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CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 18, 1991
7:30 P.M.

ROLL CALL Present: Council Members - Pennino, Sieglock,
Snider, and Pinkerton (Mayor)
Absent: Council Members - Hinchman
Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, City Attorney McNatt, and City Clerk
Reimche

INVOCATION The invocation was given by Assistant City Manager Jerry
Glenn.

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

PRESENTATIONS

CHECK RECEIVED FROM SOROPTIMIST
INTERNATIONAL OF LODI

CC-27(c) Alice M. Reimche, President of Soroptimist International of
Lodi presented two checks totaling \$6,643.00 to be used for
the Candy Cane Park project.

CHECK RECEIVED FROM THE OLD
LODI UNION HIGH SCHOOL SITE FOUNDATION

CC-27(e) A check in the amount of \$50,000 was presented by Dennis G.
Bennett, Chairman of the Old Lodi Union High School Site
Foundation to further defray renovation expenses of the
Fine Arts Facility at Hutchins Street Square.

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Snider,
Pennino second, approved the following items hereinafter
set forth. Further, the following items were removed from
the Consent Calendar and discussed and acted upon under the
Regular Calendar:

- a) Agenda item #E-10 entitled, "1345 West
Kettleman Lane, at access to the Municipal
Service Center/Animal Shelter - 'No Parking'
zone";
- b) Agenda item #E-13 entitled, "Public Works
Local Area Network Purchase Concept"; and

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c) Agenda item #E-14 entitled, "Benefit structure for General Services Unit".

CLAIMS CC-21(a) Claims were approved in the amount of \$1,463,070.86.

MINUTES The Minutes of the November 6, 1991 Regular Meeting were approved as written.

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS FOR ASPHALT MATERIALS FOR THIRD AND FOURTH QUARTERS FOR FISCAL YEAR 1991-92 APPROVED

CC-12.1(c) The City Council approved the specifications for Asphalt Materials for Third and Fourth Quarters for Fiscal Year 1991-92 and authorized advertisement for bids to be received Tuesday, December 31, 1991.

The City Council was advised that the City of Lodi advertises for asphalt materials on a semi-annual basis. This bid will cover asphalt materials needed during the third and fourth quarters of fiscal year January 1, 1992 through June 30, 1992. A recap of the quantities is shown below:

<u>Asphalt Materials</u>	<u>Quantities</u>
3/8" Asphalt Concrete	900 tons
1/2" Asphalt Concrete	150 tons

PURCHASE OF ENGINEERING COPIER SYSTEM APPROVED

RESOLUTION NO. 91-230

CC-12(d) The City Council adopted Resolution No. 91-230 awarding the bid for the purchase of Engineering Copier System for the Electric Utility Department to the low bidder meeting the specifications, Stockton Blueprint and Supply Co., in the amount of \$10,344.
CC-300

On November 20, 1991, the City Council approved specifications and authorized advertisement for bids. Bids were opened on December 4, 1991, with results set forth on the following page:

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BID EVALUATION

ENGINEERING COPIER SYSTEM (EUD 91-8)

Supplier	Lease/Purchase		Maintenance	
	12 Quarterly Payments at	Purchase Incl. Tax	Cost Per Year	Brand
Stockton Blueprint & Supply Co. Stockton, CA	\$1,218.65	\$10,344.00	\$ 744.00	Xerox
Xerox Corporation Sacramento, CA	1,407.30	11,222.16	1,164.00	Xerox
Oce'-Bruning Sacramento, CA	1,419.16	12,858.89	837.00	Bruning
Oce'-Bruning Sacramento, CA *	854.19	7,246.19	837.00	Oce'

* Does not meet specifications.

The specifications requested bids for a lease/purchase option as well as a purchase price based on indications that very low or zero interest payment plans may be offered on a lease/purchase arrangement.

A present worth analysis of the alternatives (i.e. lease/purchase versus purchase), including the maintenance costs with the purchase option, shows the purchase to be the most economical option for the City. Maintenance costs are included with the lease/purchase bid option.

It was further recommended that funding for this purchase, including maintenance costs, be transferred from funding included in this fiscal year budget for a pickup truck no longer needed due to staff reassignments.

REVISIONS TO CITY OF LODI DEFERRED
COMPENSATION COMMITTEE

RESOLUTION NO. 91-231

CC-6 The City Council adopted Resolution No. 91-231 appointing
CC-300 Joanne Narloch, Personnel Director to the Deferred
 Compensation Advisory Committee.

The Deferred Compensation Committee with this addition now consists of the following members:

- .Jerry Glenn, Chairman
- .Alice Reimche, Vice-Chairman

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The Deferred Compensation Committee with this addition now consists of the following members:

- .Jerry Glenn, Chairman
- .Alice Reimche, Vice-Chairman
- .Dixon Flynn
- .Mel Grandi
- .Joanne Narloch
- .Elsie Temp
- .Cory Wadlow

The Personnel Department is involved in the day-to-day administration of the program; therefore, it is recommended that the Personnel Director be on the Committee.

