

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 20, 1990
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson,
Pinkerton, Reid and Snider (Mayor)
Absent: Council Members - None
Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, City Attorney McNatt, and City Clerk
Reimche

INVOCATION The invocation was given by Pastor Bob Mattheis, St.
Paul's American Lutheran Church.

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

PRESENTATIONS

NATIONAL CORRECTIONAL
OFFICERS' MEMORIAL WEEK

A presentation was made by a representative Lt. Armando
Favila of the Department of the Youth Authority, Northern
California Youth Center regarding National Correctional
Officers' Memorial Week.

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Olson,
Reid second, approved the following items hereinafter set
forth on the Consent Calendar with the exception of Agenda
item E-18, "Retain drilling firm to drill test wells" which
was removed from the Consent Calendar and discussed and
acted upon at a later point on the agenda.

CLAIMS CC-21(a) Claims were approved in the amount of \$1,508,156.36.

MINUTES The Minutes of May 16, 1990 and May 31, 1990 (Special
Meeting) were approved as written.

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AMENDED SALARY RANGES
FOR EMPLOYEES IN VARIOUS
UNITS APPROVED

RES. NO. 90-88 - 90-92

CC-34 The City Council adopted the following resolutions amending
CC-300 salary ranges for employees in the following units:

| <u>RESOLUTION NO.</u> | <u>UNIT</u> | <u>EFFECTIVE DATE</u> |
|-----------------------|------------------------------|-----------------------|
| 90-88 | General Services | June 25, 1990 |
| 90-89 | Maintenance and Operators | June 25, 1990 |
| 90-90 | Police Dispatchers | June 15, 1990 |
| 90-91 | Confidential Employees | June 25, 1990 |
| 90-92 | Selected part-time employees | June 25, 1990 |

1990-91 APPROPRIATIONS
SPENDING LIMIT

RES. NO. 90-93

CC-21(a) The City Council was advised that Article XIII B of the
CC-300 California State Constitution specifies that an annual
 Appropriations Spending Limit shall be established.

The Spending Limit shall be adjusted each year by the
changes in population (+2.26%) and the lesser of the
Consumer Price Index or the California Per Capita Personal
Income (+4.21%).

The 1989-90 Limit of \$28,972,499, increased by population
and California Per Capita Personal Income, yields a 1990-91
Spending Limit of \$30,875,992.

$$\begin{aligned} (1.0226) (1.0421) &= 1.0657 \\ (1.0657) (\$28,972,499) &= \$30,875,992 \end{aligned}$$

The City Council adopted Resolution No. 90-93 setting the
1990-91 Appropriations Spending Limit at \$30,875,992.

RESOLUTION AUTHORIZING
TRANSFER AND APPROPRIATION
OF FUNDS

RES. NO. 90-94

CC-21(a) The City Council was advised that a review of the 1989-90
CC-300 fiscal year estimated revenues and appropriations indicates

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the City will have sufficient funds to transfer the following amounts into standing reserve funds.

| Amount | From | To |
|-------------|-----------------------|--------------------------------|
| \$1,200,000 | General Fund | General Fund Operating Reserve |
| \$1,000,000 | Electric Utility Fund | Capital Outlay Reserve |

This appropriation falls within the City's expenditure limits for the 1989-90 fiscal year.

The City Council adopted Resolution No. 90-94 approving the year-end transfer and appropriation of funds.

PURCHASE OF PATROL BOAT FOR LODI LAKE

RES. NO. 90-95

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

The City Council adopted Resolution No. 90-95 awarding the bid for the purchase of one 18-foot pontoon-style patrol boat to the low bidder, Gregor Boat Company of Fresno, California, in the amount of \$8,674.95, and appropriated additional funds of \$674.95 to cover the cost of the purchase over the budgeted amount of \$8,000.

The City Council was advised that on May 16, 1990, the City Council approved specifications and authorized bidding for one Gregor pontoon-style patrol boat. Proposal forms were mailed to seven bidders, five of which were Gregor dealers. Two bids were received and opened on May 29, 1990, with the following results:

| | |
|---------------------------------------------|-------------|
| Gregor Boat Company, Fresno, CA | \$8,674.95 |
| Enterprise Boat Company, Rancho Cordova, CA | \$9,185.31* |
| *Bidding Sunshine Standard 20-foot pontoon | |

In studying various boat designs, the Parks Department selected the pontoon-style as the one best suited for the needs at Lodi Lake. First, the twin hull provides stability necessary when bringing a swimmer on board. Second, the low deck allows easier access to persons or object in the water. Third, the shallow hull allows accessibility to virtually all areas of the Lake and shoreline if law enforcement or assistance becomes necessary.

If purchase is approved, delivery would be about six weeks after placement of order.

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PURCHASE OF 10,000-POUND
CAPACITY FORKLIFT

RES. NO. 90-96

CC-12(d) The City Council adopted Resolution No. 90-96 awarding the
CC-47 bid for the purchase of one 10,000-pound capacity forklift
CC-300 to the low bidder, Hyster Corporation of Modesto, in the
amount of \$32,171.44, including an optional side-shift
attachment to facilitate handling and stacking.

The City Council was apprised that on May 16, 1990, the
City Council approved specifications and authorized bidding
for one 10,000-pound capacity forklift for use at the
Municipal Service Center. Bids were opened on May 30,
1990, with the following results:

| Bidder | Equipment | Base Bid | Sideshift Option | Total Amt |
|----------------------|-----------|-------------|---------------------|-------------|
| Hyster Co., Modesto | Hyster | \$30,583.00 | \$1,588.44 | \$32,171.44 |
| Watts Eq., Stockton | Toyota | 31,457.44 | 759.69 | 32,217.13 |
| J. M. Lift, Stockton | Kalmar | 31,025.00 | 1,381.25 | 32,406.25 |
| Graylift, Stockton | Clark | 32,369.06 | 2,619.06 | 34,988.12 |
| Tenco Lift, Stockton | Cat'pllr | 33,203.66 | 1,123.06 | 34,326.72 |

The existing higher-capacity lift at MSC is a 1961 Moline,
purchased as used equipment by the City in December, 1974,
and having a rated capacity of 6,000 pounds. Because of
its age, repair parts are increasingly hard to find, and
extended periods of downtime are becoming more frequent.

The new forklift will be used to handle larger transformers
and vaults, cable reels, metalclad switchgear, and other
materials and equipment exceeding the 3,000-pound rated
capacity of the smaller forklift at MSC.

The 1989/90 budget includes \$35,000 for the purchase of
this equipment.

Delivery is expected about 8 weeks after placement of order.

