

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, AUGUST 1, 1990
7:30 P.M.

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

INVOCATION The invocation was given by Pastor David Hill, Grace
Presbyterian Church.

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

PRESENTATIONS

CONTRIBUTION RECEIVED FROM
LODI-TOKAY ROTARY CLUB
FOR LODI LAKE PROJECT

CC-9 A check in the amount of \$2,000 was presented by Dr. Harry
Bader of the Lodi-Tokay Rotary Club for the Shelter
Project, main campground, Lodi Lake Park.

PROCLAMATION Mayor Snider presented a proclamation for the 1990 A. S.
CC-37 A. Senior Girls Fast Pitch National Softball Tournament
being held in Lodi August 6 - 12, 1990.

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

Agenda item E-6, "Dial-A-Ride service to Freeway Mobile
Home Park" was removed from the agenda.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$2,066,393.76 and
\$3,519,462.19.

MINUTES The Minutes of June 20, 1990, July 10, 1990 (Special
Meeting), and July 11, 1990 were approved as written.

Continued August 1, 1990

PUBLIC HEARING SET
REGARDING CITY WEED
ABATEMENT PROGRAM FOR 1990

CC-24(b) That Council set a public hearing for the Regular Council meeting of September 5, 1990 to receive a report of the cost of abatement of weeds on parcels located in the City and to hear any objections of the property owners liable to be assessed for the abatement.

The City Council was reminded it had initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications and postings were made regarding the matter. Public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the following parcels:

1. 2320 Grenoble, APN 027-270-05
2. 924 Interlaken, APN 027-270-15
3. 1403 South Lakeshore Drive, APN 058-160-26
4. 713 South Sacramento Street, APN 045-240-07

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. At the time fixed for receiving and considering the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. After confirmation of the report by the Council a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

PREZONING OF DIEKMAN ET AL
PARCEL (INDUSTRIAL SUBSTATION
SITE) 5200 EAST SARGENT ROAD
(APN 049-070-02) INITIATED

CC-53(a) The City Council initiated the prezoning of the Diekman et al parcel (Industrial Substation site) 5200 East Sargent Road (APN 049-070-02) to M-2, Heavy Industrial and referred the matter to the Planning Commission.

Part of the agreement between the City and the Diekman family for the acquisition of the Industrial Substation site was that the City would prezone and make every

effort to annex the remaining 6.3 acres south of the substation.

In order to comply with this agreement, the Council should initiate the rezoning of the entire 14.4 acres (i.e. substation plus remainder). The date of the City Council hearing will depend on how soon the Planning Commission's recommendation is sent to the Council.

RESOLUTION ORDERING THE
CANVASS OF THE NOVEMBER 6, 1990
GENERAL MUNICIPAL ELECTION

RESOLUTION NO. 90-111

CC-18 The City Council adopted Resolution No. 90-111 ordering the
CC-300 Canvass of the November 6, 1990 General Municipal Election
to be made by the San Joaquin County Registrar of Voters
within 28 days of the election.

On October 19, 1988 the Lodi City Council pursuant to State of California Government Code Section 36503.5 adopted Ordinance No. 1438 indicating its desire to consolidate municipal elections with Statewide general elections. The San Joaquin County Board of Supervisors on February 7, 1989 adopted Resolution R-89-122 approving the request for consolidation operative with the general Statewide election held in the year 1990.

If such approval is given by the Board of Supervisors, State Statute allows the County 28 days to complete the canvass.

Once the County has canvassed the election and provided an official "Statement of Results" to the City Clerk, the Council at its next regularly scheduled meeting or at an adjourned meeting or a special meeting adopts a resolution declaring the results of the election.

ITEM REMOVED FROM AGENDA

Agenda item E-6, entitled, "Dial-A-Ride service to Freeway Mobile Home Park" was removed from the agenda.

PLANS AND SPECIFICATIONS
FOR LOCKEFORD STREET OVERLAY,
SOUTHERN PACIFIC RAILROAD TO
CHEROKEE LANE APPROVED

CC-12.1(a) The City Council approved the plans and specifications for Lockeford Street Overlay, Southern Pacific Railroad to Cherokee Lane and authorized advertising for bids.

Continued August 1, 1990

This project consists of a slurry seal to seal the cracks and an asphalt overlay on Lockeford Street from the Southern Pacific Railroad to Cherokee Lane and minor drainage improvements.

Lockeford Street will be closed to traffic during the paving and slurry sealing portions of this project. It is anticipated that these two operations will not take more than four days to complete (two days for slurry sealing and two days for paving).

Work on this project will not begin until the Grape Festival has ended.

CONTRACT AWARD FOR PARKING
LOT #5 ASPHALT OVERLAY,
NORTHEAST CORNER OF ELM STREET
AND CHURCH STREET

RESOLUTION NO. 90-113

CC-12(a)
CC-300

The City Council adopted Resolution No. 90-113 awarding the contract for Parking Lot #5 Asphalt Overlay, northeast corner of Elm Street and Church Street project to Claude C. Wood Company in the amount of \$24,631.50 and appropriated an additional \$7,000 from the Capital Outlay Reserve to complete the work.

This project consists of furnishing and installing asphalt concrete overlay including leveling course, pavement grinding, and pavement reinforcing fabric.