PUBLIC HEARING SET REGARDING SOURCE
REDUCTION RECYCLING ELEMENT REVIEW -
FINAL DRAFT

CC-6
CC-22(b)
CC-54

The City Council set the public hearing for the Source Reduction and Recycling Element (SRRE) - Final Draft for Wednesday, February 5, 1992.

The City Council was informed that during the entire length of calendar year 1991, the City of Lodi Solid Waste Management Task Force (SWAM Force) has worked very closely with EMCON Associates to prepare the final draft of the Source Reduction and Recycling Element.

Citizens have been well informed concerning the SRRE: The Lodi News Sentinel has done an outstanding job of informing the public, especially regarding the three cart system. Tamma Ademek has written at least four articles specifically on this subject. An article on the SRRE has also appeared in the Lodi City Newsletter.

Citizens have already been given ample opportunity to comment on the SRRE: On October 9, 1991, the SWAM Force conducted a public hearing on the preliminary draft SRRE. All input received at the public hearing, and all subsequent calls and letters received by their secretary have been considered by the SWAM Force. In addition, the SWAM Force has received written comments from California Integrated Waste Management Board staff, the San Joaquin County AB 939 Local Task Force, County Public Works - Solid Waste Division, and Delta Container Corporation. All of the above input has been considered by the SWAM Force and EMCON Associates in the preparation of the final draft SRRE.

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Continued December 18, 1991

RENEWAL OF AGREEMENT BETWEEN
CITY OF LODI AND BIG VALLEY MODEL
RAILROADERS APPROVED

CC-90

The City Council approved the renewal of an agreement between the City of Lodi and Big Valley Model Railroaders for space in the basement of the Carnegie Forum and authorized the City Manager and City Clerk to execute the agreement on behalf of the City.

The City Council was advised that the Big Valley Model Railroaders Club in 1981 executed a lease with the City for space in the basement of the Carnegie Forum. The purpose was to allow construction of a model railroad landscape. The Club has used the room since that time.

The lease expired on October 31, 1991 and it is the desire of the Model Railroad Club to extend the arrangement. There appears to be no immediate need by the City for this space, so the Council may wish to authorize a new lease.

The lease would cover another 4-year period as has been done in the past and is similar to the former lease with a few minor modifications:

1. The club has paid \$75.00 per month since 1981. The new lease increases that figure to \$100.00 a month and allows annual adjustments based on the Consumer Price Index.
2. Insurance limits have been increased to cover inflation since the lease was originated.
3. Cleanup language was inserted making it clear that either party could terminate the lease on 30 days written notice, with or without cause.

RETIREMENT PLAN FOR PART-TIME,
SEASONAL, AND TEMPORARY EMPLOYEES

RESOLUTION NO. 91-232

CC-34
CC-300

The City Council adopted Resolution No. 91-232 authorizing the City Manager to establish a deferred compensation program for the part-time, seasonal and temporary employees of the City of Lodi and to enroll all active part-time, seasonal and temporary employees in the plan.

The City Council was apprised that recent federal legislation requires that all part-time, seasonal and temporary employees be covered by a retirement system or by

Social Security by January 1, 1992 effective to July 1, 1991. At the present time, none of our part-time, seasonal, or temporary employees are covered by any system. They work for hourly wages only and receive no other benefits.

The City has explored a number of alternatives: a deferred compensation plan, PARS--Public Agency Retirement System, PERS, and Social Security. In our evaluation we looked at ease of administration, benefit to the employee and cost.

PARS is an organization based in Southern California which was first started to provide health benefits to a number of municipalities. When the legislation was passed they expanded their base to include retirement. We were never able to get solid answers as to costs, benefits and administration, primarily because they did not have the staff to send anyone to talk with the City. Staff was reluctant to recommend this plan because of the unknowns.

PERS does not have the mechanism to handle hourly employees without change in legislation and amendment to our contract. We were unable to get any feel for the cost but were told that it would initially be near the cost of our present system -- between fifteen and sixteen percent of payroll in addition to the 1.45% we are presently paying toward medicare insurance. The administration of the plan would entail a great deal of work on the City's part to enroll and dis-enroll persons who work sporadically. This would be especially true of some of our part-time employees in the recreation programs.

Social Security is by far the easiest to administer. However it is expensive to the employee and to the City. Many of our part-time employees are high school and college students who would receive minimal benefit from Social Security and will in all likelihood be members of the system anyway. We have heard from many of these young people asking that they not be required to join the system -- they look upon it as a reduction in their pay.

The least expensive of the options is to establish a deferred compensation program much like the present plan offered to our full time employees. This plan is attractive both to the City and to the employee. The administration on the part of the City is minimal; however, it is more than what it would be if we entered Social Security. We would use a third party administrator who would do the accounting and disbursement of funds. The City would not be required to put any funds into the employee's account. When the employee leaves City service, they would be able to receive their contributions plus accrued interest.