PURCHASE OF TRANSFORMER
STORAGE RACKS

RES. NO. 90-97

CC-12(d) The City Council adopted Resolution No. 90-97 awarding the
CC-47 bid for the purchase of eight sections of galvanized
CC-300 transformer storage racks to J. M. Lift Trucks of Stockton,
in the amount of \$8,373.62.

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On May 16, 1990, the City Council approved the specifications and authorized advertisement for bids. Bids were opened on June 11, 1990, with the following results:

| | |
|-------------------------------|-------------|
| J. M. Lift Trucks, Stockton | \$8,373.62 |
| Steve Sheely & Associates | \$9,154.82 |
| Warehouse Wares, Stockton | \$6,412.19* |
| Watts Equipment Co., Stockton | \$7,412.85 |

*The load ratings of the racks bid by the two low bidders were under the specified capacity of 8,000 pounds per pair of load beams. Larger pole-mount transformers may weigh 1,300 pounds each, and one pair of load beams may hold up to six such transformers, weighing a total of 7,800 pounds. For that reason, we are recommending the award go to J. M. Lift Trucks, the low bidder meeting the loading specifications.

When installed, these racks would provide centralized storage for over 120 pole-mount and pad-mount transformers. Currently, transformers may be stored in up to four separate locations, depending on availability of space. During the last inventory, the auditors cited this condition as a deficiency, and recommended that the transformers be stored in a more centralized location.

Delivery is expected about 11 weeks after placement of order.

Funding for this purchase has been allocated in the 1989/90 budget.

PURCHASE OF ROCK AND SAND MATERIAL FOR FISCAL YEAR 1990-91

RES. NO. 90-98

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-98 approving the purchase of rock and sand material for fiscal year 1990/91, Item 1 and 2 from Claude C. Wood Company, Lodi, California and Item 3 by informal bid as needed.

The specifications for rock and sand material were approved by the City Council at its meeting on May 16, 1990 and two bids were received.

The bid from Teichert Aggregates was rejected because Teichert Aggregates bid the material FOB plant and quoted an hourly transportation rate of \$59.00. The Purchasing Officer, Joel Harris, contacted Teichert Aggregates after the bid opening and tried to establish a maximum delivery time, but was unable to obtain one. Therefore, we could not establish an actual cost per ton.

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The cost of 3/4 class 2 aggregate base decreased one percent and concrete sand decreased two percent since the last time the City requested bids which was July 1989.

Listed below is a tabulation of the bids received:

| Bidder | Item No. 1 3/4" Class 2 Aggregate Base | Item No. 2 Concrete Sand | Item No. 3 1/4" x #10 Crushed Rock Screening |
|-----------------------------------------|----------------------------------------------|--------------------------------------|----------------------------------------------------|
| | Stockpile City Limits 100 Tons | Stockpile City Limits 300 Tons | Stockpile City Limits 350 Tons |
| Claude C. Wood Co. Lodi, CA | | | |
| Cost per ton including tax | \$9.35 | \$9.83 | NO BID |
| TOTAL | \$9.35 | \$9.83 | |
| Teichert Aggregates Sacramento, CA | | | |
| Cost per ton FOB plant including tax | \$5.25 * | \$9.00 * | \$8.25 * |
| TOTAL | \$5.25 | \$9.00 | \$8.25 |

PURCHASE OF ASPHALT
MATERIALS FOR FIRST AND
SECOND QUARTERS OF
FISCAL YEAR 1990-91

RES. NO. 90-99

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-99 approving the purchase of asphalt materials for the first and second quarters of fiscal year 1990-91, Items 1A, 1B, 1C, 2A, 2B, and 2C from Claude C. Wood.

The specifications for asphalt materials were approved by the City Council at its meeting May 16, 1990 and three bids were received.

The cost of asphalt material per ton has increased 1 3/4 percent FOB plant and 1/2 percent delivered to hopper of paver since the last bid was requested which was January 1990.

A tabulation of bids received is listed below:

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| Bidder | ITEM NO. 1 Dense grade asphalt Concrete Type B 3/8". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt | | | ITEM NO. 2 Dense Grade Asphalt Concrete Type B 1/2". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt | | |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------------------|
| | A F.O.B Plant 600 Tons | B Stockpile City Limits 200 Tons | C Hopper of Paver 1600 Tons | A F.O.B Plant 50 Tons | B Stockpile City Limits 100 Tons | C Hopper of Paver 100 Tons |
| Claude C. Wood Lodi, CA | | | | | | |
| Cost per ton | \$24.97 | \$29.22 | \$30.28 | \$23.91 | \$28.16 | \$29.22 |
| Plus: City cost for mileage | \$ 5.30 | | | \$ 5.30 | | |
| TOTAL | <u>\$30.27</u> | <u>\$29.22</u> | <u>\$30.28</u> | <u>\$29.21</u> | <u>\$28.16</u> | <u>\$29.22</u> |
| Granite Const. Stockton, CA | | | | | | |
| Cost per ton | \$25.50 | \$32.23 | \$32.76 | \$24.97 | \$31.69 | \$32.23 |
| Plus: City cost for mileage | \$ 6.65 | | | 6.65 | | |
| TOTAL | <u>\$32.15</u> | <u>\$32.23</u> | <u>\$32.76</u> | <u>\$31.62</u> | <u>\$31.69</u> | <u>\$32.23</u> |
| Teichert Ag. Sacramento, CA | | | | | | |
| Cost per ton | \$24.97 | NO BID | NO BID | \$24.44 | NO BID | NO BID |
| Plus: City cost per mileage | \$11.09 | | | \$11.09 | | |
| TOTAL | <u>\$36.06</u> | _____ | _____ | <u>\$35.53</u> | _____ | _____ |

CONTRACT AWARD FOR
LODI AVENUE AND HAM LANE
INTERSECTION IMPROVEMENTS

RES. NO. 90-100

CC-12(a)
CC-300

The City Council adopted Resolution No. 90-100 awarding the
contract for the Lodi Avenue and Ham Lane Intersection

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Improvements to Copenhagen Utilities in the amount of \$85,901.00 and authorized the appropriation of an additional \$28,000 from Transportation Development Act funds and \$7,725 from available funds in the Electric Utility System Improvement account to complete the project.

This project consists of installing three City-furnished vaults, two cable TV-furnished boxes, and conduit of various types and diameters. Electrical and cable TV wiring will be installed at a future date as a separate project.

This project also includes an asphalt overlay of the Lodi Avenue/Ham Lane intersection. The overlay project had been originally budgeted in 1988 but was postponed until the underground conduit was installed.

Plans and specifications for this project were approved on May 16, 1990.

