

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 4, 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, Public Works Director
Ronsko, City Attorney McNatt, and City Clerk
Reimche

INVOCATION The invocation was given by Pastor Lee Hamby, Temple
Baptist Church.

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

PRESENTATIONS There were no presentations, awards, or proclamations
presented at this Council Meeting.

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.

CLAIMS CC-21(a) Claims were approved in the amount of \$4,592,670.30.

MINUTES The Minutes of August 7, 1991 (Regular Meeting) were
approved as written.

SALE OF SCRAP WIRE AND METAL,
#3/0 TRIPLEX, SUBMERSIBLE PUMP
AND MOTOR APPROVED

CC-20 The City Council authorized the advertisement for bids for
CC-47 the sale of one lot of scrap wire and metal, one reel of #3
Triplex cable, and one submersible pump and motor removed
from Well #17,

The City Council was apprised that during the course of
operations the City utility departments generate quantities
of scrap wire and metal. Periodically, the City will sell
such quantities to scrap metal dealers on a highest-bid,
all-or-none basis.

The current quantities of scrap metal to be advertised for sale are as shown below. Estimated revenue from this portion of the sale is \$2,700.

Scrap Wire and Metal - Detail of Items and Weights

Bare Copper	550 lbs.
Insulated Copper	1,950 lbs.
Bare Aluminum	860 lbs.
Insulated Aluminum	6,000 lbs.
Underground Cable	850 lbs.
Scrap Iron	3,000 lbs.
Transformer Casings, Capacitor Casings	1 lot consisting of about 15 shells
Luminaire Housings, (Mercury Vapor, replaced by High-Pressure Sodium)	1 lot consisting of about 45 aluminum housings

The Electric Utility Department also has one reel (approximately 1,000 feet) of #3/0 Triplex which is of no further use in the City's distribution system. The estimated revenue from the sale of this cable is \$500.

The Water/Wastewater Department recently removed from Well #17 a submersible pump for which the motor had failed. Repair estimates for the motor have ranged as high as \$7,000, and the pump is not usable for spare parts. Revenue from the sale of the pump and failed motor is estimated to be about \$2,800.

STANDARDIZATION OF POLICE LIGHT
BARS AND EMERGENCY EQUIPMENT

RESOLUTION NO. 91-161

CC-20 The City Council adopted Resolution No. 91-161 approving
CC-47 the standardization of purchase of future police light bars
CC-300 and emergency equipment used by the City of Lodi Police
Department with River City Installation located in
Sacramento, California.

The City Council was apprised that at the present time, the patrol units of the Lodi Police Department are equipped

with twin sonic light bars and Unitrol control boxes. The Unitrol control boxes are approximately 20 years old and most of the light bars are approximately 10 years old.

In the 1991-92 budget we received approval to begin replacing this equipment on a rotation basis over the next three years. We will be replacing the light bars and control boxes, six at a time, beginning this year.

In preparation for this equipment acquisition, we have conducted research to determine a company that might meet our needs for equipment and installation. We had different types of light bars placed on the patrol units on an experimental basis, and have concluded that the Code 3 light bar with the Unitrol control box best meets the needs of this department.

In working with River City Installation, we have found that they have the parts and materials readily available, and the expertise to keep our emergency equipment in good working order.

River City Installation is providing emergency equipment to the following agencies: West Sacramento PD, Amador County Sheriff's Office, Yolo County S/O, City of Dixon, City of Davis, City of Jackson, City of Shafter and the Department of Fish and Game. We have checked with several of these agencies and they have been extremely happy with the service and equipment provided by River City Installation.

Section 3.20.040 (Exemptions from Centralized Purchasing) authorizes the City Council to standardize on specific supplies, services and equipment. The Lodi Police Department has enjoyed a successful program with River City Installation thus far. It appears that it would be most advantageous to use their service and product, it is recommended that the City standardize on police light bars and emergency equipment.

SPECIFICATIONS AND ADVERTISEMENT
FOR BIDS FOR LANE LINE PAINTING,
VARIOUS STREETS, 1991 APPROVED

CC-12.1(c) The City Council approved the specifications for Lane Line Painting, Various Streets, 1991, and authorized advertising for bids to be received Wednesday, September 18, 1991.

This project provides painting of lane lines on arterial and collector streets on an annual basis, and approximately 50 percent of residential streets. Should the actual bid be less than the amount budgeted, the difference will be used to paint additional lane lines.

A recap of lane lines and quantities is shown below:

LANE LINES	MILES
Broken White/Yellow	54.5
Double Yellow	13.9
Eight-inch Solid White	2.3
Edge Line	8.1
Transitional	.6
Two-way Left Turn	<u>8.2</u>
TOTAL MILES	87.6

PURCHASE OF DUMP TRUCK,
 STREET DIVISION

RESOLUTION NO. 91-162

CC-12(d) The City Council adopted Resolution No. 91-162 approving
 CC-300 the purchase of a dump truck for the Street Division from
 Interstate International, Stockton, California in the
 amount of \$52,077.45.

Funds to purchase a dump truck were approved in the 1990-91 operating budget and specifications and advertisement for bids were approved by the City Council on August 7, 1991. Bids were opened on August 21, 1991 and one bid was received.

The bid exceeds the budgeted amount of \$51,340 by \$737.45. This increase is mainly due to a 1.75% increase in sales tax since that unit was approved.