CONTRACT CHANGE ORDER, WHITE
 SLOUGH WATER POLLUTION CONTROL
 FACILITY CAPACITY EXPANSION IMPROVEMENTS,
 12751 NORTH THORNTON ROAD

CC-51(f)

The City Council was reminded that this information is being given to it in accordance with the Contract Change Order policy approved by Resolution 85-72. One of the requirements of this policy is that we inform the City Council of all change orders in excess of \$25,000. Contract Change Order #7, approved by the City Manager, was in the amount of \$83,205 which is .9% of the contract. This Change Order covers the repair of Digester #1 lid.

While doing minor repairs inside of Digester #1 lid, major deterioration of the structural steel was found. The cost of completely replacing the lid was approximately \$200,000. At the time the contract was awarded, the Council was informed that the lids on both Digester #1 and Digester #2 might have to be replaced at a cost of \$400,000. These lids could not safely be inspected until the new digester was constructed and put on-line. The repair of Digester #1 is in the City's best interest. A complete description of the work and backup data is in the Public Works Department files.

This total cost of all change orders to date, including Change Order #7, is \$459,803, or 4.8% of the contract. The original contract price was \$9,681,218. The contract price including change orders is \$10,141,021.

TRAFFIC RESOLUTION AMENDMENT -
 FIRE STATION #2 (705 EAST LODI AVENUE)
 AND FIRE STATION #3 (2141 SOUTH HAM LANE),
 "15-MINUTE PARKING" ZONES

RESOLUTION NO. 91-234

CC-48(k)
 CC-300

The City Council adopted Resolution No. 91-234 amending the Traffic Resolution #87-163 to approve the installation of 15-minute parking zones in front of Fire Station #2 (705 East Lodi Avenue) and #3 (2141 South Ham Lane).

The Public Works Department has received a request from the Fire Department for the installation of limited on-street parking zones in front of Fire Station #2 and Fire Station #3. The basis of this request is to provide short-term parking for citizens stopping to report fires, traffic collisions, and other Fire Department business. On-street parking in front of Fire Station #2 (East Lodi Avenue) is not always available due to regular use by businesses in the area. Parking in front of Fire Station #3 (South Ham Lane) is heavily used during sporting events at nearby Beckman Park. Due to the lack of on-street parking

available for the public access to the fire stations, vehicles have occasionally been parked in the driveway blocking the movement of the fire trucks.

The Police Department has indicated that Community Service Officers should be able to provide parking enforcement in these areas on an on-call basis.

Based on the Fire Department's need for available parking at fire stations for public use, staff recommended that City Council approve the 15-minute parking zones.

In addition to the limited-parking zones, the Fire Department has requested the installation of a 20-foot "no parking" zone between the driveway of Fire Station #2 and the driveway of the business (truck repair) to the west. Due to the short length of this parking area, some vehicles overhang into the adjacent driveways. The City code authorizes the Public Works Director to install this "no parking" zone and it is indicated here as a matter of information.

WHITE SLOUGH WATER POLLUTION CONTROL
FACILITY LEASE, 11775 NORTH THORNTON
ROAD

CC-51(f)
CC-90

The City Council authorized the City Clerk to invite proposals for a lease on 14- acres of corralled agricultural land at the White Slough Water Pollution Control Facility.

There is a 14- acre parcel at White Slough which has corrals and facilities for raising cattle. The present tenant has been subleasing the property from the Bert Van Ruiten estate. That lease has expired and the City wishes to go to bid with the term of the new lease ending on December 31, 1993, the same as the other leases at White Slough. There would be an option to renew for an additional five years. The beginning date of the lease would depend on how soon the tenant would begin operations on the land.

Because this parcel is set up for the purpose of raising cattle and is presently being used for that purpose, we will place a minimum bid of \$1,000 per month for this lease. The tenant has indicated that the current rate is somewhat higher than market.

SAN JOAQUIN COUNTY'S WITHDRAWAL
OF REQUEST TO SERVE THE COMMUNITY OF
VICTOR WITH WATER

CC-51(b)

The City Council was reminded that at its meeting of November 20, 1991, it took no action on the Victor Water

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Service request and continued the matter until the question on CEQA requirements could be evaluated.

The City recently received the following letter from the County of San Joaquin withdrawing its request for the City to supply bulk water to the community of Victor.

At the Lodi City Council meeting of November 20th, the City Council expressed concern regarding a precedent which could be set by providing water service to the Community of Victor. Even though it appears that the majority of the Council may be receptive to the proposal, we are concerned that their interest relies only upon a substantial benefit being derived by the City of Lodi.

If the City Attorney had not questioned whether or not CEQA review was necessary, I anticipate that the Council may have conceptually approved the proposal subject to the drilling of test wells east of the City to ascertain that suitable well sites were available.