The City received the following six bids for this project:

| <u>Bidder</u> | <u>Location</u> | <u>Bid</u> |
|------------------------|-----------------|--------------|
| Engineer's Estimate | | \$ 52,929.50 |
| Copenhagen Utilities | Sacramento | \$ 85,901.00 |
| Claude C. Wood Company | Lodi | \$ 86,992.30 |
| Teichert Construction | Stockton | \$ 93,332.90 |
| Moreno Trenching Co. | Rio Vista | \$ 99,986.07 |
| Ford Construction | Lodi | \$110,426.00 |
| McCourt-West | West Sacramento | \$114,751.50 |

Based on the number of bids and range of prices, staff feels the low bid is reasonable and the Engineer's estimate was too low.

The Public Works Department has designed relatively few contract conduit installation projects in the past. The estimates for the Lodi and Ham Lane project were based on the similar underground projects dating back to 1980.

The difficulties of excavation under the intersection, the time limits, and traffic control in performing the work are the factors for higher contract price.

CONTRACT AWARD FOR
MAINTENANCE OF
LANDSCAPED AREAS

RES. NO. 90-101

CC-12(a)
CC-300

The City Council adopted Resolution No. 90-101 awarding the contract for maintenance of landscaped areas for 1990/91 fiscal year to Ireland Landscape Company, Inc.

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The specifications for maintenance of landscaped areas were approved by the City Council at its meeting May 16, 1990 and five bids were received.

The cost for maintenance of landscaped areas has increased one percent since the contract was last renewed in July 1989. Listed below is a tabulation of the bids for your information:

| <u>Bidder</u> | <u>Monthly Cost</u> | <u>Annual Cost</u> |
|------------------------------------------------------|---------------------|--------------------|
| Ireland Landscape Co., Inc. Stockton, CA | \$3,304.44 | \$39,653.28 |
| City Services, Inc. Lodi, CA | \$3,941.15 | \$47,293.80 |
| Environmental Care, Inc. Sacramento, CA | \$6,868.00 | \$82,416.00 |
| Valley Landscaping Lodi, CA | \$6,885.00 | \$82,620.00 |
| Expert Building Maintenance Service, Stockton, CA | \$7,014.00 | \$84,168.00 |

The contract covers a twelve month period, July 1, 1990 through June 30, 1991. However, by mutual consent the City and the contractor may enter into an agreement or an annual extension of the contract, with the approval of the City Council.

ACCEPTANCE OF IMPROVEMENTS
UNDER HARNEY LANE OVERLAY,
HUTCHINS STREET TO 400 FEET
WEST OF STOCKTON STREET,
CONTRACT

CC-90

The City Council accepted the improvements under the "Harney Lane Overlay, Hutchins Street to 400 feet west of Stockton Street" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Teichert Construction of Stockton on September 6, 1989 in the amount of \$76,207.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was June 1, 1990, and the actual completion date was June 1, 1990. The final contract price was \$74,401.26. The difference between the contract amount and the final contract price is mainly due

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to the installation of less asphalt concrete than was estimated in the bid.

ABANDONMENT OF WESTDALE
STORM DRAIN BASIN, ON SOUTH
SIDE OF TOKAY STREET AT
WOODBRIIDGE IRRIGATION
DISTRICT CANAL

CC-176
CC-27(a)

The City Council approved the abandonment of the Westdale storm drain basin and authorized the City Clerk to sign a deed giving title back to the original grantors of this property.

The City Council was advised that in 1964, the developers of Westdale subdivision were required to dedicate this property to detain storm drainage from the Westdale subdivision. With the development of the Sunwest and Apple Orchard subdivisions, runoff from the Westdale subdivision can now be stored in G-Basin and this Westdale basin area is no longer needed.

The original deed had a reversionary clause which said that once the City no longer needed it for the purpose of storing storm water, this property would revert to the grantors, their heirs, successors, or assigns.

The City has removed its pumps and equipment. The remaining structure will be the owner's responsibility to demolish when the property is developed.

FINAL MAP FOR MORRISON
PARK, A ONE-LOT CONDOMINIUM,
2379 MAGGIO CIRCLE

CC-46

The City Council approved the final map for Morrison Park, a one-lot condominium, and directed the City Manager and City Clerk to execute the map on behalf of the City.

This is an existing lot. The map is being filed to change the parcel to a one-lot condominium. All public improvements have been installed and all fees paid.

The subdivision is located at 2379 Maggio Circle and contains a total of one industrial lot.

RENTAL POLICY, PROCEDURES,
AND FEES APPROVED FOR THE
ANNEX AT 111 NORTH STOCKTON
STREET

CC-27(a)
CC-56

The City Council was advised that for the past eight months, the Parks and Recreation Department has been renting, through a lease agreement, the Annex facility at

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111 North Stockton Street for city-sponsored activities. We currently conduct indoor programs, classes and meetings in this facility. We have also been asked, on occasion, to rent the building for various public meetings and affairs.

The City Council approved the rental policy, procedures and fees for the Annex at 111 North Stockton Street.

MEMBERSHIP IN CALIFORNIA
TRANSIT INSURANCE POOL
(CAL TIP)

RES. NO. 90-102

CC-21.1(i) The City Council adopted Resolution No. 90-102 approving the membership into the California Transit Insurance Pool which shall become effective July 1, 1990.

The City Council was advised that by joining this organization the City can achieve an approximate \$40,000 savings in insurance premiums by assuming a \$25,000 self-insured retention.

AGENDA ITEM REMOVED
FROM CONSENT CALENDAR
AND DISCUSSED AND ACTED
UPON AT A LATER POINT
ON THE AGENDA

Agenda item E-18, entitled, "Retain drilling firm to drill test wells" was removed from the consent calendar and discussed and acted upon at a later point on the agenda.

COMMENTS BY CITY
COUNCIL MEMBERS

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

GENERAL MILLS APPLAUDED
FOR ITS NUMEROUS COMMUNITY
CONTRIBUTIONS

Mayor Snider presented a list of community contributions made by General Mills and its employees this last year. Mayor Snider commended the General Mills family for these very generous contributions to this community.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

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ANNOUNCEMENT OF THE FORMATION
OF THE LODI INDOOR CLEAN
AIR COALITION

CC-18 Dr. Phillip Ross of Lodi addressed the City Council applauding it for the passage of Ordinance No. 1488 entitled, "An Ordinance of the Lodi City Council Regulating or Prohibiting Smoking in Certain Public Places and in Places of Employment". Dr. Ross announced the formation of the Lodi Indoor Clean Air Coalition, outlining its goals and announcing that its first meeting will be held at 7:30 p.m. on July 10, 1990 at the Lodi Library.