PURCHASE OF TRACTOR/LOADER
 WITH EXTENDABLE BACKHOE, STREET
 DIVISION

RESOLUTION NO. 91-163

CC-12(d) The City Council adopted Resolution No. 91-163 approving
 CC-300 the purchase of a tractor/loader with extendable backhoe
 for the Street Division from Reed Equipment Company,
 Stockton, California in the amount of \$40,324.94.

Funds to purchase a tractor/loader with extendable backhoe were approved in the 1990-91 operating budget and specifications and advertisement for bids were approved by the City Council on August 7, 1991. Bids were opened on August 21, 1991 and three bids and one alternate bid were received.

The following is a recap of the bids received:

Reed Equipment, Stockton	\$43,557.94
Reed Equipment, Alternate Bid	\$40,324.94
Case Power and Equipment Co., Stockton	\$44,594.55
Holt Bros., Stockton	\$44,734.57

CONTRACT AWARD FOR STOCKTON STREET
WATER MAIN, LOCKEFORD STREET TO DONNER WAY

RESOLUTION NO. 91-164

CC-12(a)
CC-300

The City Council adopted Resolution No. 91-164 awarding the contract for Stockton Street Water Main, Lockeford Street to Donner Way to Teichert Construction in the amount of \$77,487.00.

This project is for the construction of 2,000 linear feet of a 10-inch Master Plan water main along Stockton Street. This water main project includes updating fire protection and water service in the area and will serve as the point of connection for the new water well #24, located on Stockton Street, north of the Grape Bowl.

Plans and specifications for this project were approved on August 7, 1991. The City received the following 15 bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$110,248.00
Teichert Construction	Stockton	\$ 77,487.00
Clyde Wheeler Pipeline	Oakdale	\$ 94,262.00
DSS Construction	Stockton	\$102,422.50
W.M. Lyles Co.	Acampo	\$104,936.45
Scrimsher & Mineni	Modesto	\$106,779.00
Phillips Backhoe & Trenching	Lodi	\$107,006.50
Jardin Pipeline	Hayward	\$107,537.00
Ksenco Construction	Mokelumne Hill	\$109,980.00
Michaels Construction	Modesto	\$110,951.00
Wayne Fregien	Stockton	\$113,400.00
J. Bird & Sons	Folsom	\$116,548.00
Crutchfield Construction	Stockton	\$119,573.00
Claude C. Wood Co.	Lodi	\$129,615.00
Hardrock & Cox	Redding	\$134,749.00
Ford Construction	Lodi	\$182,380.00

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

CC-90

This information regarding a Contract Change Order for the White Slough Water Pollution Control Facility was given to the City Council 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 #4, approved by the City Manager, was in the amount of \$80,215 which is .83% of the contract. This Change Order includes modifications to the Headwork's influent distribution box, the Headwork's Building, the Chlorine Building, and the Control Building; replacement of galvanized grit hopper with a stainless steel grit hopper; rerouting of the electrical duct work; and other miscellaneous work. The time of completion was not affected by this Change Order.

One item listed on the Change Order was caused by an error on the Engineers' part and they have agreed to reimburse the City \$11,243.

The total cost of all change orders to date including Change Order #4, is \$269,225 or 2.8% of the contract. The original contract price was \$9,681,218. The contract price including change orders is \$9,950,443.

ACCEPTANCE OF IMPROVEMENTS
AT GRIFFIN INDUSTRIAL PARK

RESOLUTION NO. 91-165

CC-46
CC-300

The City Council adopted Resolution No. 91-165 accepting the subdivision improvements included in Griffin Industrial Park, as filed on August 15, 1989, in Volume 29, Page 94, Book of Maps and Plats, San Joaquin County Records.

Improvements in Griffin Industrial Park have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and GMM Partnership, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

STREETS	LENGTH IN MILES
Commerce Street	0.23 mi.
Guild Avenue	0.23 mi.
Lodi Avenue	0.12 mi.
Pine Street	0.00 mi.
TOTAL NEW MILES OF CITY STREETS 0.58 mi.	

DEPUTY TREASURER DESIGNATED
TO ACT IN TREASURER'S ABSENCE

RESOLUTION NO. 91-166

CC-6 The City Council adopted Resolution No. 91-166 designating
 CC-21(a) Diana White-Messing, Assistant Finance Director, as the
 CC-300 authorized Deputy Treasurer to act in the Treasurer's
 absence.

The Treasurer of the City of Lodi performs the following functions:

1. Acts as trustee and custodian of all monies;
2. Disburses public monies in accordance with prescribed statutes and pays in a timely manner; and
3. Invests temporarily idle monies in accordance with state or local statutes, regulations and administrative directives.

From time to time, it would serve the best interest of the City of Lodi to designate a Deputy Treasurer to perform these functions in the absence of the Treasurer.

The Assistant Finance Director, Diana White-Messing, is a member of the management team that administers the Treasurer's decisions, and she was recommended to act on behalf of the City of Lodi as the Deputy Treasurer in the absence of the Treasurer.

REPORT REGARDING CONCEPT APPLICATION
AND PLAN FOR PEPSI PLAYGROUND GRANT AT
LEGION PARK

CC-40 The City Council approved the Concept Application/Plan for
 a Pepsi-Cola Playground Grant for Legion Park.