Connection to the City of Lodi is not the most cost-effective alternative for the Community of Victor. It does, however, make the best water management sense for both Victor and Lodi. Additionally, the alternative of connection to the City of Lodi requires a total up front expenditure. The other available alternatives can be staged, easing the funding requirements for Victor.

In asking for connection to the City of Lodi, we felt that our request was reasonable; agreeing to pay the capital costs required for the Transmission Facility, deeding that facility to the City of Lodi for its future use and provision for future connections. We also agreed to pay the City's connection fees and established water rate of 150 percent of that amount charged to City residents, even though we feel that this charge is not reasonable considering the fact that the City would not have to maintain the Distribution System.

In our opinion, the County was willing to pay more than its fair share for this interconnect. However, it appears that the City of Lodi desires an even better "deal" and final approval, if obtained, would be unacceptably delayed. The County hereby withdraws the request made on behalf of the Community of Victor for water service from the City of Lodi.

COMMENTS BY CITY
COUNCIL MEMBERS

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

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STAFF REQUESTED TO LOOK INTO
FEASIBILITY OF DRILLING CITY WATER
WELLS ALONG MOKELUMNE RIVER

CC-6 Council Member Sieglock asked that staff pursue looking
CC-183(a) into drilling City water wells along the Mokelumne River.

APPRECIATION AND SEASONS GREETINGS
VOICED

Council Member Sieglock thanked his colleagues and City staff for their help during his first year as a member of the Lodi City Council and wished everyone a very Merry Christmas.

Mayor Pinkerton wished the City staff, his fellow City Council members and the citizens of this community a very Merry Christmas and Happy New Year.

FIRE DEPARTMENT'S CHRISTMAS PROGRAM
APPLAUDED

Mayor Pro Tempore Pennino stated that he and his family had participated in the Fire Department's Christmas Fire Truck program and complimented the Lodi Fire Department on this very fine program.

FREE DIAL-A-RIDE SERVICE ON NEW YEAR'S EVE

CC-50(b) Assistant City Manager Glenn announced that Dial-A-Ride would once again be providing free Dial-A-Ride service on New Year's Eve from 7:00 p.m. until 3:00 a.m. New Year's Day and urged all citizens of this community not to drink and drive and to take advantage of this program.

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:

LODI SYMPHONY ORCHESTRA AND
CHORUS PERFORMANCE

Eileen St. Yves announced that the Lodi Symphony Orchestra and Chorus will be performing Handel's Messiah on Friday, December 20, 1991 at 8:00 p.m., at the United Congregational Christian Church, 701 South Hutchins Street, Lodi.

PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing regarding unmet transit needs within the City of Lodi.

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UNMET TRANSIT NEEDS PUBLIC HEARING

CC-50(b)

Assistant City Manager Glenn gave the following report of an earlier public hearing which had been held at Hutchins Street Square at 10:00 a.m., this date:

Assistant City Manager Jerry Glenn opened the hearing at approximately 10:05 a.m. Eleven members of the public were in attendance.

The following points or statements were made:

- ° Ad Hoc Transportation Committee;
 - . change hour so that attendance would be more regular
 - . representative from Kettleman Lane should be on Committee
- ° Environmental concerns should be addressed in determining methods of meeting transportation needs;
- ° Need to eliminate single-driver trips;
- ° Need to monitor and utilize available Federal and State funds;
- ° Need to work with School District to maximize transportation resources;
- ° Reduce wait times - one hour is too long; and
- ° Lodi to Stockton transportation is not available - tie in with SMART.

The meeting was closed at 10:35 a.m.

Addressing the City Council regarding the matter were:

- a) Eileen St. Yves, 310 South Orange Street, Lodi who suggested that Dial-A-Ride tickets should be available for sale at additional locations within the City. She also stated that she feels the system needs to be expanded to allow more citizens to get around and spend money in the community.
- b) Lillian Goldsmith, representing the Lodi Senior Citizens Commission presented the following report:

City of Lodi Transportation Hearing December 18, 1991

The Senior Citizens Commission has a continuing interest in the transportation of seniors and the Dial-A-Ride system. They also wish to be involved with enabling active seniors, the general public, employees, and students to move about the City and to the cities of San Joaquin County. With this in mind, we have a transportation committee within the Senior Citizens Commission which regularly reports to the group, as does our member on the AD HOC committee.

AD HOC Committee

We wish to commend the city for appointing this committee so more segments of the city might participate in studying the transportation issue. The chairman, Phil Pennino, and city representative, Jerry Glenn, have been very cooperative in working with the Senior Citizens Commission. However, we believe they are handicapped by the time assigned to the meeting. The attendance at the meeting is irregular and poorly attended. We believe Thursday at 4:30 p.m. is a very bad time to hold a meeting of any kind and maintain good attendance. However, if a member is to be absent, he might ask for someone to sit in on the meeting so that there is some continuity. On a committee of twelve, six or eight attend, in fact one meeting there were only three and at the next meeting, six entirely different persons were present.