PUBLIC HEARINGS Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Snider called for the Public Meeting being held at the request of the California Department of Health Services, Office of Drinking Water, to inform the public of the Dibromochloropropane (DBCP) levels in the City water system.

DIBROMOCHLOROPROPANE
(DBCP) LEVELS IN THE
CITY WATER SYSTEM

CC-24(b)
CC-183(a) The matter was introduced by Public Works Director Ronsko who advised the City Council that in April of this year, the City of Lodi received an amended water supply permit from the California Department of Health Services.

The amended permit allows the City of Lodi to use City wells which exceed the maximum contaminant level of 0.2 parts per billion (ppb) for DBCP during peak water demands. The use of these wells is subject to a number of conditions that are listed in the amended permit.

The first condition was that we notify our water customers that our water system may exceed the State standard of 0.2 ppb for DBCP. The City notified water customers by sending the first quarterly notice and by holding a press conference on May 23, 1990. A recap was presented regarding the 13 telephone calls that the City received, as of June 5, 1990, after the notice was mailed and the DBCP articles appeared in the newspaper.

The following letters were received regarding the matter and were read into the record by the City Clerk:

Within recent weeks, the attention grabbing news story has been the Council's decision to ban cigarette smoking in public places. While the effects of second hand smoke are not to be debated, there is another issue that should be deemed more urgent and health damaging. That issue is the safety of our water. Recently a notification was sent by

the City to homeowners, which defined the current health standards of the water in 12 of Lodi's wells. The water in these wells is contaminated with DBCP, a known carcinogen. This water is currently being sent into the homes of Lodi during peak hours. These peak hours are also the most likely times for a family to be preparing and eating a meal. This, unlike second hand smoke which to a degree, can be avoided, is coming directly into the home and being used for human consumption. This is outrageous! Even given the minute PPP (Part Per Million) of DBCP in these wells, Lodians should not have to fear that our water could possibly be the most health damaging substance with which we come into contact.

We, the undersigned, in lieu of attending the June 20, 1990, session on this issue are asking for a rapid solution to this latest health hazard which we are in contact with everyday, in and out of our home. We are asking that the safety of Lodi's water not be compromised in anyway, nor for any political, or self-valuing reasons, but for the health of the community at large. We are asking that all of Lodi's existing wells be brought into compliance with the California State Law within a timely manner.

(Petition contained 15 signatures)

I have counted to ten but it didn't help. As the man said in the movie, I am mad as hell and I won't take it anymore.

I can see you are feeling the same. I admire the restraint you show in the letter you sent to the citizens. Your assessment of the situation is perfect. There isn't a rational person in this town who doesn't see the California Department of Health Services number as totally asinine.

It would seem there is more we, as a City, can do than simply roll over and play dead in deference to the whims of a couple of autocratic bureaucrats. Since 0.0002 ppm of anything in a water supply is totally insignificant and can be so proven using almost any authority, the least we can do is sue those people and change the number to one that is rational and meaningful. Where is it written in stone that the number has to be 0.002?

I won't get into other arguments here such as the number of deaths attributed to cigarettes and alcohol in comparison to water from ANY City water supply in the United States, but I would suppose the only water related deaths in the United States in any given time period would be related only to drowning.

A few years ago, the agency in question told the town of Livingston to dig new wells, etc. because of an arsenic finding. Since the wells had always had that (it was

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assumed) and since the town didn't have the money, the mayor, in his great wisdom, told the agency to take a flying leap and as far as I know, not much else came of it.

There are times when, in the words of a jurist of bygone times, the law is an ass. This is one of those times, but I feel we really aren't dealing with a law, we are dealing with a ruling or an opinion (whim) and that can be fought. I would rather have my share of the \$6-7,000,000 be used to fight them bums and win than to filter already pure water.

Thanks for the letter and thanks for your analogies. I am sure there are about 45,000 Lodians who feel as we do. We should fight this, its nuts.

Sincerely,

Robert O. Bader, D.C.

The purpose of this public meeting is to comply with Condition 3b of the amended permit which reads:

"The City shall hold a public meeting by July 15, 1990 to inform the public of the DBCP problem within the system and provide an opportunity for comment. This public meeting will be as provided for in Section 6061 of the Government Code."

To further support the information contained in his letter, Dr. Robert O. Bader addressed the City Council regarding the matter.

Also addressing the City Council voicing opposition to the maximum contaminant level of 0.2 parts per billion (ppb) for DBCP in water levels was Dr. Helmuth Hoff, 1010 West Elm Street, Lodi.

The public portion of the hearing was closed. No formal action was required by the City Council on this matter.

RETENTION OF DRILLING
FIRM TO DRILL TEST WELLS

CC-183(a)
CC-183(b)

The City Council was advised that in addition to determining appropriate cleanup methods for dibromochloropropane (DBCP) contaminated wells, City staff has been working with Brown and Caldwell to plan and design new wells that will meet the DBCP maximum contaminant level (MCL) of 0.2 parts per billion (ppb). In March 1990, the City entered into a task order agreement with Brown and Caldwell for the tasks listed below. Estimated consulting fees at that time are shown. The plan was that as each task was completed, a detailed

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scope of work and cost estimate would be prepared and agreed to for the following task.

- Task 1 (\$4,150) - Evaluation and selection of test well procedures including cost estimates and preliminary designs to determine appropriate procedures for subsequent work.
- Task 2 (\$8,500) - Test well drilling assistance, analysis and recommendations for well design and additional work.
- Task 3 (\$2,500) - Prepare testing and monitoring plan for the Mokelumne River in relation to production well water quality.
- Task 4 (\$3,000) - Recommend a system or plan for monitoring Lodi's water supply.

Task 1 has been completed for the cost indicated. Table 2 as presented describes the recommended test well process. They conclude that an improved version of the City's recent test well methods will be adequate at sites where no DBCP is encountered. At contaminated sites, they recommend a second, more extensive test well and analysis. They note that "Neither method, however, can be expected to provide data representative of water quality trends over the life of the well."

Brown and Caldwell has also provided a scope of work and cost for Task 2. Based on this cost and the average of the drilling estimates provided as part of Task 1 for the proposed methods, the total cost of a test well for a contaminated site is \$74,000 plus laboratory costs. In comparison, the City has been spending under \$10,000 on test wells. Their revised fees (\$29,600) were significantly higher than the earlier Task 2 estimate (\$8,500). This high total cost and the overall uncertainty of the results led staff to reconsider this approach.

The City's past test well methods have had reasonable success, given the design criteria and technology available at the time. A summary of Lodi's wells showing present DBCP levels and the results provided by test wells was presented. Of the eight wells dating back to 1980 that were tested prior to drilling the production well:

- Two tested free of DBCP and are still clean (Wells 6 and 10).
- One contained DBCP, was designed to produce less than 0.2 ppb and is still

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below the MCL, although only for a short time since the well is new (Well 23).

- Three contained DBCP, were designed based on old action level of 1.0 ppb and are still below that amount, but are above the new 0.2 ppb MCL (Wells 1R, 19 and 21).
- Two contained DBCP, were designed based on 1.0 ppb and are now over that amount (Wells 20 and 22).

Also, three of the contaminated wells were free of DBCP from two to four years which indicates early success that was negated by changing groundwater conditions (Wells 19, 20 and 21).

The new General plan shows the City will need 14 new wells. These are in addition to four budgeted wells and a replacement for Well 4 as proposed in the DBCP remediation plan submitted to the Department of Health Services. This makes a total of 19 new wells. The following table is based on Figure 2-5 in Brown and Caldwell's DBCP study and the well locations shown in the proposed Water Master Plan.

| <u>Group</u> | <u># of Wells</u> | <u>Location</u> |
|--------------|-------------------|--------------------------------------------------------------|
| A | 8 | Southwest or east in area over 1 ppb DBCP |
| B | 8 | North/central area, reduced chance of DBCP |
| C | 3 | "In-between" areas, DBCP levels less than 1 ppb or uncertain |

We have no choice on the location of the A Group which comprises nearly half of the new wells due to the design requirements described in the Master Plan. We will drill those wells and probably end up treating them as soon as they are put into production or within a few years of use. Another eight (the B Group) are not likely to be a problem. Only the remaining three are likely to benefit from extensive testing and design and, again, there is no long-term certainty.

In their recommendations, Brown and Caldwell suggests that the proposed method to be used and evaluated "...to determine if it has contributed significant information which can be used to better design the well and whether it has given a better indication of the risks involved in constructing a production well at that site. A decision can then be made whether the additional information justifies the cost...". Earlier, this was staff's desire

Continued June 20, 1990

also. However, the high cost has been a discouraging factor, even for only one attempt.

Staff feels that the additional expense of a more sophisticated test well procedure is not economically justified.

Staff recommends that the City retain a qualified well driller on a time-and-material basis to work with City staff on test wells using an improved version of past methods. We plan to use Brown and Caldwell on a limited basis to assist in data analysis.

Following Council approval, staff intends to do the following:

1. Proceed at once on a test well/production well at the Well 11R (East Turner Road), Well 3R (Hutchins Street Square), and Well 24 (Stadium) sites using City personnel. Have Brown and Caldwell participate in sampling and analysis on an hourly basis, no formal reports as part of Task 2. Hire a qualified driller on a time-and-material basis without going to formal bid.
2. Have Brown and Caldwell prepare a monitoring well design that we can use to determine minimum production well spacing as part of Task 2.
3. Reconsider testing procedures for Well 25 being considered for the Industrial Substation site after the above work is done.
4. Have Brown and Caldwell complete Tasks 3 and 4 later in the year after information from the above work is available.

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council approved retaining a qualified well driller on a time-and-material basis to drill test wells for the City of Lodi

INSTALLATION OF IMPROVEMENTS
ON 1700 AND 1900 BLOCKS OF
SOUTH CHURCH STREET

CC-45(e)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Snider called for the public hearing regarding the installation of improvements on 1700 and 1900 blocks of South Church Street

The matter was introduced by Assistant City Engineer Richard Prima who advised the City Council that the 1989/90 Street Capital Improvement Program includes funds for design work on the reconstruction of Church Street from Kettleman Lane to 100 feet north of Swain Drive. The plan was to construct the project in the summer of 1990 using additional funds to be appropriated in the 1990/91 Capital Improvement Program. There are eight parcels on the west side of Church Street that do not have curb, gutter and sidewalk. Earlier, Council expressed an interest in having these frontage improvements installed.

1900 Block

At the southerly four parcels (1900 block), the necessary rights-of-way for these improvements were dedicated when the parcels were in the County. It is recommended that, following a positive determination by the City Council, staff notify the owners as required by law and proceed to include these improvements as separate schedules in the Church Street project. The owners would have three payment choices:

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

The estimated construction cost of these improvements ranges from \$1,300 to \$2,000 depending on the length of the parcel's frontage. The City could add various engineering and administrative costs. It is recommended these be waived if the owners opt for choice 1 or 2 described above. The parcels all have City water and sewer.

1700 Block

At the northerly four parcels (1700 block), the City needs to acquire 10 feet of right-of-way in order for the improvements to match the rest of the street. In order to expedite this process, staff recommends that the City offer to exchange the right-of-way for the installation of improvements and sewer hookups. These parcels already have City water.

This offer would include the following:

- Curb, gutter, and sidewalk
- Transition paving

Continued June 20, 1990

- Sanitary sewer tap, connection fee and main reimbursement
- Water service upgrade to present standards.

The value of these items is very close to the estimated value of the right-of-way based on comparison to recent acquisitions of other property for street projects. Thus, an even exchange is reasonable. The property owner would be responsible for the cost of abandoning septic systems should they elect to connect to the sewer. Of course, the property owners may not agree to the exchange. In that case, the City would have an appraisal done on the unimproved property and, if necessary, could use the eminent domain process to acquire the right-of-way. Following that, according to the City Attorney, the City would use the Streets and Highways Code to require the property owners to install their improvements similarly to the four parcels in the 1900 block. This cost, as described earlier, would be borne by the property owner.

If the Council determines that curb, gutter and sidewalk fronting all eight parcels should be installed, it is recommended that the City Council set a public hearing for June 20, 1990. This hearing provides the property owner an opportunity to object to or protest this decision.

The total process will probably delay the project beyond the summer construction season if the work was to be included. However, the street project could be constructed without these frontage improvements. This would result in an unimproved shoulder in these areas.

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

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council order the installation of improvements in the 1700 and 1900 blocks of South Church Street as outlined by staff.

PUBLIC HEARING TO REVIEW
AND CONSIDER THE COUNTY
OF SAN JOAQUIN TRANSPORTATION
SALES TAX EXPENDITURE PLAN

CC-28
CC-50(a)

Notice thereof having been published according to law, an affidavit of which publication being on file, Mayor Snider called for the public hearing to review and consider the County of San Joaquin Transportation Sales Tax Expenditure Plan.

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The City Council was advised that the governmental agencies within San Joaquin County are proposing a sales tax ballot measure for the general election in November 1990. It is proposed that the ballot measure will involve a one-half cent increase in sales tax which would raise approximately \$400 million in San Joaquin County over a 20-year period. The expenditure plan details how this money would be allocated and the major projects that are proposed for construction or that are eligible if the sales tax initiative passes.