The City Council was advised by Parks and Recreation Director Williamson that this is not a given grant. We will be competing against other communities and agencies

for the Pepsi-Cola playground equipment. Other issues and responsibilities that would need to be considered if we proceed are as follows:

1. We need to hire a consultant to design the area (approximately \$2,000.00).
2. We need to construct an entire new playground surface area--meaning construction documents, bid process, physical new construction of the play area, curbs, benches, and designated equipment areas and the like (estimated cost approximately \$5,000.00 to \$10,000.00, depending on how elaborate we go). There could be some possible service club assistance here but let's not count on them at this point.
3. The above would all have to be completed by March 1, 1992, in order to comply with the Pepsi Cola agreement for installation.

Mr. Williamson indicated that he sees this facility, with the new equipment and improved surface area, as the next Emerson Park, in a high-use area with a tremendous user impact.

REVISED CONCESSION CONTRACT
BETWEEN CITY OF LODI AND THE
BOOSTERS OF BOYS AND GIRLS
SPORTS (B.O.B.S.) ORGANIZATION
APPROVED

CC-40
CC-90

The City Council approved the Food and Beverage Concession contract between the City of Lodi and B.O.B.S. organization for the Complex and Armory Park facilities.

This contract has been before the City Council on two previous occasions. Once, it was pulled off the Agenda and the second time it was approved. In each case, the organization had second thoughts as to its content and commitment, which leads us to our third time at trying to reach an agreement. Parks and Recreation Director has consulted/met with B.O.B.S. President Ed Wall and discussed all concerned areas of the contract from the organization's standpoint. Both Mr. Wall and Mr. Williamson are now comfortable with the contract and its wording and recommend the contract be accepted and approved.

"NO PARKING" ZONE, SARGENT ROAD,
WEST OF LOWER SACRAMENTO ROAD APPROVED

RESOLUTION NO. 91-167

CC-48(e) The City Council adopted Resolution No. 91-167 approving
CC-300 the installation of a 100 foot "no parking" zone on the
south side of Sargent Road, west of Lower Sacramento Road.

The City Council was apprised that earlier this year a traffic signal was installed at the intersection of Lodi Avenue-Sargent Road and Lower Sacramento Road. As part of this installation, the eastbound curb lane on Sargent Road approaching Lower Sacramento Road was converted from a right-turn-only lane to a combination right-turn and through lane. This curb lane is not wide enough to allow both on-street parking and through traffic. Staff could not find any documentation indicating that a "no parking" zone was previously approved at this location. Due to the narrow width of this curb lane, staff recommended the installation of 100 feet of no parking.

APPROVAL OF NEW CLASS SPECIFICATIONS
AND SALARY RANGE FOR ELECTRIC DRAFTING
TECHNICIAN

RESOLUTION NO. 91-168

CC-34 The City Council adopted Resolution No. 91-168 approving
CC-300 the new class specification and salary range for Electrical
Drafting Technician.

The Electric Utility has been experiencing difficulty in developing and maintaining its databases, system maps, schematics, and records. This problem has resulted in the department being unable to effectively address the troubleshooting and field crew operations. The major contributing factor to this problem is the fact that the various demands of the department upon its personnel inhibit their ability to adequately perform and receive the training necessary for the functions of constructing databases, mapping and drafting. Given the lack in the Department's labor resources, and the increasing use of computers in the electric utility industry, which are essential to perform these functions, the department therefore needs a full time position to perform computerized database construction, mapping and drafting.

Based upon a study of this position which included a job analysis and survey of other electric utilities, it is recommended the following salary range be established for this position:

Electrical Drafting Technician				
A	B	C	D	E
\$2351.79	\$2469.65	\$2593.07	\$272341	\$2859.31

The Electrical Drafting Technician will be placed in the IBEW Electric Utility bargaining unit.

This position will be filled in lieu of the vacant Electric Utility Supervisor position.

RESOLUTION ADOPTED TO REFLECT
THE CORRECT NAME OF THE COMPANY
WHICH PURCHASED KING VIDEOCABLE
COMPANY TO BE KING HOLDING CORPORATION

RESOLUTION NO. 91-169

CC-22(c)
CC-300 The City Council adopted Resolution No. 91-169 amending Resolution No. 91-137 to reflect the correct name of the company which purchased King Videocable Company to be King Holding Corporation.

On August 20, 1991 the City Attorney was contacted by Deanna Enright, President of King Videocable Company. Ms. Enright pointed out that Resolution No. 91-137 which was adopted by the Council on July 17, 1991 incorrectly identified the name of the Company which is actually purchasing the King Videocable Company stock. The correct name should have been "King Holding Corporation". The proposed resolution simply corrects that error by identifying the proper name of the company purchasing King Videocable.

AMENDMENT TO SANITARY CITY
FRANCHISE AGREEMENT

ORDINANCE NO. 1522 INTRODUCED

CC-22(b)
CC-149 The City Council was apprised that California Waste Removal Systems has requested that the franchise agreement between that firm and the City be modified.

As specified in their request, California Waste would like to change the dates for its annual rate review and adjustment.

At present, the agreement calls for rate review in June with any adjustments granted by the Council becoming effective July 1 of each year. Because of California Waste's accounting practices and methods, this presents a time problem since their fiscal year ends March 31 and annual statements are usually not available until near the end of June.

California Waste would prefer that the agreement be modified to require review of rates in September with any new rates becoming effective October 1.

The City Council introduced Ordinance No. 1522 entitled, "An Ordinance of the Lodi City Council Amending the City's Exclusive Franchise for Waste Disposal Services".