We suggest that the Committee have a more positive approach to the issues, and there is a follow-up on the proposals made by SMTD, Stockton Transit System. Also, that more attention be given to the concerns of the larger employers of the area, namely, Lodi Unified School District, General Mills, City employees, Kettleman Lane shopping areas, and Cherokee Lane merchants.

Dial-A-Ride

The services have improved and the waiting time has decreased. The managers of this system have been cooperative in trying to solve problems. However, with the use of Dial-A-Ride by more of the general public, the system is becoming overloaded. Many active seniors would use a bus system if it were available. Of course, we understand this would not take place overnight, but with careful planning and a good campaign for the service they would soon be happy to use the bus service.

The Adult Day Care Services at Hutchins Street Square has met with Mr. Jerry Glenn and Mr. Ray Neal about improving services. A subscription service has been suggested as is used in Roseville. In this plan a car is waiting at the center at a specific time each day unless otherwise

notified. Frail seniors are finding it hard to wait the average 25 minutes.

Cities surveyed in the surrounding area all maintain their Dial-A-Ride service as they adopt a fixed-route scheduled system. Its use for the frail senior and handicapped persons is not eliminated.

Transportation Survey

Responses to a letter sent out to the transit system in 10 cities and counties were used to come up with the following conclusions:

1. Dial-A-Ride still operated within the city limits and in some areas they connected with county wide transit. Dial-A-Ride was used by frail seniors and handicapped persons.
2. City transit systems tied in with county wide transit through a local fixed-route scheduled bus service.
3. Fares were charged to the general public (19-60 years), seniors (60+), and handicapped, and students (5-18 years). Children below five years when accompanied by parent or an adult rode free. Transfers were usually free throughout the city.
4. Exact cash fares could be received or passes for daily or monthly use were sold.
5. Daily schedules, Monday-Friday, and special schedules for weekends were available.
6. Student fares were an important segment of the success of the system.
7. Funds for transportation were obtained through TDA (Transportation Development Act), STF (State Transportation Fund), and LTA (Local Transit Assistance).

Lodi Unified School District

At the School Board meeting of September 17, 1991, Mr. Jay Zimmerman, school bus administrator commented, "By the year 2000, many school buses will have to be replaced, in fact, 36 Type-I buses costing \$80,000-\$90,000 each, 34 smaller buses for Special Education and other needs at the cost of \$45,000 each". This totals up to \$4-5 million dollars.

OSI

The Senior Citizens Commission has met with Lodi Unified School District Superintendent, Sam Swofford, and indicated he is anxious "to come together, and offset costs". Isn't it time to come together and try to minimize costs and duplication? The same people pay school taxes and city taxes. It's time to approach the problem as a unit and formal discussions should be arranged.

Currently, the District has the following fixed routes in Lodi:

Lakewood School to Woodbridge
Lakeshore area to Vinewood (south of
Kettleman)
Adult School (corner Pine/Cherokee to
Woodbridge)

Lodi News Sentinel

We wish to compliment the Sentinel for the excellent investigative reporting they conducted last April to alert the citizens to the issues of transportation. This information could be used as background reference material in studying the issue. For example; April 16, the Sentinel reported "39,000 trips across Eight Mile Road on I-5 each weekday". On April 22 the Editorial related: "SMTD Board of Directors approved a plan to extend borders of their District to provide Manteca, Lodi and Tracy with buses running every half hour during peak morning and evening commuter times. Look at the plan with an open mind; if the City can't afford a system, perhaps we need to cooperate with a regional plan".

On December 7, the Sentinel reported the Chamber of Commerce meeting with Barton Meays, Executive Director of COG (Council of Government), who is concerned about Measure K monies: "identify the lobby for Lodi's transportation needs and support COG's request for State Funds".

In conclusion, the Senior Citizens Commission Transportation Committee proposes:

1. The AD HOC Committee should continue its meetings and reporting to the City Council. They should consider changes in meeting times so regular attendance might be realized.
2. The AD HOC Committee should set up meetings with SMTD and encourage a commitment from the City Council.
3. The Committee should set up a format enabling the City Council and the Lodi

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Unified School District and find ways and means to cooperate on transportation needs.

4. The Committee should encourage the Chamber of Commerce to follow up COG's request to lobby for Lodi's needs and State funds. There will be a survey conducted by COG on transportation available in Lodi and report their findings at their April meeting when funds will be distributed and program approved for 1992.
5. The Committee should meet with all area merchants for input.
6. Inquire if General Mills is interested in acknowledging federal program to eliminate single drivers.
7. The City Council should maintain a positive, creative attitude as they work with SMTD and COG.

It was also pointed out that there is a need to advertise that Dial-A-Ride is available for people of all ages.

Mayor Pro Tempore Pennino acknowledged with appreciation Eileen St. Yves, Sally Podesto, and Dr. Leroy Buller and the other members of the City of Lodi Ad Hoc Transportation Committee.

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

No formal action was taken by the City Council regarding this matter.