Mr. Steve Dial, Associate Planner, San Joaquin County Council of Governments presented a detailed review of the subject plan and responded to questions as were posed by members of the City Council. Concern was expressed that if this plan was adopted as proposed how this would affect the City's spending limits.

Mrs. Janet Pruss, 2421 Diablo Drive, Lodi addressed the City Council asking about Proposition 116.

Following discussion, staff was directed to place this matter on the agenda for the Adjourned Regular Council Meeting of July 11, 1990.

RECESS

Mayor Snider declared a five-minute recess and the meeting reconvened at 8:35 p.m.

APPEAL OF LODI DEVELOPMENT
INC. OF THE PLANNING
COMMISSION'S DECISION TO DENY
THE REQUEST FOR A USE PERMIT
TO CONSTRUCT A SENIOR APARTMENT
PROJECT CONTAINING 51-ONE
BEDROOM APARTMENTS TO BE
LOCATED AT 217 NORTH SCHOOL
STREET IN AN AREA ZONED C-2,
GENERAL COMMERCIAL WITHDRAWN

CC-53(b)

Notice thereof having been published according to law, an affidavit of which publication being on file in the office of the City Clerk, Mayor Snider called for the Public Hearing to consider the appeal of Jim Pryor, Projects Manager, Commercial Division, Lodi Development, Inc. appealing the decision of the Planning Commission to deny the request for a Use Permit to construct a senior apartment project containing 51-one bedroom apartments to be located at 217 North School Street in an area zoned C-2, General Commercial.

The City Council was advised that a letter had been received from Mr. Pryor withdrawing his appeal stating that the withdrawal is due to the fact that Lodi Development, Inc. has redesigned its project and

Continued June 20, 1990

resubmitted the changes to the Planning Commission on June 11, 1990 and received approval.

Based on this information, the proceedings regarding this matter were discontinued.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of June 11, 1990.

CC-35 The Planning Commission -

1. Recommended approval of the following items initiated by the Planning Commission:

- a. to amend the Land Use Element of the Lodi General Plan by redesignating 1930 Holly Drive from Commercial to Medium Density Residential;
- b. to rezone 1930 Holly Drive from C-1, Neighborhood Commercial, to R-MD, Medium Density Multiple Family Residential; and
- c. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above projects.

On motion of Council Member Reid, Olson second, the heretofore listed items were set for public hearing on July 11, 1990.

Further, the Planning Commission -

1. Recommended that Section 17.57.160 of the Municipal Code concerning Accessory Buildings be amended to include the following:

"Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

Continued June 20, 1990

On motion of Council Member Olson, Hinchman second, the City Council set the heretofore listed item for public hearing on July 11, 1990.

The Planning Commission also -

OF INTEREST TO THE CITY COUNCIL

1. Determined that a Zoning Hardship existed and approved the request of Larry Anderson on behalf of Lodi Development for a Zoning Variance to reduce the front yard setback of Lockeford Street from 20 feet to 8 feet at 217 North School Street in an area zoned C-2, General Commercial.
2. Conditionally approved the request of Larry Anderson on behalf of Lodi Development for a Use Permit to construct a senior apartment project containing 50-one bedroom apartments to be located at 217 North School Street in an area zoned C-2, General Commercial.
3. Conditionally approved the request of Tony Canton for a Tentative Parcel Map to create two parcels from one parcel at 401 South Central Avenue in an area zoned C-1, Neighborhood Commercial.
4. Determined that a Zoning Hardship existed and approved the request of Jerry Snarr for a Zoning Variance to reduce the sideyard setback from 5 feet to 4 feet to permit an addition to an existing dwelling at 206 North Fairmont Avenue in an area zoned R-1, Single-Family Residential.
5. Cancelled the Use Permit of Marlon DeGrandmont for an entertainment center in Suite 7, Lakewood Mall, in an area zoned C-S, Commercial Shopping, because the business was never established.
6. Cancelled the Use Permit of Inder P. Singh for a temporary mobile trailer at 720-736 South Cherokee Lane in an area zoned C-2, General Commercial because the business no longer existed.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and Insurance Consulting Associates, Inc., the City Council, on motion of Mayor Pro Tempore Hinchman, Olson second, denied the following claim and referred it back to the City's Contract Administrator:

- a) Kristy McCarver (a minor), date of loss, 4/12/90

Continued June 20, 1990

RESIGNATION FROM LODI
SENIOR CITIZENS COMMISSION

CC-2(i) City Clerk Reimche presented a letter of resignation from the Lodi Senior Citizens Commission that had been received from Shirley Kleim. On motion of Mayor Pro Tempore Hinchman, Olson second, the City Council directed the City Clerk to do the required posting regarding this vacancy.

REAPPOINTMENTS TO VARIOUS
CITY BOARDS AND COMMISSIONS

CC-2(g) On motion of Council Member Reid, Hinchman second, the City
CC-2(k) Council concurred with the following reappointments to various City Boards and Commissions:

PLANNING COMMISSION

James Griffith 4-year term expiring June 30, 1994

LODI ARTS COMMISSION

Eleanor Kundert 3-year term expiring July 1, 1993

1988-89 SINGLE AUDIT
REPORT CERTIFICATION AND
AUDIT FINDING RESOLUTION

CC-7(f) The City Clerk presented a letter which had been received from Gray Davis, Controller of the State of California, regarding fiscal year 1988-89 Single Audit Report Certification and Audit Finding Resolution. The documents was received as filed.

PETITION RECEIVED
EXPRESSING CONCERN
REGARDING THE ADDITION
OF BARBECUES AT EMERSON
PARK

CC-16 City Clerk Reimche presented petitions which had been received from Lauren Bell containing approximately 30 signature expressing concern about the addition of barbecues at Emerson Park.

On motion of Council Member Olson, Hinchman second, the matter was referred to the Parks and Recreation Commission.

Continued June 20, 1990

REGULAR CALENDAR

DETERMINATION OF THE
EFFECTIVE DATE OF THE
CITY'S GROWTH MANAGEMENT
PLAN

CC-6 Community Development Director Schroeder advised the City
CC-35 Council that at the Shirtsleeve Session of Tuesday, May 22,
CC-117 1990 the Developers' Steering Committee asked for City
 Council clarification on the following:

1. General Plan adoption date.
2. Sewer Treatment Plant addition completion date.
3. Date annexation requests will be accepted.
4. Date when new residential construction permits will be issued.
5. Percent of annual growth rate and the resultant number of units per year.
6. Date from which annual growth rates will be calculated and the approximate number of units that represents.
7. Housing mix (e.g. what percentage of new housing will be multiple and what percentage will be single-family).