COMMENTS BY CITY COUNCIL MEMBERS

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

CHEROKEE LANE TOUR RESCHEDULED

CC-6
CC-45(a) Following an inquiry by Council Member Pennino, the City Council was advised that the Shirtsleeve Session for the Cherokee Lane tour has been rescheduled for October 8, 1991. Council Member Pennino requested that property owners in the subject area receive notification of this meeting.

FIELD AND FAIR DAY ACCOLADES

Mayor Hinchman and Council Member Sieglock applauded this year's Field and Fair Day

REPLACEMENT OF VOLLEYBALL AND BASKETBALL COURTS AT HUTCHINS STREET SQUARE URGED

CC-27(e)
CC-40 Council Member Sieglock suggested that when the volleyball and basketball courts are eliminated at Hutchins Street Square to allow for future improvements, he would like to see coordination with the Parks and Recreation Department to replace these facilities at a new location.

PUBLIC INPUT URGED REGARDING WATER METER INSTALLATION

CC-18³(g) Council Member Sieglock commented about a recent newspaper article regarding the City Council's Shirtsleeve Session concerning water meter installations and added that this topic will be scheduled on future City Council agendas to allow for public input regarding this matter. Mayor Pro Tempore Pinkerton suggested that Senator Boatwright be invited to attend so he can be asked how this program is going to be paid for.

PARKS AND RECREATION DEPARTMENT
AFTER-SCHOOL PROGRAM APPLAUDED

CC-40 Mayor Hinchman complimented the Parks and Recreation Department on its after-school program indicating that he had received very nice comments about this much needed service.

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:

UPDATE REQUESTED ON HALE
PARK IMPROVEMENTS

CC-27(c) Following a request from Kirk Ackerman, 313 East Elm
CC-40 Street, Lodi, staff gave a brief update on various Hale Park improvements.

LIMITED PARKING ZONES URGED
FOR KETTLEMAN LANE

CC-45(i) Evelyn M. Olson, 1306 Burgundy Court, Lodi suggested that sections of Kettleman Lane are beginning to look like a used car lot and suggested that limited parking zones be established in that area.

PUBLIC HEARINGS

PREZONING OF PARCELS AT 801 EAST
STATE ROUTE 12 AND 901 EAST STATE
ROUTE 12 FROM GA-40, AGRICULTURE
TO C-S, COMMERCIAL SHOPPING CENTER,
APPROVED

ORDINANCE NO. 1520 INTRODUCED

CC-53(a) Council Member Snider abstained from discussion and voting
CC-149 on the following matter because of a possible conflict of interest.

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 requests of A. and O. Anagnos, et al and Charles A. Wentland to prezone the parcels at 801 East State Route 12 (APN 027-040-30) and 901 East State Route 12 (APN 027-040) (i. e. northeast corner of Kettleman Lane and Lower Sacramento Road) from GA-40, Agriculture to C-S Commercial Shopping Center and to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation.

The City Council was advised that on June 12, 1991 when the City Council adopted the updated General Plan, the Council indicated that industrial, commercial and office projects as well as senior citizens housing developments were not subject to the 2% growth limitation. These decisions opened doors for owners of future industrial and commercial properties to seek annexation.

The San Joaquin County Local Agency Formation Commission has a policy of requiring a City Council to prezone an area before the City and/or property owner may request annexation. The applicants are requesting the pre zoning so that 23.84 acres (25.9 acres including public streets) of land designated for commercial on the General Plan can be annexed.

Community Development Director Schroeder presented diagrams of the subject area and indicated that it conforms to the General Plan.

Mr. Ron Stein, Attorney-at-Law, representing the proponents spoke in favor of the pre zoning.

Mr. Robert Kulp 518 St. Clair, Lodi spoke in opposition to the matter.

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

On motion of Council Member Sieglock, Pennino second, the City Council certified the filing of a Negative Declaration by the Community Development Director as adequate documentation on the above project. The motion carried by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider

On motion of Council Member Sieglock, Pinkerton second, the City Council introduced Ordinance No. 1520 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Pre zoning the Parcels at 801 East State Route 12 (APN 027-040-30) and 901 East State Route 12 (APN 027-40) (i. e. Northeast Corner of Kettleman Lane and Lower Sacramento Road) from GA-40, Agriculture to C-S, Commercial Shopping Center".

The motion carried by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of August 26, 1991:

CC-35 The Planning Commission -

a. Recommended approval of the request of Browman Development Co. on behalf of Manuel A. and Jane Hughes to prezone 1081 East Highway 12 (county address) AKA APN 027-040-14 from GA-40, General Agriculture to C-S, Commercial Shopping Center.

On motion of Council Member Pennino, Hinchman second, the City Council set the heretofore listed matter for public hearing on September 18, 1991. The motion carried by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider

Further, the Planning Commission -

b. Recommended that the City Council consider formation of a Redevelopment Agency for the City of Lodi.

The City Council asked that this matter be scheduled for a future Shirtsleeve Session.

Further, the Planning Commission -

c. Took the following actions on requests of J. Jeffrey Kirst:

1. Conditionally approved the Tentative Subdivision Map of Alder Place, a 4.1 acre, 21-unit single-family residential subdivision proposed for 2323 West Vine

Street in an area zoned R-C-P, Residential-Commercial-Professional.