PLANNING COMMISSION City Manager Peterson presented the following Planning REPORT Commission Report of the Planning Commission Meeting of December 9, 1991:

CC-35

The Planning Commission -

- a. Accepted withdrawal of the following requests of Robert E. Lee and Associates on behalf of Chevron USA, Inc.
 1. to amend the Zoning Ordinance to permit self-service car washes in C-1, Neighborhood Commercial zones; and
 2. to certify the filing of a Negative Declaration by the Community Development

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Director as adequate environmental documentation.

- b. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc., Consulting Engineers, on behalf of United Ceramic Industries for a lot line adjustment between 622 and 626 North Sacramento Street and a parcel merger at 626 North Sacramento Street in an area zoned M-2, Heavy Industrial.
- c. Conditionally approved the request of Dennis Peck for a lot line adjustment between 309 and 309-1/2 West Walnut Street in an area zoned R-C-P, Residential-Commercial-Professional.
- d. Continued the following requests of Lodi-Honda until January 13, 1992.
 - 1. to install a programmable electronic display identification sign on an existing 70-foot sign structure at 1700 South Cherokee Lane in an area zoned C-2, General Commercial; and
 - 2. for a Zoning Variance to increase the allowable sign size at 1700 South Cherokee Lane in an area zoned C-2, General Commercial.
- e. Determined that a Zoning Hardship did not exist and denied the request of Tim Mattheis, Wenell, Mattheis, Bowe Architects for a Zoning Variance to reduce the requested front yard setback to permit a 6-foot high fence at 505 Pioneer Drive in an area zoned C-2, General Commercial.
- f. Determined that the existing conditions constituted the basis of a Zoning Hardship and approved the request of Walter E. Reiss, M.D. on behalf of Ham Lane Clinic for a Zoning Variance to reduce the setback requirements to permit an illuminated sign within the 10-foot setback area at 1235 West Vine Street in an area zoned R-C-P, Residential-Commercial-Professional.
- g. Accepted withdrawal of the request of Concrete Inc. for a temporary office trailer at 1360 East Turner Road in an area zoned M-2, Heavy Industrial.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On motion of Council Member Sieglock, Snider second, the City Council denied the following verified claim and referred it back to the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA):

- a) Tiffany Dabbs, a minor, date of loss 4/17/91.

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REAPPOINTMENTS TO VARIOUS CITY OF LODI
BOARDS AND COMMISSIONS

CC-2(e) On motion of Council Member Snider, Pennino second, the
CC-2(f) City Council concurred with the following reappointments
CC-2(i) made by Mayor Pinkerton on various City of Lodi Boards and
CC-2(1) Commissions:

Lodi Senior Citizens Commission

Trella Arieda four-year term expiring December
31, 1995

Terry Whitmire four-year term expiring December
31, 1995

Mosquito Abatement District

Robert S. Fuller two-year term expiring December
31, 1993

Personnel Board of Review

Margaret Reed Talbot four-year term expiring January
17, 1996

Site Plan and Architectural Review Committee

Janet Robinson four-year term expiring January 1,
1996

Mayor Pro Tempore Pennino urged citizens of this community
to apply to serve on a City Board or Commission.

REGULAR CALENDAR

METHODOLOGY FOR CALCULATION/RE-CALCULATION
OF DEVELOPMENT IMPACT FEE FOR SUNWEST PLAZA
SHOPPING CENTER (WAL-MART)

CC-46 Council Member Randy Snider abstained from discussion and
CC-56 action on this matter because of a possible conflict of
interest.

The City Council was reminded that the new development
impact mitigation fees became effective in November 1991,
and with exemptions granted to "projects in progress" and
the lag in new residential development with the growth
management plan, the initial projects paying the fees are
those for which a public improvement fee agreement was
signed as part of the annexation for the property.
Unfortunately, these have been the most difficult to
calculate as they involve commercial projects that do not
clearly fit the standard fee categories.

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The most significant problem involves the first phase of the new shopping center at the southwest corner of Kettleman Lane (Highway 12) and Lower Sacramento Road (Sunwest Plaza/Wal-Mart). The land has a general plan designation of "neighborhood commercial". The City's fee schedule shows a total mitigation fee of \$41,280 per acre for this type of project. However, the EIR for this project indicated traffic generation comparable to that of "general commercial" land which, if applied, would add an additional \$10,510 per acre. With this documentation, staff was prepared to add this fee to the project.

The developers objected to this, citing the published fee schedule, and also asked for downward adjustments based on the service demands of the Wal-Mart store that comprise the first phase of the project. The impact fee ordinance (Section 15.64.120) allows such adjustments to be made by the Public Works Director and provides an appeal process to the Council.

Given the confusion over the published fee schedule, staff feels it is reasonable that the fees for this project not exceed those shown on the schedule and asks for Council direction on this. To avoid future confusion, staff is evaluating modifications to the schedule, probably by adding a "shopping center" category. We will bring this to the Council early next year. In the interim, we have added a note to the schedule as shown on the following page. Also, the requested downward adjustments are in line with the ordinance and can be handled by staff.