At that meeting the City Council indicated that it would make a decision on Item 6 above at the Regular Session of June 20, 1990.

Based on discussion with the developers, property owners, the school representative and other interested citizens, the following dates have received the most comments:

1. August 1981 - the effective date of Measure "A", "The Greenbelt Initiative".
2. February 1986 - the date the Superior Court declared Measure "A" in conflict with State Annexation Laws.
3. September 1989 - the date the Appellate Court upheld the Superior Court decision.
4. 1990 - the date of the final adoption of the updated Lodi General Plan.

By choosing either the 1981 or 1986 dates the City would provide growth far in excess of any previously experienced in Lodi.

Using the Appellate Court date in 1989 would require allocating two years (i.e. 1989-90 and 1990-91) which would translate into 2032 additional people in 791 units. Designating the date of the General Plan adoption would yield a one year total of 1006 persons in 392 units.

Addressing the City Council regarding the matter and representing a large group of developers and property owners was Mr. Dennis Bennett, 777 South Ham Lane, Lodi.

Also addressing the Council regarding the matter and responding to questions were:

- a) Mrs. Maryjoan Starr, Facilities Planner,
Lodi Unified School District
- b) Mr. J. Jeffrey Kirst, P. O. Box 1259,
Woodbridge, CA

Following discussion, on motion of Council Member Olson, Pinkerton second, the City Council determined that the effective date of the City's Growth Management Plan would be September 1989.

The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid, and Snider (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

MOKELUMNE RIVER NORTH
BANK LAND USE

CC-27(a)
CC-27(c)

The City Council was advised that the Mokelumne River Conservation Alliance (MRCA) has been in existence over the past six months and has gone from a single interest organization to an Alliance addressing all the concerns of the Mokelumne River. The committee would like to preserve and/or have title to the north bank areas (land) that are within the flood plain, from Highway 99 bridge to the Woodbridge Dam. It is their thought that we encourage limited access to the area-in fact, maybe all land in the area except a small access park off of Highway 99 bridge with this being the only area the public can use. This area would accommodate parking, picnic, barbecue, swimming and small boats (canoes, row boats) access to the river. The rest of the Mokelumne north bank would not be developed

for public access, but preservation of the land for nonbuilding uses would be encouraged.

The Committee has met with Supervisor George Barber, Community Development Director Schroeder, City Manager Tom Peterson, County Planning Director Chet Davidson, and County Parks and Recreation Director, Jim Leonard, and in all cases received positive comments on the project. Mr. Leonard of the County has gone so far as to say they (the County) would take the lead in this whole project if directed to do so by the County Board of Supervisors. The County has the knowledge, background and wherewithal to put together this project and see it to its development.

This matter comes to the City Council with a favorable recommendation from the Parks and Recreation Commission. The Commission is requesting that the City Council incorporate language regarding this matter, to the extent that it can, in the City's General Plan document. The commission further recommends that the City Council request the County Board of Supervisors to direct the County Parks and Recreation Department to pursue such preservation efforts, including the development of a master plan for this area, and land acquisition where needed for either public access or retention of open space.

The following persons addressed the City Council regarding the matter:

- a) Jay Bell, 335 Louie Avenue, Lodi
- b) John Schmidt, 2216 West Walnut Street, Lodi
- c) Peter J. Jerome, U. S. Fish and Wildlife Service
- d) Dan Gifford, California Department of Fish and Game
- e) Janet Garr, Victor Fine Foods
- f) Dave Mende, Lodi Unified School District
- g) Sandi Stocker, P. O. Box 673, Victor
- h) Art Hoffman, 2418 East Woodbridge Road, Acampo
- i) Dan Collins, 945 South Ham Lane, Lodi
- j) Scott Essin, Parks Superintendent, City of Lodi

Mayor Pro Tempore Hinchman moved that the City Council approve the concept of the preservation of land in its natural state along the north bank of the Mokelumne River from the U.S. 99 overpass to the Woodbridge Dam, including a public access park in that area. The motion was seconded by Council Member Reid, but failed to pass by the following vote:

Ayes: Council Members - Hinchman and Reid

Noes: Council Members - Olson, Pinkerton, and Snider

Absent: Council Members - None

Following additional discussion, Mayor Snider moved that the City Council approve the concept of the preservation of land in its natural state along the north bank of the Mokelumne River from the U.S. 99 overpass to the Woodbridge Dam, including the feasibility of a public access park in the area west of the 99 overpass, namely the Mason property.

The motion was seconded by Council Member Olson and carried by the following vote:

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

APPLICATION FOR MOBILE HOME PARK ASSISTANCE PROGRAM LOAN APPROVED

CC-6
CC-25

Community Development Director Schroeder advised the City Council that Homer Beldt presently holds a ground lease on Casa de Lodi and has listed it for sale. The occupants of the park (senior citizens) are concerned that a sale will cause an increase in rents and force many of them to move.

The State of California through the Department of Housing and Community Development administers the Mobilehome Park Assistance Program which is designed to help park occupants purchase the park.

The Assistance Program requires that a local public entity, if the loan is approved by the State, assumes the responsibilities specified in Section 8018(c) of the Mobilehome Park Assistance Program regulations and certifies the following:

- (1) that the project proposed in this application was reviewed and determined to

- be, or will be upon completion, consistent with local zoning and land use policies if approved by the local legislative body;
- (2) that the project proposed in this application complements the local housing programs to preserve and increase the supply of low-and moderate-income housing; and that the statements in Attachment III-C.9. are accurate;
 - (3) that a survey of the households residing in the mobilehome park has been conducted and no less than two-thirds of all the residents support the project as proposed in this application;
 - (4) that the statements concerning the potential displacement of residents and of rents being charged in comparable mobilehome parks in the vicinity as stated in Section IV-B of this application are accurate, feasible and approved or will be approved by the local public entity; and
 - (5) that the local public entity has committed to provide the financial and other assistance specified in this application.

Although the act indicates that the local public entity can make grants or loans through Community Development Block Grant or redevelopment funds, the only assistance being requested at present is staff aid in application preparation and discussion with State officials.

It should be noted, that if financial assistance were requested, the only funds Lodi has are Community Development Block Grant monies. These funds have already been committed for Fiscal Year 1990-91.

Following discussion, on motion of Council Member Pinkerton, Olson second, the City Council determined it would serve as the Local Public Entity in assisting the occupants of Casa de Lodi Mobilehome Park in purchasing Homer Beltd's interest in the facility.