Plans and specifications for this project were approved on July 11, 1990.

The City received the following five bids for this project:

Bidder	Location	Bid
Engineer's Estimate		\$23,400.00
Claude C. Wood Co.	Lodi	24,631.50
A.M. Stephens Construct.	Rio Vista	25,141.00
Teichert Construction	Stockton	28,094.40
Granite Construction Co.	Stockton	33,985.00
Biondi Paving	Sacramento	37,610.00

CONTRACT AWARD FOR
TYPE II SLURRY SEAL,
VARIOUS CITY STREETS, 1990

RESOLUTION NO. 90-114

CC-12(a)

The City Council adopted Resolution No. 90-114 awarding the

CC-300

contract to apply type II slurry for various City Streets to Valley Slurry Seal Company, West Sacramento, California.

The specifications for type II slurry seal for various City streets were approved by the City Council at its meeting of July 11, 1990, and four bids were received.

The cost of slurry seal per square foot decreased six percent since the last time the City requested bids, which was July 1989.

Listed below is the tabulation of the bids received:

Bidder	Total SF	Total Bid
Valley Slurry Seal Co. West Sacramento, CA	961,225	40,657.99
California Pavement Maint. Sacramento, CA	961,225	42,442.48
Graham Contractors San Jose, CA	961,225	43,255.13
Asphalt Maintenance Visalia, CA	961,225	46,523.29

HILBORN STREET AT WASHINGTON STREET - INTERSECTION CONTROL

RESOLUTION NO. 90-115

CC-48(h)
CC-300

The City Council adopted Resolution No. 90-115 amending the Traffic Resolution 87-163 to approve the conversion of "yield" signs to "stop" signs on Hilborn Street at Washington Street.

The Public Works Department has received two recent complaints requesting the "yield" signs on Hilborn Street at Washington Street be changed to "stop" signs.

A study of the intersection indicates the traffic volumes on Hilborn Street and Washington Street are 660 and 1,105 vehicles per day, respectively. Available accident records indicate that four accidents (correctable with the installation of "stop" signs) occurred from 1987 to June 1990. One accident occurred in 1989 and three in 1990.

A study performed using sight obstructions to determine approach speeds indicates that yield signs are the appropriate control at this intersection. However, there is the potential for a sight problem generated by vehicles parked on-street at the apartment complex on the northeast corner and at the Lodi Christian Life School on the

southeast corner. The apartment complex has five on-site parking stalls but the school has no on-site parking. For this reason and the accident record, staff recommended the conversion from "yield" signs to "stop" signs.

RESOLUTION AUTHORIZING
PUBLIC WORKS DIRECTOR TO
SUBMIT PROJECTS FOR THE
STATE-LOCAL PARTNERSHIP PROGRAM
(SENATE BILL 300) ON BEHALF
OF THE CITY

RESOLUTION NO. 90-116

CC-6 The City Council adopted Resolution No. 90-116 authorizing
CC-7(f) the Public Works Director to submit projects for the
CC-158 State-Local Partnership Program (Senate Bill 300) on behalf
CC-300 of the City.

Under this program, agencies submit projects to the State for up to 50% match on qualified projects. The State match depends on the number of projects that are approved and the funds available for distribution. The more projects, the lower the percentage of the match. It is estimated that the match for the fiscal year 1991 projects will be approximately 14% of total project cost. This will provide Lodi approximately \$60,000 of new street dollars in 1991. The State has asked that the person signing the application for these projects be authorized by resolution.

COMMENTS BY CITY
COUNCIL MEMBERS

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

COUNCIL MEMBER REID
COMMENDED FOR HIS ONGOING
COMMITMENT TO THE NORTHERN
CALIFORNIA POWER AGENCY

Mayor Pro Tempore Hinchman commended Council Member Reid for his ongoing commitment to the Northern California Power Agency and for his leadership in the completion of the Calaveras Project.

APPRECIATION EXTENDED TO
COMMUNITY FOR ITS SUPPORT
OF BOYS AND GIRLS CLUB ROCK
AND ROLL CONCERT

Council Member Olson thanked the community for its support of the recent Boys and Girls Club Rock and Roll Concert.

CONCERN EXPRESSED REGARDING
SAN JOAQUIN HEALTH DISTRICT'S
POLICING OF FOOD SALES AT
COMMUNITY EVENTS

CC-16 Council Member Pinkerton spoke about a recent
interpretation
CC-24(b) by the San Joaquin Health District of an old law as it
relates to policing food sales at various community events.

LODI DAY AT CANDLESTICK PARK

Mayor Snider announced that 12 bus loads of people from this area will be attending Lodi Day at Candlestick Park.

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:

QUESTIONS POSED BY RESTAURANTEUR
REGARDING ENCROACHMENT VIOLATION

CC-16 Mr. David Ferry of the Gourmet Sandwich Shop questioned an encroachment violation as it pertains to advertising his restaurant with the placement of a table in the public right-of-way. The matter was referred to staff.

FIRE CHIEF HUGHES APPLAUDED
FOR RECENT APPOINTMENT TO
THE CALIFORNIA BUILDING STANDARDS
COMMISSION

Mr. Walter Pruss applauded Fire Chief Hughes for his being appointed to the California Building Standards Commission.

PARALLEL PARKING OF VEHICLES
IN THE AREA OF LOWER SACRAMENTO
ROAD AND SARGENT ROAD CONCERN CITIZEN

CC-16 Mr. Walter Pruss indicated his concern regarding the
CC-48(a) parallel parking of vehicles in the area of Lower
Sacramento Road, Sargent Road and Raleys.

Continued August 1, 1990

PUBLIC HEARINGS There were no public hearings scheduled for this meeting.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of July 9, 1990 and July 23, 1990:

CC-35 The Planning Commission at its meeting of July 9, 1990 -

OF INTEREST TO THE CITY COUNCIL

1. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers, on behalf of Seco Plumbing, Inc. for a Tentative Parcel Map to create four lots from one lot at 1248 South School Street in an area zoned R-MD, Medium Density Multiple Family Residential.
2. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Consulting Engineers, on behalf of Lodi Unified School District for either a Lot Line Adjustment or Parcel Map to create two parcels from six parcels at 1305-1361 East Vine Street and 1300-1360 Industrial Way in an area zoned M-2, Heavy Industrial.
3. Conditionally approved the request of Glen I. Baumbach, Baumbach and Piazza, Consulting Engineers on behalf of Robert L. Griffin for a Lot Line Adjustment to join 87 Commerce Street and 109 Commerce Street in an area zoned M-2, Heavy Industrial.

The Planning Commission at its meeting of July 23, 1990 -

OF INTEREST TO THE CITY COUNCIL

1. Continued consideration of the request of Phillippi Engineering, Inc. on behalf of Kettleman III, a California Limited Partnership, for approval of a Tentative Parcel Map for Sunwest Plaza, a 23.8 acre proposed shopping center at the southeast corner of Kettleman Lane and Lower Sacramento Road in an area zoned C-S, Commercial Shopping Center.
2. Conditionally approved the request of Dillon Engineering on behalf of Sidney E. Crawford for approval of a Tentative Parcel Map to create two lots from one at 1301 South Central Avenue in an area zoned R-1*, Single-Family Residential - Eastside.
3. Set a public hearing for 7:30 p.m., Monday August 27, 1990 to consider the Update of the Lodi General Plan.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On motion of Council Member Olson, Reid second, the City Council denied the following claim and referred it back to the City's Contract Administrator:

- a) Estate of Kelly J. Boudreaux (Gloria Dominquez), Date of loss, 12/9/89

PUC APPLICATIONS

City Clerk Reimche presented the following Public Utilities Commission applications which had been received:

- a) AT&T application regarding voice grade private line and foreign exchange service rate restructure
- b) AT&T Communications of California, Inc. application requesting authority to change prices and introduce new services on the same basis as its competitors

ABC LICENSE
APPLICATIONS

The City Clerk presented the following applications for Alcoholic Beverage Licenses which had been received:

- a) Carl Peter Lehner, Paprika, 523 West Harney Lane, Lodi, On Sale Beer and Wine Eating Place, Original License
- b) Ultramar, Inc. (P-12), Ultramart, 900 South Cherokee Lane, Lodi, Off Sale Beer and Wine, Person to Person Transfer
- c) Darby Enterprises, Inc., Tim Prudhel, President; Janice Prudhel, Secretary/Treasurer; Garry's Lounge, 13 South School Street, Lodi, On Sale General Public Premises, Person to Person Transfer

APPOINTMENT TO LODI
SENIOR CITIZENS COMMISSION

CC-2(i)

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council concurred with Mayor Snider's appointment of John Gorman to the Lodi Senior Citizens Commission to fill the unexpired term of Shirley Kleim, which term expires on December 31, 1992.

Continued August 1, 1990

REPORT REGARDING REQUEST
THAT PARK RANGERS BE ARMED

CC-16 The City Council received a report advising that the
Lodi CC-34 Parks and Recreation Commission at its July 3, 1990 meeting
recommended that the Park Rangers not be armed but
provided with bulletproof vests. The bulletproof vests
had been ordered.

EMERSON PARK PROJECT

CC-16 The City Council received a report advising that the Lodi
CC-27(c) Parks and Recreation Commission endorse the continuation of
the Emerson Park project as planned. The Commission felt
it had quality public input in putting the project together
originally and had addressed safety and access within the
plan.

REGULAR CALENDAR

REFERENDUM AGAINST ADOPTED
ORDINANCE NO. 1488 ENTITLED,
"AN ORDINANCE OF THE LODI CITY
COUNCIL REGULATING OR PROHIBITING
SMOKING IN CERTAIN PUBLIC PLACES
AND IN PLACES OF EMPLOYMENT"

RESOLUTION NOS. 90-123, 90-124, and 90-125

CC-18 City Clerk Reimche apprised the City Council that on June
6,
CC-24(b) 1990 the Lodi City Council adopted Ordinance No. 1488
CC-149 entitled, "An Ordinance of the Lodi City Council Regulating
CC-300 or Prohibiting Smoking in Certain Public Places and in
Places of Employment".

On July 5, 1990 the City Clerk received a referendum
petition entitled, "Referendum Against an Ordinance Passed
by the Lodi City Council - Petition Protesting Adoption of
City Ordinance No. 1488" bearing 5,051 signatures.