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Along with the adjustments, the developers have also requested credits for various public improvements they are making as part of their project. Most of these are already authorized by City ordinance and include oversize water main and major crossing credits, mast storm drains and portions of street widening on Lower Sacramento Road. These will be included in their public improvement agreement as fee credits. They have also requested some credit for excess widening on Highway 12 and the cost of the signal relocation at Highway 12 and Lower Sacramento Road. Although this work was not included as a "project" in the impact fee program, the participation in the cost of widening is appropriate due to the excess width as defined in the new public improvement reimbursement ordinance. Similarly, the signal work was not included, however, with the City participation in the widening cost and the fact that the signal was installed by the State and the County, without utilizing the available R/W, staff feels a credit is appropriate. With Council approval, staff will include this widening and signal work as a fee credit (approximately \$90,000). Note that all of these credits are funded from the various impact fee funds.

The total net impact fees for the Wal-Mart portion (12.5 acres, 120,000 SF building) including all the adjustments and credits discussed above, will be approximately \$350,000.

In summary, staff is requesting approval on the following:

1. Using the neighborhood commercial rate for street impact fees on this project.
2. Including the excess widening on Highway 12 and signal relocation work at the intersection of Lower Sacramento Road and Highway 12 in the list of impact fee projects. This will allow fee credits for this work done by the developers.

Discussion followed with questions being directed to staff and to representatives of the project who were in the audience.

Following discussion, on motion of Council Member Sieglock, Pennino second, the City Council took the following action regarding the methodology for calculation/re-calculation of Development Impact Fees for Sunwest Plaza Shopping Center (Wal-Mart):

- a) Approved the use of "neighborhood commercial" rates for street impact fees on the Sunwest Plaza Shopping Center.

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Continued December 18, 1991

- b) Approved the inclusion of the excess widening on Highway 12 and the signal relocation at Highway 12 and Lower Sacramento Road as impact fee funded projects.

The motion carried by the following vote:

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

Absent: Council Members - Hinchman

Abstain: Council Members - Snider

"NO PARKING" ZONE 1345 WEST KETTLEMAN LANE (STATE HIGHWAY 12), AT ACCESS TO THE MUNICIPAL SERVICE CENTER/ANIMAL SHELTER

RESOLUTION NO. 91-233

CC-48(e)
CC-300

The City Council was advised that the Engineering Division has received a request for the installation of a "no parking" zone on Kettleman Lane adjacent to the driveway access to the MSC and Animal Shelter. Trucks and other vehicles parking on Kettleman Lane adjacent to this driveway make it difficult for drivers to see approaching vehicles while exiting onto Kettleman Lane. Exiting is especially difficult for drivers of large trucks laden with equipment or towing supplies such as power poles.

Engineering staff has surveyed this location to determine truck parking and parking demand. The results of the survey indicate that, on several occasions, staff has observed trucks and other vehicles parking adjacent to this driveway. Overall parking demands in the area appear to be minimal. Available accident records, from 1988 to the present, indicate that there have been no accidents at this location.

In order to provide adequate sight distance for vehicles exiting from this driveway, staff recommended that Council approve the installation of 157 feet of "no parking" east of the driveway and 72 feet west of the driveway. The entire length of this "no parking" zone lies in front of City owned property.

Caltrans approval is required for this "no parking" zone after City Council approval.

Following discussion, on motion of Council Member Snider, Pinkerton second, the City Council adopted Resolution No. 91-233 approving the installation of a "No Parking" zone on the north side of Kettleman Lane adjacent to the driveway

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access to the Municipal Service Center (MSC) and Animal Shelter. Forty-two feet of parking area will be provided immediately west of the Flame Liquor westerly Kettleman Lane driveway.

PUBLIC WORKS LOCAL AREA NETWORK
PURCHASE CONCEPT APPROVED

RESOLUTION NO. 91-235

CC-12(d)
CC-300

The City Council was reminded that as part of the 1991/92 operating budget, the City Council approved the purchase of a microcomputer local area network for the Public Works Department. This purchase was a major part of the previously approved switch from a minicomputer-based, limited use, drafting system to a more flexible, less expensive microcomputer-based system. This switch was approved by the Council in March 1991.

The budget request for the network was for \$49,000. In light of budget restrictions, it was decided to phase the work; thus \$30,000 was approved in the budget with the following funding:

\$7,500	Sewer Fund
\$7,500	Water Fund
\$7,500	Gas Tax
\$7,500	Equipment Fund

Now that we have completed the drafting switch to microcomputers, the need for the local area network to share drawings and the plotter is more critical than ever. In our budget request we assumed we would go to bid for a complete turn-key package. However, through our research and preparatory training we have concluded that the City would be better served by purchasing the various system components separately and setting up the network ourselves. We would still obtain price quotes on the components from various vendors. We will save resale markup and installation costs. We will also be able to select and purchase the components on our schedule rather than specifying and purchasing everything in one lump sum. We propose to make limited use (not to exceed \$2,000) of a local consultant to help select some of the hardware and assist in the initial set up.