Continued June 20, 1990

PROPOSAL TO REFINANCE
LODI MEMORIAL HOSPITAL
BONDS AND RELEASE OF
CITY'S INTEREST THEREIN

RES. NO. 90-103

CC-6

The City Council was advised that the City of Lodi in 1979 lent its status as a municipal corporation to the Hospital for the purpose of issuing certain revenue bonds with which the emergency care wing was built. The City was in no way a participant in this bond issue, and is not responsible for either the principal or interest on these bonds. It was simply necessary under Internal Revenue Service rules for a public agency to "sponsor" such bonds.

Lodi Memorial Hospital is now attempting to refinance these bonds with a private issue for the purposes of doing further construction and the possible acquisition of Doctors Hospital (although that is not a certainty at this time). This requires the City's approval, since under the original bond issue, it was stipulated that the City would hold title to the emergency room facilities upon maturity of the bonds in the year 2020. However, it was apparently never contemplated that the City would actually take over operation of this portion of the Hospital, now that we ever intended to actually become involved in the running of the facility. This was a mere formality, and the City is not giving up anything of value by authorizing this transaction.

In effect, the Acquisition Agreement and Resolution operate as a Quitclaim deed, simply conveying back to the Hospital any and all right or title the City might have had to the facilities upon the maturity of the bonds.

On motion of Council Member Reid, Hinchman second, the City Council adopted Resolution No. 90-103, entitled, "A Resolution of the Lodi City Council Authorizing the Execution and Delivery of an Acquisition Agreement with the California Health Facilities Financing Authority and Certain Other Actions in Connection With the Transfer of Title to Lodi Memorial Hospital".

AMENDED RATE SCHEDULE
FOR AMBULANCE SERVICE
IN THE CITY OF LODI
APPROVED

RES. NO. 90-104

CC-22(d)
CC-300

The City Council was advised that the City Code provides that the City Council "reserves the right to finally determine and fix by resolution, the rates to be charged by the operator of the ambulance service." Mr. Michael N.

Nilssen, owner-operator of Lodi Ambulance Service, has, in accordance with the provisions of the City Code, filed with the City a request to amend the ambulance rates charged in the City of Lodi. A copy of the requested new rate schedule was presented for the City Council's review and is set forth below. Also presented for Council's review was a copy of an order of the County Board of Supervisors and an accompanying Board resolution establishing the County ceiling for ambulance rates. The request of Lodi Ambulance Service is in accordance with the new ceiling. The basic rate (Basic Life Support) for emergency calls would be increased by approximately 9%. The Advanced Life Support rate would also be increased by approximately 9%, as would the Night Call extra charge and Mileage charge. The rate for oxygen would increase 10%. The new rate schedule would be effective July 1, 1990. The last increase was effective August 10, 1989. The County's plan is to review the ambulance rate schedule at mid-year of each year. Previous reviews were toward the end of each year.

LIFE MEDICAL INDUSTRIES, INC.

SERVICE RATE ADJUSTMENTS

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| Service ===== | Current Rate ===== | Proposed Rate ===== |
|--------------------------------------------------|--------------------------|---------------------------|
| Basic Life Support, Base Rate (Non-Emergency) | \$170.00 | \$170.00 |
| Basic Life Support, Base Rate (Emergency) | \$216.00 | \$236.00 |
| Advanced Life Support, Base Rate | \$375.00 | \$420.00 |
| Night Call (7:00 p.m. to 7:00 a.m.) | \$46.00 | \$50.00 |
| Oxygen | \$30.00 | \$33.00 |
| Mileage | \$8.60 | \$9.00 |

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Following discussion, on motion of Council Member Olson, Hinchman second, the City Council adopted Resolution No. 90-104 amending the rate schedule for ambulance service in the City of Lodi.

ADOPTION OF URGENCY
MORATORIUM ORDINANCE ON
SECOND RESIDENTIAL UNITS
IN THE EAST SIDE REZONING AREA

ORD. NO. 1490

CC-53(a)
CC-149

The City Council was advised that at the Council meeting of April 4, 1990, the City Council adopted Ordinance No. 1481, an urgency measure imposing a moratorium on construction of second residential ("Granny Units") on R-1 lots in the east side rezoning area. This was done because of concerns about the capacity of water, wastewater, and storm drain facilities serving this area. The action was felt necessary by staff to allow time for identifying problems and planning solutions.

The ordinance by its own terms was valid for 45 days unless extended sooner by the Council following a public hearing. That meant its expiration date was May 19, 1990 unless acted upon by the Council.

The matter was inadvertently left off the May 16, 1990 Council agenda and thus has now lapsed.

Since a lapsed ordinance cannot be extended, if the Council wants to continue the moratorium, it will be necessary to adopt a new ordinance. Under Government Code Section 65858(a), this ordinance would be valid for 45 days. At least 10 days before expiration, the Council must adopt a report describing measures taken to alleviate the conditions and may at that time extend the ordinance for up to 22 months and 15 days or a lesser time if it is felt appropriate. That could be done at the July 18, 1990 Council meeting.

Present estimates by Public Works and Community Development indicate that it may not be necessary to have the moratorium in place for the full period allowed by statute.

Following discussion with questions being directed to staff, the City Council, on motion of Council Member Reid, Olson second, adopted Urgency Ordinance No. 1490, entitled, "An Uncodified Urgency Interim Ordinance of the Lodi City Council Imposing a Moratorium on Second Units in the East Side Rezoning Area".

The motion carried by unanimous vote of all Council Members.

Continued June 20, 1990

1990-91 OPERATING
BUDGET REVIEW

CC-21(b) Council Member Pinkerton moved for adoption of the proposed 1990-91 Operating Budget. The motion died for lack of a second.

The City Council set over to the Special Meeting of June 21, 1990, its review of the City of Lodi 1990/91 Operating Budget.

ORDINANCES

AMENDMENT TO LODI MUNICIPAL
CODE SECTION 15.20.220
REGARDING THE USE OF FIREWALLS
IN LIEU OF THE INSTALLATION
OF FIRE SPRINKLERS

ORD. NO. 1489 ADOPTED

CC-24(b) Ordinance No. 1489 entitled, "An Ordinance of the Lodi City
CC-149 Council Repealing Lodi Municipal Code Section 15.20.220 and
Reenacting a New Section 15.20.220" having been introduced
at a regular meeting of the Lodi City Council held June 6,
1990 was brought up for passage on motion of Mayor Pro
Tempore Hinchman, Reid second. Second reading of the
ordinance was omitted after reading by title, and the
ordinance was then adopted and ordered to print by
unanimous vote of the City Council

ADJOURNMENT

There being no further business to come before the
City Council, Mayor Snider adjourned the meeting at
approximately 11:55 p.m. to June 27, 1990 at 7:30 p.m.

ATTEST:

*Alice M. Reimche*Alice M. Reimche
City Clerk*All pages 466-468
for 6/27/90 minutes*