A certificate from Larry O. Tunison, Acting Registrar of
Voters, which certifies the following, was then presented
by the City Clerk:

Number of signatures filed	5,051
Number of signatures verified	3,162
Number of signatures found sufficient	2,511
Number of signatures found not sufficient	651

Based upon the sample, 2,511 signatures are valid, which is 10.6% of the registered voters, sets forth the following:

If the legislative body does not entirely repeal the ordinance against which the petition is filed, the legislative body shall submit the ordinance to the voters either at the next regular municipal election occurring not less than 88 days after the order of the legislative body or at a special election called for the purpose not less than 88 days after the order of the legislative body. The ordinance shall not become effective until a majority of the voters voting on the ordinance vote in favor of it. If the legislative body repeals the ordinance or submits the ordinance to the voters and a majority of the voters voting on the ordinance do not vote in favor of it, the ordinance shall not again be enacted by the legislative body for a period of one year after the date of its repeal by the legislative body or disapproval by the voters.

Pursuant to the State Statute, the City Council shall either:

1. Adopt an ordinance repealing in its entirety Ordinance No. 1488 entitled, "An Ordinance of the Lodi City Council Regulating or Prohibiting Smoking in Certain Public Places and in Places of Employment".
2. Adopt a resolution submitting the Ordinance to the voters at the November 6, 1990 General Municipal Election.

If the City Council elects to submit the ordinance to the voters, it will be necessary to request the Board of Supervisors of the County of San Joaquin to consolidate a Special Municipal Election to be held on November 6, 1990 with the Statewide General Election to be held on that date pursuant to Section 23302 of the Elections Code for the purpose of the election of three members of the City Council and submitting the subject Ordinance to the voters.

Sections 4015.1 and 5014.5 of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections. These provisions must be adopted at the same meeting at which the resolution calling the election is adopted.

The following persons addressed the City Council regarding the matter urging that the subject ordinance be placed on the ballot:

- a) Dr. Phillip Ross, 755 South Fairmont Avenue, Lodi
- b) C. M. Sullivan, 1111 West Tokay Street, Lodi
- c) Arlene Farley, 2121 Scarborough Drive, Lodi
- d) E. Marie Orndorf, 11 South Lee Avenue, Lodi

Supporting the repeal of the ordinance was Nick Parises who failed to give his home address.

Also addressing the City Council regarding the matter were:

- a) Gerald Vanderlans, 1310 West Turner Road, Lodi
- b) Eileen St. Yves, 310 South Orange Street, Lodi
- c) Person identifying himself as residing at 1430 South Sacramento Street, Lodi

Following discussion, the City Council took the following actions regarding the matter:

1. On motion of Council Member Olson, Hinchman second, the City Council by the following vote adopted Resolution No. 90-123 determining that a special election shall be held on Tuesday, November 6, 1990 to vote upon the question of:

Shall Ordinance 1488 of the City of Lodi entitled, "AN ORDINANCE OF THE LODI CITY COUNCIL REGULATING OR PROHIBITING SMOKING IN CERTAIN PUBLIC PLACES AND IN PLACES OF EMPLOYMENT" be adopted?

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

Abstain: Council Members - None

- 2. On motion of Council Member Reid, Hinchman second, the City Council adopted Resolution No. 90-124 requesting the Board of Supervisors of the County of San Joaquin to consolidate a Special Municipal Election to be held November 6, 1990, with the Statewide General Election to be held on the date pursuant to Section 23302 of the Elections Code for the purpose of the election of three Council Members and a measure relating to Ordinance No. 1488.
- 3. On motion of Council Member Reid, Olson second, the City Council adopted Resolution No. 90-125 providing for the filing of rebuttal arguments for City measures submitted at the November 6, 1990 election.
- 4. On motion of Mayor Pro Tempore Hinchman, Olson second, the City Council directed the City Clerk to forward a copy of the subject ordinance to the City Attorney for preparation of an impartial analysis to be included in the sample ballot.

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

MILLS AVENUE AND VINE STREET
- INTERSECTION CONTROL

RESOLUTION NO. 90-117

CC-48(h)
CC-300

The City Council was advised that the Public Works Department has received a number of requests for the installation of four-way stops at the intersection of Mills Avenue and Vine Street and a complaint from the City Council that the stop signs are on the wrong street.

The intersection is currently controlled by stop signs on Vine Street at Mills Avenue. Vine Street traffic has been increasing, primarily due to additional development near Lower Sacramento Road. Recent volume counts performed indicate that the existing controls are stopping major street traffic (Vine Street). These counts show that the traffic volumes on Mills Avenue and Vine Street are 1,540 and 4,240 vehicles per day, respectively (a 27/73% split).

Staff has periodically performed studies for four-way stops at this intersection. However, the guidelines were never met. A review of available accident records indicates that there have been two accidents correctable with the installation of four-way stop signs during the 3½ year period from 1987 to June of 1990. One accident occurred in

1987 and one in 1990. The posted speed limit on Vine Street is 35 mph. The posted speed limit on Mills Avenue north of Vine Street is 30 mph and the prima facie speed limit south of Vine Street is 25 mph.

Given the increase in volumes on Vine Street, staff considered reversing the stop signs. In order to obtain public input regarding the possible stop sign reversal, staff sent a letter to residents adjacent to the intersection and to citizens who have expressed a concern in the past. This letter is attached as Exhibit C. The responses received from this letter indicate that four-way stops are desired. Of the 13 responses received by July 23, only 1 was in favor of the stop sign reversal.

If there were no controls at this intersection, staff would recommend two way stops on Mills Avenue. However, there are existing stop signs on Vine Street and reversing them to Mills Avenue is a cause for concern when existing driver and pedestrian patterns are considered. Thus, while the State guidelines for a four-way stop are not met, we do not have an objection to the installation of four-way stops for the following reasons:

- Both streets are collectors and are similar in width and other design characteristics.
- Four-way stop control would be consistent with other intersecting collectors such as Vine Street at Fairmont, Crescent, and Central, and Mills at Tokay and Elm.
- Upon additional development within the General Plan time frame, volumes on Mills will increase while those on Vine will level off.
- A four-way stop will be the appropriate control in the future.
- There is some evidence that a two-way stop is confusing and some drivers treat the intersection as a four-way stop.
- Apparently the adjacent residents do not share our concern over the minor increase in unnecessary noise and air pollution.

Staff pointed out to the Council that the statement of scope in the Caltrans Traffic Manual states, "This manual is not a textbook; it is not a substitute for engineering knowledge, experience or judgement". In this case, our judgement is that a four-way stop at this location is acceptable. However, we also wish to remind the Council

that based on our experience and judgement, either a four-way stop or stop sign reversal will not affect vehicle speed in the area.

Following discussion, on motion of Council Member Reid, Olson second, the City Council adopted Resolution No. 90-117 amending the Traffic Resolution to approve the installation of four-way stops at Mills Avenue and Vine Street.

SOLID WASTE CHARACTERIZATION STUDY

CC-54

City Manager Peterson presented the following letter which had been received from Tom Horton, Solid Waste Manager, County of San Joaquin regarding the performance of waste characterization studies required by the passage of Assembly Bill 939. This study must be conducted prior to the preparation of the Source Reduction and Recycling Element (Plan), another requirement of AB 939. The letter sets forth five options possibly available to the City. One of the options is to utilize the County's waste characterization team to conduct this study for the City of Lodi on a time and materials basis. The County has indicated that it does not have sufficient staff or time to perform such studies for every city in the County. In view of that, City Manager Peterson has taken the liberty of submitting an early request to the County for assistance in this area. The purpose of this item on the agenda is to obtain concurrence in this request, or to receive City Council direction if the Council's feeling is otherwise.

As you are aware, Assembly Bill 939 required each city and county, for its unincorporated area, to prepare a waste characterization study as part of its Source Reduction and Recycling Element. These waste characterization studies were to be statistically relevant, and were to classify the waste stream into over forty categories. Furthermore, the characterization studies were to be performed over a period of a year.

During the month of May, 1990, San Joaquin County performed a waste characterization study that partially meets the requirements of Assembly Bill 939. To fully meet its requirements, the study must be performed again, later, to measure seasonal fluctuations in the solid waste stream.

On June 18, 1990, the Governor signed Assembly Bill 1820 into law. This Bill relaxes the requirements for the initial waste characterization study. Generally, initial studies are not required to be statistically relevant and may only be required for the types of waste that are to be diverted. Also, seasonal variation sampling may only be required for the type of wastes that are to actually be

diverted. Furthermore, cities and counties may use waste characterization studies developed by other cities, counties, or regions. The Bill also requires the California Integrated Waste Management Board (IWMB) to prepare guidelines that establish criteria for use of studies prepared by other jurisdictions.

Recently, IWMB staff has informed us that the guidelines establishing criteria for use of studies prepared by other cities or counties will not be available until very late in 1990. Furthermore, the staff reminded us that it is the responsibility of each city and county to complete its Source Reduction and Recycling Elements on time, even though the guidelines are not available.

In order to complete the Source Reduction and Recycling Elements in a timely fashion, cities must not make a decision on how to proceed with the characterization of its waste stream. Basically, there are three alternatives to choose from. They are as follows:

1. Prepare a waste characterization study that meets the requirements of Assembly Bill 939. This approach is the most costly and most likely to be approved by the IWMB.
2. Prepare a waste characterization study that may meet the requirements of Assembly Bill 1820. This study would be less intense and less expensive than alternative number one. However, in the absence of guidelines, or any other direction by the IWMB staff, it may be difficult to determine what the IWMB will require for the initial waste characterization study. Therefore, cities choosing this alternative may be subject to the risk that the characterization studies will not meet the guidelines.
3. Use of studies prepared by other cities, counties, or regions. Your city could use studies prepared by other cities or by San Joaquin County and adapt the study to meet the conditions present in your City. However, guidelines establishing criteria for using other jurisdictional studies have not yet been developed, nor will they be available till near the end of this year. Therefore, you run the risk of finding out late in the planning process that the characterization study cannot be used for your planning purposes. This alternative has a higher risk than alternative two.

The waste characterization study must be performed before the Source Reduction and Recycling Element can be prepared. The Element is due by July 1, 1991.

Some options available to your City are as follows:

1. Hire a consultant to perform the waste characterization studies.
2. Locate a similar community that has completed a waste characterization study and adapt that study. (It may be difficult to find a similar city that has performed a waste characterization study).
3. Utilize the County's waste characterization study, provided the County Board of Supervisors authorizes such use.
4. Perform the waste characterization study using your City's work force.
5. Utilize the County's waste characterization team to perform a study for your City.

It should be noted that the County does not have sufficient staff or time to perform a study for each of the cities. If all of the cities in the County request the County to perform their study, the County would not be able to perform all of the studies. In this event, the County would have to develop criteria for determining which studies to perform.

On June 28, 1990, the Integrated Waste Management Task Force recommended that the County submit to each city, this offer to provide waste characterization services.

Should your City decide to utilize the County's waste characterization team, the services could be provided on a time and material basis.

If your City decides to utilize the County's study, or waste characterization team, you or your staff should contact me at 468-3066 to discuss details of the study.

Following discussion, on motion of Mayor Snider, Hinchman second, the City Council concurred in the City's request of the County of San Joaquin that the County perform for the City the solid waste characterization study required by the passage of Assembly Bill 939.

Continued August 1, 1990

COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) PROGRAM METROPOLITAN
CITY STATUS

RESOLUTION NOS. 90-118 AND 90-119

CC-55
CC-300

The City Council was advised that on November 21, 1984, technical amendments to the Housing and Community Development Act of 1984 allowed the City of Lodi to defer its Community Development Block Grant (CDBG) Entitlement City Status, thereby making it possible for San Joaquin County to qualify as an urban county under the Community Development Block Grant Program. Through the deferral of its entitlement city status, the City of Lodi experienced increased benefits in funding levels, and was able to share burdensome administrative tasks with San Joaquin County.

San Joaquin County is presently nearing the end of its urban qualification period. In order for Lodi to continue to participate in the CDBG program with San Joaquin County, the Urban County Resolutions presented to the City Council are hereby provided for City Council adoption. The Urban County Resolutions consist of the following and associated documents:

1. Resolution deferring the status of the City of Lodi as a metropolitan city under the Community Development Block Grant Program.
2. Resolution authorizing execution of the Urban County Cooperation Agreement, with said Cooperation Agreement attached.

Although the City could reclaim its status as a metropolitan city, the assistance we receive from the County as well as the agreements on the residential rehabilitation program outweighed that possibility. It appears to be in the City's best interest to retain our joint agreement with San Joaquin County.

Following discussion, on motion of Council Member Reid, Olson second, the City Council adopted the following resolutions:

- a) Resolution No. 90-118 - A Resolution of the Lodi City Council Deferring the Status of the City of Lodi as a Metropolitan City under the Community Development Block Grant Program.
- b) Resolution No. 90-119 - A Resolution of the Lodi City Council Authorizing Execution of Urban County Cooperation Agreement, with said Cooperation Agreement attached.

Continued August 1, 1990

SECOND PHASE INVESTIGATION OF
POTENTIAL POWER SUPPLY OPTIONS
FOR THE FUTURE

RESOLUTION NO. 90-112

CC-7(j)
CC-51(d)
CC-300

Electric Utility Director Henry Rice addressed the City Council advising that proposals for new economic sources of power were solicited by NCPA approximately a year ago. A need for additional power supply becomes increasingly important for the NCPA members beginning in 1991 due to system growth. Roseville leads the membership in sustained growth; however, Alameda, Turlock and Lodi each represent load growth exceeding resource capability in 1992 and thereafter. NCPA anticipated this need and actively solicited bids and proposals from power project developers, wholesale utility suppliers and independent power producers.

Following critical analysis of the approximately fifty best proposals, an initial three projects were selected for the second phase investigation (first phase activity represents solicitation of a bona-fide proposal; second phase is planning and development of the potential project). Safeguards exist in the second phase documents that allow off-ramps so that a participant can make the decision not to continue participation.

Once a project is determined to be feasible (results from second phase activity) final membership participation is determined and the third phase construction/financing begins.

The three projects and associated second phase expenditures are as follows:

Project	Lodi's Share of Estimated Second Phase Expense
Power from Coal Resource	\$ 20,039
Purchase Power from Northwest Resource	5,065
Construction of Base Load Gas Resource (Combined Cycle)	132,661
	<u>\$157,765</u>

These projects have been determined to represent the best economic alternatives through analysis of preliminary data. The second phase expenditure will cover investigation of the cost and feasibility of each project, including air quality permitting in the case of the Combined-Cycle Project.

Continued August 1, 1990

The first two projects involve power resources outside of California; the third project involves siting a base load gas-fired unit near either Lodi or Roseville.

Plowing back a small amount of revenue to assure a continuous, ample power supply is necessary and appropriate. Analysis to date indicates that all of the above projects appear very economical, but two of the projects will be effected by environmental consideration which must be appropriately evaluated.

Provision for these expenditures by NCPA was made in the 1990-91 budget determination of Bulk Power cost to be paid from operating revenues.

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council adopted Resolution No. 90-112 - A Resolution of the City Council of the City of Lodi Approving Agreements for Financing of Planning and Development Activities.

TRUANCY PREVENTION PROGRAM

CC-7(e)
CC-43

Captain John Martin of the Lodi Police Department advised the City Council that the Truancy Prevention Program concept is a positive one. It unites the efforts of local law enforcement with the school district and strengthens local awareness regarding the importance of attending school. By reducing the number of truants, we are convinced that certain daytime criminal activities are reduced.

This program not only has been proven to reduce daytime crimes but will, in the future, help to identify at risk students for early intervention. The truancy reduction program is designed to enforce the state laws on compulsory education. The statutes in the code also hold parents responsible for insuring school attendnace. The program will increase the level of accountability from both parent and child, and it will also result in an appropriate measure of escalating consequences for non-compliance with these statutes.

The target schools will be Tokay High School, Lodi High School, Liberty High School, Senior Elementary School, Woodbridge Middle School, Heritage School, Lawrence School and Washington School.

Following discussion, on motion of Mayor Pro Tempore Hinchman, Reid second, the City Council approved the hiring of a sworn police officer to serve full-time in the Truancy Prevention Program with the Lodi Unified School District paying 60% of the officer's salary and benefits,

and the City of Lodi paying the remaining 40% of salary and benefits.

COUNCIL AUTHORIZES CITY ATTORNEY
TO REVIEW PROPOSED COUNTY COUNCIL
OF GOVERNMENTS' ORDINANCE REGARDING
TRANSPORTATION BASED ON COUNTY
COUNSEL'S CONFLICT

CC-7(n)
CC-28

The City Attorney reminded the City Council that at the November general election, San Joaquin County voters will address the proposed imposition of an additional 1/2 cent sales tax to be used for transportation and air quality projects. As a part of that proposal, it will be necessary for the Council of Governments (COG), acting as the San Joaquin Transportation Authority, to adopt an implementing ordinance.

The draft ordinance has been prepared by COG which has requested the City Attorney's office review and comment upon it. Normally, this would be done by the San Joaquin County Counsel's office, but in this case, the County Counsel's office feels there could be a conflict in doing so. I must admit the basis for this perceived conflict is not apparent to me, but I accept the County Counsel's position.

I have no reservations about doing as requested, but desire Council approval before giving a written opinion, since I would be advising an agency other than the City of Lodi. COG has offered to reimburse the City for time spent on the opinion.

On motion of Mayor Pro Tempore Hinchman, Olson second, the City Council approved the San Joaquin County Council of Government's request that the Lodi City Attorney's office comment upon the implementing ordinance which would be adopted in conjunction with the passage of the 1/2 cent sales tax measure.

VOTING DELEGATE AND
ALTERNATE NAMED FOR
ANNUAL LEAGUE OF CALIFORNIA
CITIES CONFERENCE

CC-7(i)

On motion of Council Member Reid, Olson second, the City Council designated Mayor Snider to be the Voting Delegate and Mayor Pro Tempore Hinchman as the Voting Alternate for the League of California Cities Annual Conference to be held in Anaheim, October 21 - 25, 1990.

Continued August 1, 1990

TRANSPORTATION ADVISORY
COMMISSION MEMBERSHIP NOMINATION

CC-6 City Manager Peterson presented the following letter that
CC-50(b) had been received from Mr. Henry M. Hirata, Director of
Public Works, San Joaquin County regarding a Transportation
Advisory Commission Membership nomination:

On May 22, 1990, the Board of Supervisors adopted the restructuring of the Transportation Steering Committee to allow for greater participation by the cities and communities. The Committee will now be known as the San Joaquin County Transportation Advisory Commission. The Commission's purpose, to provide advisory direction to the County Board of Supervisors on transportation issues, both intra and inter-County from the community perspective, remains the same but its role is being expanded.

San Joaquin County faces a number of major decisions and challenges regarding its transportation infrastructure. The new Commission has the potential to effect transportation issues and policy throughout the County, but its success is dependent upon its membership and their determination to meet their objectives. Please see the enclosed fact sheet for detailed information on the Commission's membership and objectives.

This letter is a request for your City's nomination for membership to the Commission.

We will be submitting the names of nominated elected officials to the Board of Supervisors for appointment, as soon as they are received, to allow for the members' participation in dealing with our County's transportation issues. Please send the name and title of your nominee to:

Doralee A. Boles, Transportation Coordinator
Department of Public Works
Post Office Box 1810
Stockton, California 95201

If you have any questions, please call Doralee Boles, Transportation Coordinator, or my staff, at (209) 468-3025.

On motion of Mayor Snider, Reid second, the City Council concurred with the nomination of Council Member Evelyn M. Olson to the San Joaquin County Transportation Advisory Commission.

APPOINTMENT TO SAN JOAQUIN
COUNTY TASK FORCE AGAINST DRUGS

CC-6 City Manager Peterson presented the following communication
CC-105 from the San Joaquin County Office of Substance Abuse

concerning the appointment of a City of Lodi representative to the newly-formed San Joaquin County Task Force Against Drugs:

PROBLEM

The behaviors which lead to substance abuse are complex and varied. No one system, be it health care, law enforcement, schools, or churches can hope to solve the problems alone. Attempts to mitigate crime related to substance abuse will not have long lasting effects unless the risk behaviors which lead individuals to substance abuse are addressed. Teaching prevention/education in our schools will not have long lasting effects unless families, churches and our community as a whole reinforce a positive no use message.

The seriousness of substance abuse and related crime issues and the resulting impact on the quality of life in every community in San Joaquin County has resulted in this combined effort to attack and change the underlying causes. The San Joaquin County Board of Supervisors, the incorporated cities, and key community leaders are combining resources in this joint effort to attack substance abuse.