In this way, our staff will have a much better knowledge of the system and will be able to add users and make system changes without an expensive on-going support contract. Thus we will save money in the long run as well as in the short term.

The components of the system will cost less than \$5,000 apiece, so our normal informal purchasing procedures can be

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used. However, we do wish to obtain Council approval for the specifying of a Hewlett-Packard (HP) file server. The file server is the most critical component of the system and HP is well known for reliability and quality. All the existing microcomputers to be networked are made by HP, thus network administration will be simpler.

The network project includes some new work stations. For this and for future new microcomputers to be added to the network, we wish to investigate the use of "clone" machines in order to reduce costs. In order to be consistent with either our system or the Finance and Personnel departments', staff asked that Council limit the specification to either HP or HIQ microcomputers. The purchase of HIQ computers for Finance and Personnel was recently approved by the City Council.

Following discussion, on motion of Mayor Pro Tempore Pennino, Snider second, the City Council adopted Resolution No. 91-235 authorizing staff to proceed with the acquisition of a microcomputer local area network for the Public Works Department not to exceed \$30,000.

BENEFIT STRUCTURE FOR GENERAL SERVICES
UNIT APPROVED

RESOLUTION NO. 91-236

CC-34
CC-300

The City Council was advised that negotiations with the General Services unit have collapsed. Staff has been negotiating with that unit since May, the State Mediator has been called in to no avail, even after he left we continued to meet with the employees group, after they appeared before the City Council to explain their frustrations and feelings we again met, on November 29th the negotiating teams put together a package of salary and benefits which represented the City's best offer. On Monday evening December 9, 1991 the General Services unit rejected that offer.

The Council has indicated that they want to implement the package of benefits that were offered to the General Services unit. The aforementioned list are those items that the City last placed on the table and it is recommended the City Council direct the City Manager to implement those items.

- 1) Establish a flexible spending account to conform to IRS regulations to be used for premium contributions, dependent care and/or unreimbursed medical payments for unit members.

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- 2) Effective January 6, 1992 City contribute \$25.00 per pay period to deferred compensation account of any member who does not have dependents covered under the medical insurance plan.
- 3) Effective January 6, 1992 the City will contribute an additional \$100 per month (\$46.15 per pay period) to any employee who has medical insurance from another source and does not need coverage from the City.
- 4) Effective January 1, 1992 only one family member may carry employee and dependent coverage of City sponsored medical insurance.
- 5) Effective January 1, 1992 broaden medical coverage to include paying 80% of the first \$750 of expenses for chronic physical therapy care.
- 6) Effective January 1, 1992 the co-payment for prescription coverage will increase to \$10.00 and the plan will be in accordance with Foundation Health Drug Program RxL.
- 7) Effective January 1, 1992 the vacation accrual schedule will be enhanced for those employees with 12, 13, and 14 years of service to 17 days accrual per year.
- 8) If an employee has had jury duty of six hours or more during a 16 hour period immediately preceding the beginning of or following the end of his/her regular work hours on a work day, he/she will be given a rest period of six consecutive hours.
- 9) If an employee is required to report for prearranged work on a non-work day or holiday, he/she will be paid the overtime rate for actual hours worked with a minimum of 3 hours.
- 10) A retiring employee will be able to choose a cash pay-off of accumulated sick leave at the rate of \$.30 on the dollar.
- 11) Employees will be able to use family sick leave for parents or children not residing with the employee.
- 12) The grievance procedure will be that enjoyed by Maintenance and Operators unit with the

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exception that the grievant may select one member of the Board of Review hearing the grievance.

- 13) SJPEA will have the right to use City facilities for union meeting subject to advance notice and availability.
- 14) Effective July 8, 1991, an incentive program for subprofessional engineering positions will be implemented to pay (\$23.08 per pay period) for the following certificates:
- a) Engineer-in-training
 - b) Land-Surveyor in training
 - c) Land Surveyors License
- 15) Effective the quarter beginning July 1, 1991, modify the uniform allowance as follows:
- * Animal Control Officer \$125/Quarter
 - * Asst. Animal Control Officer \$125/Quarter
 - * Parking Enforcement Assistant \$75/Quarter
 - * Meter Reader \$75/Quarter

Following discussion, on motion of Council Member Snider, Pennino second, the City Council adopted Resolution No. 91-236 implementing a benefit structure for the General Services Unit as set forth above.

ORDINANCES There were no ordinance listed on the agenda for adoption.

CLOSED SESSION It was determined that it would not be necessary to hold a Closed Session regarding labor relations.

ADJOURNMENT There being no further business to come before the City Council, Mayor Pinkerton adjourned the meeting at approximately 8:35 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk