, 440 and 448 Almond Drive, in an area zoned R-MD, Medium Density Multiple Family Residential; and
 - b. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.
2. Conditionally approved the request of Majors Engineering on behalf of Lucky Stores, Inc., for a Lot Line Adjustment between 530, 608 and 610 West Lodi Avenue, in an area zoned C-1, Neighborhood Commercial.
3. Continued until 7:30 p.m., Monday, February 26, 1990, the request of Leon Croce for a Use Permit to replace a single-wide mobile home with a double-wide mobile home at 1800 South Cherokee Lane, in an area zoned C-2, General Commercial.
4. Continued until 7:30 p.m., Monday, February 26, 1990, the request of Philip Monte for Use Permit to conduct an automobile dismantling operation at 860 East Pine Street, in an area zoned M-2, Heavy Industrial.

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5. Determined that the size of the lot and existing on-site conditions constituted a Zoning Hardship and approved the request of Rick Hanson for a Variance to reduce the rear yard setback to 3 feet, the front yard setback to 10 feet, and to reduce the off-street parking requirement from two spaces to one space at 615 South Garfield Street, a substandard lot, in an area zoned R-1*, Single-Family Residential-Eastside.
6. Conditionally approved the request of Geweke Properties for a Variance to construct a 6-foot fence within the 20-foot setback on the east property line at 1918 South Church Street, in an area zoned R-MD, Medium Density Multiple Family Residential.
7. Approved the request of the City of Lodi Public Works Department for a Use Permit to place a temporary office trailer at the Municipal Service Center, 1331 South Ham Lane.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

Following the recommendation of the City Attorney and Insurance Consulting Association, Inc., the City's Contract Administrator, the City Council, on motion of Council Member Reid, Hinchman second, rejected the following claims and referred them back to the City's Contract Administrator:

- a) Ruthann Doyle, Date of loss 9/28/89
- b) Frank Madden, Morris Brown Realty, Lodi Physical Therapy, Date of loss 8/5/88
- c) Bonnie Thomas, Date of loss 10/21/89

ALCOHOLIC BEVERAGE
LICENSE APPLICATION

CC-7(f) City Clerk Reimche presented the following application for Alcoholic Beverage License which had been received:

- a) Nader/Neweiser Haddad, Tokay Liquors, 8 East Lockeford Street, Lodi, Off Sale General License, Person to Person Transfer

PRESERVATION OF
MOKELUMNE RIVER
RIPARIAN WETLANDS
AREA URGED

CC-27(a)
CC-27(c) The City Clerk presented a letter which had been received from Mary Plog, President, Lodi Garden Club supporting the preservation of the Mokelumne River riparian wetlands area on the

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north bank of the Mokelumne River between Highway 99 and Woodbridge.

REQUEST FOR ONE-DAY
PERMIT FOR PARKING
IN PERMIT PARKING ZONE

CC-48(1) City Clerk Reimche presented a letter which had been received from Naomi McCallum Carey, requesting that guidelines to be pared for obtaining a one-day permit for parking in a permit parking zone. City Manager Peterson responded to questions regarding the matter as were posed by members of the Lodi City Council.

DENNIS R. SWANSON
RESIGNS FROM THE LODI
PARKS AND RECREATION
COMMISSION

CC-2(h) City Clerk Reimche presented a letter of resignation that had been received from Parks and Recreation Commissioner Dennis R. Swanson, D. C. On motion of Mayor Pro Tempore Hinchman, Olson second, the City Council directed the City Clerk to make the necessary posting for this vacancy.

LETTER OF APPEAL
RECEIVED FROM B. T. REEVES
REGARDING REMOVAL OF
EXISTING DRIVEWAYS AT
300 WEST PINE STREET

CC-45(b) The City Council, on motion of Council Member Olson, Hinchman second, set for public hearing at the Regular Council Meeting of March 21, 1990, the request from B. T. Reeves regarding the removal of existing driveways from his insurance office complex located at 300 West Pine Street.

LETTERS OF CONCERN
RECEIVED REGARDING
LODI LAKE NATURE AREA

CC-16 The City Council received letters from E. J. McCaughna,
CC-27(c) spokesperson, Lodi Nature Area Docent Council and Joyce N. Sullivan expressing their concern regarding the Lodi Lake Nature area. The City Council requested that the Lodi Nature Area be a topic of discussion at a future Shirtsleeve Session of the City Council.

RECESS

Mayor Snider declared a five-minute recess and the City Council reconvened at 8:10 p.m.

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REGULAR CALENDAR

LODI DISTRICT CHAMBER
OF COMMERCE REQUEST
FOR VISITORS' CENTER FUNDING

CC-7(k) City Manager Peterson reminded the City Council that at its "Shirtsleeve" session of January 23, 1990, the City Council heard a presentation by representatives of the Lodi District Chamber of Commerce requesting funding in the amount of \$41,409 for the opening and operation of a visitors' center to be sited at a high visibility location. Set forth below is the written request that was received regarding the matter from the Lodi District Chamber of Commerce:

On behalf of the Lodi District Chamber of Commerce, I request the opportunity to present a proposal for contract services at your earliest Shirtsleeve Session.

The attached documentation provides a synopsis of the Chamber's role in the City of Lodi as it pertains to community-wide functions.

Since 1923, the Chamber has committed itself to dedicating its mission to the whole of the community rather than just its members. For the past several years, the burden of that responsibility has grown beyond the financial capability of our organization.

For many years, the Chamber membership has supported all of the services we provide new residents, travelers and visitors. But, in the past two years the demand for community information has excelled to the point where we can no longer provide such services without financial support.

In a recent study by our Executive Director and his staff, they have identified the following services currently being provided to the general public. Those services that are self supporting, are: The Business Directory, Lodi City Map, Motel and Dining Guide, Clubs and Organizations Guide and the San Joaquin County Industrial Directory.

Those community-wide services that are a direct expense to the Chambers general membership are: the Lodi Community Brochure, the Economic Profile, reference library expenses, visitor information, Annual Community Calendar of Events, Certificate of Origin, tourism information, postage expenses, time and labor and written correspondence.

Economic Development materials and the Christmas Decorations have been partially funded by the City.

As you can see, much of what we do is community-oriented rather than Chamber-oriented. Although we express concern over the

financial difficulty of meeting the community's needs, we believe the Chamber is still the most likely organization outside of City Hall to handle these services; and, our desire is to do just that.

Our proposal is a contract of services with the City to continue providing visitor information services, and community information services as we have provided in the past. Recognizing the need for financial assistance, we offer the following:

1. To relocate the Chamber Office to a more conducive (high profile) location to visitors.
2. To provide "Visitor Center" office space and services.
3. To hire, support and schedule a full-time employee to serve as a visitor center coordinator (working with a volunteer staff) to provide services 6 days a week.

In addition to our present Economic Development agreement of \$12,000 annually, the Chamber proposes a long-term contract of services in order to continue providing the present level of community information services. Our proposal calls for the addition of \$41,409 for the 1990-91 fiscal year as shown in Exhibit 1.

The Chamber's intent is to continue providing such services to the general public. Additionally, to introduce a three-year marketing plan which is designed to increase the City's revenue base (see Exhibit 2). We feel this can only be accomplished through a commitment of the Chamber and the City working shoulder to shoulder in a partnership agreement.

Please consider our proposed contract for services very carefully.

Keith Land
President

Speaking on behalf of the request were Keith Land, Immediate Past President and Michael Bradley, Executive Director of the Lodi District Chamber of Commerce.

A lengthy discussion followed with questions being directed to Mr. Land and Mr. Bradley.

The City Council, on motion of Mayor Pro Tempore Hinchman, Olson second, appropriated \$14,000 from the 1989/90 budget from Hotel/Motel Tax Reserves for a Visitors' Center. Further the City Council directed that \$28,000 be included in the 1990/91 budget for the Visitors' Center and \$12,000 for economic development.

Council directed that a review of these allocations be made in one year. The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, and Snider

Noes: Council Members - Pinkerton

Absent: Council Members - None

MONTHLY PAYMENT TO
EACH OF FIVE MOBILE HOME
PARK LANDLORDS/OWNERS
FOR "IN LIEU" UTILITY
SERVICE REQUIRED
BECAUSE OF MASTER
METERING

CC-6
CC-51(d)

Electric Utility Director Rice introduced that matter informing the City Council that the "in lieu" payment is made to Mobile Home Park Landlord/Owner and represents the costs the City avoids by not providing service beyond the master meter to Park residents (tenants). These costs include providing and maintaining the electrical system between the master meter and the individual mobile homes, meter reading and billing services.

The "in lieu" payment is a best estimate of the costs the City avoids by not providing these services directly.

A joint discussion of this payment took place during a City Council Shirtsleeve Session April 4, 1989. Representatives of the 5 Park Owners, their consultants and their legal counsel discussed the detailed presentation by Electric Department staff and a retained consultant who had developed much of the data.

The conclusion of that presentation was that the present level of payment (\$7.34 per space per month) was reasonable, but should be re-examined around the first of the year 1990.

Park Owners' consultants requested backup data on the staff/retained consultant payment calculation, which was promptly transmitted. Staff requested several items of data and a copy of Park Owners' billings to their tenants. Nothing has ever been transmitted to the City by the Park Owners or their consultants - either data or further information requests.

Three methods of calculating the "in lieu" payment per occupied mobile home space are as follows:

A. Detailed, In-Depth Analysis of the Average Cost Lodi
Would Have Incurred.

- I. Rigorous method based on cost-of-service developed by Consulting Engineer and presented to City Council April 4, 1989.

Result = \$7.34 monthly.

B. Justifiable Alternatives - Just Scaling Down PG&E Payment to Apply in Lodi.

II. Ratio and Proportion of PG&E's Landlord/Owner payment based upon the electric rate differences.

Lodi tenants enjoy a 31.12% lower rate than PG&E area tenants; this represents a usable difference to scale down the PG&E payment.

Result = \$7.82 monthly.

III. Private-to-Public Adjustment of the PG&E Landlord/Owner payment to reflect major cost differences only between PG&E and City of Lodi.

Result = \$8.13 monthly.

Method III has the advantage of a rigorous cost-of-service review by CPUC at no cost to Lodi.

Method III would only require a recalculation on a minimum three-year period pursuant to CPUC formal procedure.

Method I involves a lot of staff work and consultant help; Method II would have to be done every time Lodi or PG&E changes rates.

Therefore, Method III payment of \$8.13 is recommended. Even though this recommendation results in the highest calculated payment amount, justification exists, because City staff saves time and effort by only making a review on a minimum three-year period.

Mr. Richard Hamilton, Attorney-at-law representing Mr. Jim Baum and Western Mobile Home Park Owners advocate addressed the City Council proposing \$10.25 monthly for two years and then \$8.13 monthly.

Discussion followed with questions being directed to Mr. Rice and Mr. Hamilton.

On motion of Council Member Reid, Hinchman second, the City Council approved increasing the payment to mobile home park owners to a level of \$8.13 per month per mobile home wired for service, to become effective March 1, 1990 determined on a private to public adjustment basis every three years.

The motion carried by the following vote:

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Ayes: Council Members - Hinchman, Olson, Reid, and Snider

Noes: Council Members - Pinkerton

Absent: Council Members - None

VOTING DELEGATE AND
ALTERNATE FOR AMERICAN
PUBLIC POWER ASSOCIATION
ANNUAL MEETING NAMED

CC-7(1) On motion of Mayor Snider, Olson second, Council Member Reid was named the Voting Delegate and Council Member Olson as the Voting Alternate for the American Public Power Association Annual Meeting to be held in Denver, Colorado, June 1990.