- 2. Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.
- d. Conditionally approved the request of Dillon Engineering on behalf of John Teresi for a Tentative Parcel Map to create two lots from one lot at 1360 East Victor Road in an area zoned M-2, Heavy Industrial.
- e. Extended for one year only, the Use Permit of Century Assembly School for four temporary church and school classrooms at 550 West Century Boulevard in an area zoned P-D(4), Planned Development District No. 4.
- f. Conditionally approved the request of Gary's Signs on behalf of Don's Dandy Mart to vary the requirements of an existing Use Permit to allow a 16-foot high gasoline price sign at 100 West Turner Road in an area zoned P-D(17), Planned Development District No. 17.
- g. Conditionally approved the request of Ken Martin, KMC Engineering, on behalf of Rigel Corporation for a Use Permit to construct a Godfather's Pizza Restaurant at 1413 South Church Street in an area zoned C-S, Commercial Shopping Center.
- f. Set a public hearing for 7:30 p.m., Monday September 9, 1991 to consider the request of Dillon Engineering on behalf of California Waste Recycling Systems, Inc. for a recycling processing center and truck terminal at 400 South Beckman Road in an area zoned M-2, Heavy Industrial.

COMMUNICATIONS
(CITY CLERK)

LETTER RECEIVED FROM CITIZEN
EXPRESSING CONCERNS REGARDING
LODI LAKE PARK

CC-16 The City Council received a letter from Frank C. Alegre,
CC-27(c) 802 North Cluff Avenue, Lodi expressing concerns regarding
 Lodi Lake Park.

APPEAL REGARDING NOTICE OF PUBLIC
NUISANCE AND ABATEMENT ORDER FOR
PROPERTY LOCATED AT 217 EAST LOCKEFORD
STREET SET FOR PUBLIC HEARING

CC-24(c) On motion of Mayor Hinchman, Pennino second, the City
 Council set for public hearing September 18, 1991 the

appeal received from Muzaffar Khan regarding the Notice of Public Nuisance and Abatement Order for property located at 217 East Lockeford Street, Lodi, California.

REGULAR CALENDAR

INTRODUCTION OF ORDINANCE ESTABLISHING
A GROWTH MANAGEMENT PLAN FOR RESIDENTIAL
DEVELOPMENT

ORDINANCE NO. 1521 INTRODUCED

CC-6 The City Council was reminded that at its meeting of
CC-46 Monday, March 18, 1991 the Lodi City Planning Commission
CC-177 recommended that the City Council adopt a Growth Management
CC-149 Plan and Growth Management Development Plan for the
 evaluation of future residential projects.

Subsequent to that recommendation the City Council spent two shirt sleeve sessions and held a special meeting to review the issue.

At the shirt sleeve session of August 27, 1991 the City staff made its final recommendation which consists of (1) Ordinance establishing the Plan; (2) a Resolution establishing criteria and a point system; and (3) a Resolution establishing guidelines, contents and time frames of and for development plans.

At the Special Meeting of July 31, 1991 the City Council conducted and closed the required Public Hearing on the Growth Management Plan for residential development.

Following discussion with questions being directed to staff, the City Council, on motion of Mayor Hinchman, Pennino second, introduced Ordinance No. 1521 entitled, "An Ordinance of the Lodi City Council Establishing a Growth Management Plan for Residential Development". The motion carried by unanimous vote of the City Council.

RESOLUTION ESTABLISHING CRITERIA
AND A POINT SYSTEM FOR PROCESSING
TENTATIVE MAPS FOR RESIDENTIAL
DEVELOPMENT ADOPTED

RESOLUTION NO. 91-170

CC-6 Following a brief introduction of the subject by staff, the
CC-46 City Council on motion of Council Member Snider, Hinchman
CC-117 second, adopted Resolution No. 91-170 entitled, "A
CC-300 Resolution of the Lodi City Council Establishing Criteria
 and a Point System for Processing Tentative Maps for
 Residential Development".

RESOLUTION ESTABLISHING GUIDELINES,
CONTENTS, AND TIME FRAMES OF AND FOR
DEVELOPMENT PLANS

RESOLUTION NO. 91-171

CC-6 On motion of Council Member Pennino, Hinchman second, the
CC-46 City Council adopted Resolution No. 91-171 entitled, "A
CC-117 Resolution of the Lodi City Council Establishing
CC-300 Guidelines, Contents, and Time Frames of and for
 Development Plans".

DEVELOPMENT IMPACT MITIGATION
FEES ADOPTED

RESOLUTION NO. 91-172

CC-46 The City Council was advised that the Development Impact
CC-56 Mitigation Fees discussed at the August 21, 1991 meeting
CC-300 are contained in an implementing Resolution which can be
 adopted September 4, 1991. (The necessary ordinance, also
 up for adoption at the September 4, 1991 meeting, contains
 the change requested by the Council regarding the time of
 collection.) The fees would go into effect 60 days after
 adoption of the Resolution. Note that the Resolution only
 contains the fee per Residential Acre Equivalent (RAE).
 The ordinance, in Section 15.64.060, contains the formula
 to calculate the fees. The fees have been calculated for
 the General Plan land use categories and were presented
 for Council's review. This will be the summary used at the
 front counter and in other requests for fee information.

Also, as requested by the Council, a summary of the changes
made to the Nolte/McDonald final report are set forth on
the following page.

The following persons addressed the City Council regarding the matter:

- a) Louis B. Fugazi, 925 Greenwood Drive, Lodi;
- b) Frank Alegre, 2000 Edgewood Drive, Lodi; and
- c) Otto Krueger, 632 North Church Street, Lodi.

Following discussion with questions being directed to staff, the City Council, on motion of Council Member Snider, Sieglock second, adopted Resolution No. 91-172 entitled, "A Resolution of the Lodi City Council Establishing Development Impact Mitigation Fees for all Developments Within the City of Lodi".

The motion carried by the following vote:

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

REQUEST TO OPERATE A HOT DOG VENDING CART BETWEEN THE CARNEGIE FORUM AND CITY HALL DENIED

CC-6

The City Council was advised that at the City Council meeting of August 21, 1991 Mr. Fugazi's written request to operate a hot dog vending cart between the Carnegie Forum and City Hall during the hours of 10:00 a.m. and 2:00 p.m., Monday through Friday was received under correspondence. Besides the letter seeking City Council authorization to operate in the Civic Center mall area, the applicant provided specifications and a picture of the cart.

Section 10.44.080 B. of the Lodi Municipal Code provides:

"No person shall park or stand on any street or public right-of-way any lunch wagon, eating cart, vehicle or push cart from which any chapters of food are sold or offered for sale without first obtaining a written permit to do so from the Council which shall designate the specific location in which such cart shall stand."

If the City Council approves Mr. Fugazi's request it should (1) determine the general location for the cart; (2) the hours and days of operation; (3) special conditions (i.e.

trash disposal, etc.) and (4) authorize the City Manager to transmit the approval and conditions to the applicant.

Addressing the City Council regarding the matter were:

- a) Mr. Louis B. Fugazi, 925 Greenwood Drive, Lodi;
- b) Mr. Mike Lapenta, 1718 Edgewood Drive, Lodi; and
- c) Ms. Michelle Bernard, The Gourmet Sandwich, 230 West Pine Street, Lodi.

During the discussion the question of restaurants placing chairs and tables for its customer in the public right-of-way in front of their business was brought up.

On motion of Council Member Snider, Hinchman second, the City Council denied the request of Louis B. Fugazi to operate a hot dog vending cart between the Carnegie Forum and City Hall during the hours of 10:00 a.m. and 2:00 p.m., Monday through Friday.

Further, was directed to contact the Lodi Downtown Business Association (LDBA) to readdress the placing by restaurants of tables and chairs in the public right-of-way.

RECESS

Mayor Hinchman declared a five-minute recess and the City Council Meeting reconvened at approximately 9:10 p.m.

MOKELUMNE RIVER ACCESS

CC-6
CC-27(c)
CC-184

The City Council was advised by the City Attorney that the topic of public access along the Mokelumne River has been discussed at length recently and the Council has previously been advised of some of the circumstances surrounding the City's relinquishment of access through the Rivergate Subdivision. Some of the City Attorney's original suspicions were confirmed by further search of City's records.

Presented for Council review were copies of the map for the Rivergate Subdivision, a memo from City Attorney Ron Stein dated March 19, 1980, and minutes of the City Council meeting of April 2, 1980. These indicate the public access was originally a condition on the subdivision map dated January 1980 (and possibly earlier maps). The 20-foot wide easement extended from Rivergate Drive through Lot 72 and along the riverbank.

The easement abandonment was sought not because of lack of public use (as the City Attorney originally believed) but because it was not deemed necessary. On April 2, 1980, the

City Council made findings that access via Lodi Lake Park and through the Scenic Overlook, (site of the former City landfill), was adequate and so removed the Rivergate map condition requiring access.

Addressing the City Council regarding the matter were:

- a) Frank Alegre, 2000 Edgewood Drive, Lodi;
- b) Don Perry, 303 Tioga Drive, Lodi;
- c) Kyle Roper, Woodbridge, California;
- d) Otto Krueger, 632 North Church Street, Lodi;
- e) W. H. Libbey, 1320 Rivergate Drive, Lodi;
- f) Patrick Coulston, 1431 Lake Street, Lodi, California, 95242;
- g) Jerry Neuburger, 5 North California Street, Lodi; and
- h) Jim Gomer, Woodbridge, California.

Mr. Ron Williamson, Parks and Recreation Director advised the City Council that on July 6, 1988 the City Council took action to allow access to the Mokelumne River by all "non-powered" crafts. Currently, the City is allowing non-power crafts use of the ramp and access to the Mokelumne River through a side area next to the City's boat gate.

A report regarding current staffing of rangers at Lodi Lake was presented for the City Council's information.

Addressing the City Council regarding Lodi Lake Park Patrol staffing were:

- a) Frank Alegre, 2000 Edgewood Drive;
- b) Frank A. Gayaldo, Jr., 9369 East Kettleman Lane, Lodi;
- c) Bob Johnson, 1311 Midvale Road, Lodi; and
- d) Otto Krueger, 632 North Church Street, Lodi.

Following a lengthy discussion and public input regarding the matters, the Mayor directed that:

- a) A Task Force comprised of property owners, members of the Mokelumne River Alliance, and other interested groups should be formed to

study the Mokelumne River access issue. The Task Force following its review of the matter should present its recommendations to the Parks and Recreation Commission and the Lodi City Council; and

- b) Parks and Recreation Director Ron Williamson is to bring to the Lodi City Council as soon as possible a report regarding Lodi Lake Park, its needs and its staffing.

It was also suggested by Council Member Snider that if allowing access to the Mokelumne River does not pose a liability problem for the City, the City Council needs to be so advised.

REQUEST FOR DOWNTOWN LOCATION
OF CHAMBER OF COMMERCE FLEAMARKET
APPROVED

CC-6
CC-7(k)

The City Council was advised that for the past several years, the Chamber of Commerce has held its semi-annual Fleamarket on the grounds of the Lodi Grape Festival. The rental fee structure at the Festival has prompted the Fleamarket organizers to seek an alternate location.

Mr. Dan Battilana and Mrs. Evelyn Olson, representing the Lodi District Chamber of Commerce were in the audience and addressed the City Council urging approval of the request.

Mrs. Olson introduced Les Dabritz, the newly hired Executive Director of the Lodi District Chamber of Commerce.

Following discussion, on motion of Mayor Hinchman, Pennino second, the City Council approved the request for a downtown location for the Chamber's semi-annual Fleamarket.

EMCON ASSOCIATES RETAINED
FOR REFUSE RATE ANALYSIS

CC-90

The City Council was advised that the process of setting rates for collection and disposal of solid waste has become increasingly sophisticated over the years. Given that the City will soon be completing its Source Reduction and Recycling Element (SRRE), the degree of complexity associated with this process has now taken a quantum leap.

California Waste Removal Systems (CWRS) has retained Barakat and Chamberlin, Inc. to assist in the preparation of a rate methodology. This methodology will include an analysis of costs associated with performing refuse collection as well as implementing new source reduction and recycling programs. Particular attention will be given to financing and debt service costs of new facilities and

equipment. The methodology will then calculate the revenue needed to recover these costs plus a reasonable return.

In order to preserve the best interests of the citizens of Lodi - those interests being, the highest quality service at the lowest possible rate - it is recommended that the City retain experienced professionals, EMCON Associates, to provide assistance in the upcoming rate setting process. These services are especially important since many additional cost variables will be introduced to the process for the first time by the SRRE. EMCON's primary function would be to work with CWRS and overview the development of the methodology. EMCON would provide their perspectives and recommendations from the City's point of view regarding "reasonable" projections of costs, revenues and return. The firm would examine the distribution of the rate burden between residential, commercial and industrial sectors. The firm would also assist the City's Solid Waste Management Task Force, as that citizen review body assumes the added responsibility of providing input to the City Council in the area of rate setting.

One of the greatest values EMCON would bring to this process is their complete understanding of the tasks necessary to implement the SRRE. This knowledge will enable EMCON to insure that proposed collection rates will accurately reflect the costs of implementing the SRRE.

John F. Boss, Executive Manager of EMCON Associates, supervised the development of the City's SRRE. He would serve as Primary Consultant to the City in the rate setting process. Mr. Boss recently assisted the City of Salinas in its rate negotiations with the City's franchised hauler. He and his associates bring a wealth of knowledge and experience to the City which extends to all aspects of the design and operation of refuse collection, treatment and disposal systems.

On motion of Council Member Snider, Pinkerton second, the City Council directed the City Manager to execute a contract with EMCON Associates to provide assistance during the upcoming refuse collection rate setting process.

PARKING STUDY, OAK STREET AND
WALNUT STREET, FROM SACRAMENTO
STREET TO THE SOUTHERN PACIFIC
RAILROAD (SPRR) TRACKS

RESOLUTION NO. 91-173

CC-48(a)
CC-300

The City Council was advised that Public Works staff is concerned about cleaning and maintenance of the segments of Oak and Walnut Streets between Sacramento Street and the SPRR tracks. Access is blocked by parked vehicles,

especially at Oak Street. These parked vehicles have been observed at all times of the day indicating that many are not associated with the businesses in the area. Street Division staff has also observed people sleeping in vehicles parked in this area. Lodi Municipal Code, Section 15.52.170, prohibits motorists from living or sleeping in their cars. However, according to the Police Department, it is difficult to enforce.

EXISTING CONDITIONS

Both Oak Street and Walnut Street dead end at the SPRR tracks. Vehicular traffic volumes in these areas are minimal. Available accident records for the 4+ years, from 1987 to the present, indicate that there have been no accidents on Walnut Street. One accident has occurred on Oak Street. This 1989 accident involved a driver backing from the north side of Oak Street into a vehicle parked on private property on the south side of Oak Street. This driver was arrested for driving under the influence.

All-day parking is allowed in these areas. Marked parallel parking stalls exist along both sides of Walnut Street and the south side of Oak Street. Marked perpendicular (90°) parking stalls exist on the north side of Oak Street. Parking demand is relatively high on Oak Street and low on Walnut Street. These areas are the only locations in the vicinity where all-day parking is allowed.

ALTERNATIVES

Alternatives addressing the access problems listed above are as follows:

Alternative A: Take no action.

Alternative B: Convert all-day parking to two-hour parking from 9 a.m. to 6 p.m. except Sundays and holidays, matching the rest of the downtown (with or without an exception for Downtown Permits).

Advantages:

- ° Removes long-term parking from the area
- ° Will return the on-street parking in these areas to the adjacent businesses

Disadvantages:

- ° Street sweeper will not be able to maintain area since all-day parking is allowed before 9 a.m. The downtown streets are swept before 9 a.m. on Monday, Wednesday and Friday.

Alternative C: Prohibit parking between the hours of 3 a.m. to 7 a.m.

Advantages:

- ° Allows street sweeping

- Should remove the majority of long-term parking from these areas
 - Still allows the businesses to park all day
- Disadvantages:
- Limited access by City crews may continue except during "no parking" hours
 - Some extended parking may still continue

Alternative D: Combine Alternatives B and C

DISCUSSION/RECOMMENDATION

Staff favors Alternative C or D as we feel it will benefit both the City and businesses in the area. If Council wishes to change the parking limits, the Traffic Resolution 87-163 will need to be amended.