ORDINANCES

ORDINANCE MODIFYING
CERTAIN SEWAGE SERVICE
AND CONNECTION FEES

ORD. NO. 1475 ADOPTED

CC-44 Ordinance No. 1475 entitled, "An Ordinance of the Lodi City
CC-51(a) Council Modifying Sewage Service and Connecting Fees for Dentist
CC-56 Office, Office-Store-Warehouse, and Grocery Store-Supermarket"
CC-149 having been introduced at a regular meeting of the Lodi City
Council held February 7, 1990 was brought up for passage on motion
of Mayor Pro Tempore Hinchman, Olson second. Second reading of
the ordinance was omitted after reading by title, and the
ordinance was then adopted and ordered to print by the following
vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton, Reid, and
Snider

Noes: Council Members - None

Absent: Council Members - None

ORDINANCES ADOPTING
VARIOUS 1988 UNIFORM
CODES AND THE 1987
NATIONAL ELECTRICAL
CODE

ORD NOS. 1476 - A - F
ADOPTED

CC-24(b) Ordinance No. 1476 - A entitled, "An Ordinance Adopting the
CC-149 Uniform Building Code 1988 Edition, and the Secondary Code
Referred to Therein, Namely the Uniform Building Code Standards
1988 Which Codes Regulate the Design, Construction, Quality of

Materials, Use and Occupancy, Location and Maintenance of Buildings or Structures in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefor, Providing Penalties for the Violations Thereof: Repealing Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, 15.04.080 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton, Reid, and Snider

Noes: Council Members - None

Absent: Council Members - None

Ordinance No. 1476 - B entitled, "An Ordinance Adopting the Uniform Plumbing Code, 1988 Edition, Providing for the Establishing of Minimum Regulations for the Installation, Alteration or Repair of Plumbing and Drainage Systems and the Inspection Thereof: Providing Penalties for the Violations Thereof: and Repealing Sections 15.12.010, 15.12.020, 15.12.040, and 15.12.100 Inclusive of the Code of the City of Lodi and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ordinance No. 1476 - C entitled, "An Ordinance Adopting the Uniform Mechanical Code, 1988 Edition, Which Code Provides Regulations Controlling the Design, Construction, Installation, Quality of Materials, Location, Operation, And Maintenance of Heating, Ventilating, Comfort Cooling, Refrigeration Systems, Incinerators and Other Heat Producing Appliances in the City of Lodi, Providing for the Issuance of Permits and Collection of Fees Therefor; Providing Penalties for the Violations Thereof; and Repealing Sections 15.08.010, 15.08.020, 15.08.030, 15.08.040 and 15.08.060 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ordinance No. 1476 - D entitled, "An Ordinance Adopting the Uniform Housing Code, 1988 Edition, Which Code Provides for the

Continued February 21, 1990

Minimum Requirements for the Protection of Life, Limb, Health, Property, Safety and Welfare of the General Public and the Owners and Occupants of Residential Buildings; Providing Penalties for Violation Thereof, Repealing Sections 15.24.010 Through 15.24.130 Inclusive of the Code of the City of Lodi and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

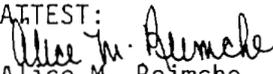
Ordinance No. 1476 - E entitled, "An Ordinance Adopting the Uniform Code for the Abatement of Dangerous Buildings, 1988 Edition, Which Code Provides Regulations for the Repair, Vacation, and Demolition of Buildings or Structures Endangering the Life, Limb, Health, Property, Safety and Welfare of the General Public and Their Occupants; Providing Procedures and Penalties for the Violation Thereof; Repealing Sections 15.28.010 Through 15.28.170 Inclusive of the Code of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ordinance No. 1476 - F entitled, "An Ordinance Adopting the National Electrical Code, 1987 Edition, Which Code Regulates the Installation, Alteration, or Addition of Electrical Wiring, Devices, Appliances, or Equipment in the City of Lodi; and Repealing Sections 15.15.010, 15.16.150 and 15.16.160 of the Codes of the City of Lodi, and All Other Ordinances and Parts of Ordinances in Conflict Therewith" having been introduced at a regular meeting of the Lodi City Council held February 7, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

CLOSED SESSION REGARDING
LITIGATION - DAVENPORT
VS CITY OF LODI

CC-200(d) The meeting was adjourned to a Closed Session regarding litigation - Davenport vs City of Lodi at approximately 11:05 p.m.

ADJOURNMENT The meeting was reconvened from Closed Session and adjourned at approximately 12 midnight.

ATTEST:

Alice M. Reimche
City Clerk