In addition, staff feels that "no parking" zones should be installed at the end of these streets to provide an area for vehicles to turn around. Due to the short lengths of "no parking" zones required to provide this turn around area (20' or less), Council approval is not required for this modification per the City Code.

On motion of Mayor Pro Tempore Pinkerton, Pennino second, the City Council adopted Resolution No. 91-173 prohibiting parking between the hours of 3:00 a.m. to 7:00 a.m. on Oak Street and Walnut Street, from Sacramento Street to the Southern Pacific Railroad (Alternate C).

CONTRACT AWARD FOR 1991 ASPHALT
CONCRETE OVERLAY, PACIFIC AVENUE
AND WALNUT STREET

RESOLUTION NO. 91-174

CC-12(a)
CC-300

The City Council was advised that this project (1991 Asphalt Concrete Overlay, Pacific Avenue and Walnut Street) will place a pavement reinforcing fabric and an asphalt overlay on Pacific Avenue (Walnut Street to Elm Street), and Walnut Street (Pacific Avenue to Ham Lane). Because the streets must be closed during the paving operation, we are trying to schedule this project so that the contractor will be paving while Lodi High School is on vacation (October 7 through October 18).

Plans and specifications for this project were approved on August 21, 1991. The City received the following three bids for this project:

Bidder	Location	Bid
Engineer's Estimate		\$127,993.50
Teichert Construction	Stockton	\$115,950.00
Claude C. Wood	Lodi	\$118,975.30
Granite Construction	Stockton	\$127,680.50

On motion of Council Member Pinkerton, Hinchman second, the City Council adopted Resolution No. 91-174 awarding the contract for 1991 Asphalt Concrete Overlay, Pacific Avenue and Walnut Street to Teichert Construction in the amount of \$115,950 and appropriated \$44,000 from the Gas Tax Fund to complete the project.

WATER SERVICE REQUEST,
 15551 NORTH LOWER SACRAMENTO ROAD
 DENIED

CC-18³(h)

The City Council was advised that the City has received a request from Mr. Vernon Gooler, the property owner and resident at 15551 North Lower Sacramento Road, for City water service. This parcel is outside the City limits and such service must be approved by the City Council.

Apparently, Mr. Gooler's well is running dry and he applied for a county permit to drill a new well. The county requires parcels within 200 feet of a public system to attempt to connect to that system instead of drilling new wells.

There is an existing 8-inch water main on the east side of Lower Sacramento Road which was installed as part of the Sunwest 4 subdivision improvements. The Water Master Plan calls for parallel 8-inch mains on Lower Sacramento Road due to the planned width and adjacent land use.

If the Council wishes to approve this request, staff would recommend the following conditions:

1. that the property owner install the appropriate portion of the service and pay the standard City charges for the remainder of the service installation;
2. that the property owner enter into an agreement with the City, executed by the City Manager, in which the property owner agrees to install or pay for the future 8-inch water main along his frontage upon request of the City and to pay the appropriate Water Development Impact Mitigation Fee as provided by the new ordinance and resolution;

- 3. that the property owner pay the standard rates for water service outside the City limits.

Just prior to this meeting Mr. Gooler advised staff that he would really prefer to drill a new well.

On motion of Mayor Hinchman, Pinkerton second, the City Council denied Mr. Gooler's request for water service.

CITY COUNCIL ADJOURNS TO MEETING OF THE LODI PUBLIC IMPROVEMENT CORPORATION

CC-190 At approximately 11:10 p.m., the City Council adjourned to a meeting of the Lodi Public Improvement Corporation.

CITY COUNCIL RECONVENES

At approximately 11:15 p.m., the City Council reconvened.

ORDINANCES

ORDINANCE ADDING CHAPTER 15.64 TO TITLE 15, 'BUILDINGS AND CONSTRUCTION' OF THE LODI MUNICIPAL CODE

ORDINANCE NO. 1518 ADOPTED

CC-53(a) Ordinance No. 1518 entitled, "An Ordinance of the Lodi City Council Adding Chapter 15.64 to Title 15, 'Buildings and Construction' of the Lodi Municipal Code, to Establish City-Wide Development Impact Mitigation Fees; Repealing CC-149 Section 13.12.255, 'Storm Drainage Impact Fee'; and Amending Section 15.44.090, 'Fees'" having been introduced at a regular meeting of the Lodi City Council held August 21, 1991 was brought up for passage on motion of Council Member Pennino, Snider 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 - Pennino, Sieglock, Snider, Hinchman

Noes: Council Members - Pinkerton

Absent: Council Members - None

Abstain: Council Members - None

URGENCY ITEM ADDED TO AGENDA

CLOSED SESSION -
LABOR NEGOTIATIONS

CC-200(a) Pursuant to the requirements of State statute, the City Council on motion of Mayor Hinchman, Sieglock second, determined the need to add an urgency item to the agenda which arose subsequent to the preparation of the agenda.

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

a) Closed Session - Labor negotiations

At approximately 11:20 p.m., the City Council met in Closed Session regarding labor negotiations.

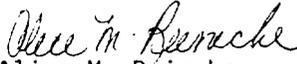
The City Council reconvened at approximately 11:59 p.m.

No formal action was taken by the City Council regarding the matter discussed in Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 12:00 midnight.

ATTEST:


Alice M. Reimche
City Clerk