DESIGN

A Substance Abuse Task Force has been formed with authority to conduct a comprehensive needs assessment, identify gaps and overlaps in prevention, education, enforcement, and treatment programs and services; and recommend appropriate actions. The Task Force will conduct community town hall meetings throughout the county to allow full citizen participation in the process. As a result of the needs assessment and citizen testimony, the Task Force will make recommendations concerning existing programs and services as well as suggesting new strategies to lessen substance abuse and related crime.

The subcommittees, which will include all San Joaquin County communities, will deal with the following specific areas: prevention/education, law enforcement/intervention, and treatment/recovery.

The San Joaquin County Office of Substance Abuse will be responsible for administration and support services to the Task Force. The Task Force is representative of the population of our county and includes the following:

Law Enforcement	Education
Students	Parents
Business/Corporations	Private Industry
Labor	Chamber(s) of Commerce
Clergy	Judiciary/D.A./Probation

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Medical Community
Treatment & Recovery Programs
(including AIDS expertise)

Substance Abuse
Prevention Agencies

Suggested Time Line and Activities:
Identified action steps will be implemented expeditiously!

July 1990	Membership selected. Orientation & training. Assign tasks to subcommittees
August 1990	Collect relevant data for needs assessment, subcommittees develop preliminary action plans.
September 1990	Draft summary of data
October-December 90	Public forums and input
December 1990	Identify gaps and overlaps
January 1991	Produce goals and measurable objectives
February 1991	Develop recommendations
March 1991	Develop strategies (new and revised)
April 1991	Assess modifications in existing programs/services
May 1991	Submit findings to Board of Supervisors/City Councils
June 1991	Publish/publicize findings. Submit findings to State Dept. of Alcohol & Drug Programs
July 1991	Implementation of recommendations

ACTION NEEDED

The City Council of Lodi concur and cooperate in attacking drug and alcohol abuse through participation in this Task Force.

FISCAL IMPACT

None anticipated. City Council may choose, at a later date, to earmark funds to be placed in a restricted United Way fund which will be used to support drug and alcohol abuse prevention activities.

REPORTS

Minutes for all meetings of the Task Force and subcommittees will be available to your office. In addition, quarterly reports detailing the committee's progress will be provided.

Following discussion, on motion of Mayor Pro Tempore Hinchman, Pinkerton second, the City Council appointed the Chief of Police or his designee to the San Joaquin County Task Force Against Drugs.

ADJOURNMENT TO CLOSED
SESSION REGARDING PERSONNEL
MATTER CANCELLED

CC-200(b) The City Council determined that it was not necessary to adjourn to a Closed Session regarding personnel matters.

RESOLUTIONS AMENDING MONTHLY
COMPENSATION CONTROL POINTS
FOR CITY COUNCIL APPOINTEES AND
OTHER MANAGEMENT CLASSIFICATIONS ADOPTED

RESOLUTION NOS. 90-120 AND 90-121

CC-34 On motion of Mayor Pro Tempore Hinchman, Olson second, the
CC-300 City Council adopted Resolution No. 90-120 amending the
 monthly compensation control points for City Council
 appointees, effective June 25, 1990 as shown on salary
 schedule on file in the City Clerk's office.

On motion of Council Member Olson, Hinchman second, the City Council adopted Resolution No. 90-121 amending monthly compensation control points for management classifications, other than those appointed by the City Council, effective June 25, 1990 as shown on salary schedule on file in the City Clerk's Office.

RESOLUTION AMENDING SALARY
RANGES FOR NON-PUBLIC SAFETY
MID-MANAGEMENT CLASSIFICATIONS ADOPTED

RESOLUTION NO. 90-122

CC-34 On motion of Council Member Olson, Hinchman second, the
CC-300 City Council adopted Resolution No. 90-122 establishing
 amended salary ranges for non-public safety
 mid-management classifications, effective June 25, 1990 as
 shown on salary schedule on file in the City Clerk's office.

Continued August 1, 1990

ORDINANCES

REDESIGNATIONS OF 1930
HOLLY DRIVE FROM COMMERCIAL
TO MEDIUM DENSITY RESIDENTIAL

ORDINANCE NO. 1492 ADOPTED

CC-53(a)
City CC-149

Ordinance No. 1492 entitled, "An Ordinance of the Lodi Council Amending the Land Use Element of the Lodi General Plan by Redesignating 1930 Holly Drive from Commercial to Medium Density Residential" having been introduced at a regular meeting of the Lodi City Council held July 11, 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 the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

REZONING OF 1930 HOLLY DRIVE
FROM C-1 TO R-MD

ORDINANCE NO. 1493 ADOPTED

CC-53(a)
CC-149

Ordinance No. 1493 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi Thereby Rezoning 1930 Holly Drive from C-1, Neighborhood Commercial, to R-MD, Medium Density Multiple Family Residential" having been introduced at a regular meeting of the Lodi City Council held July 11, 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 the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

LODI MUNICIPAL CODE
AMENDED AS IT PERTAINS TO
ACCESSORY BUILDINGS

ORDINANCE NO. 1494 ADOPTED

CC-53(a)
CC-149

Ordinance No. 1494 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Section 17.57.160 - Accessory Buildings" having been introduced at a regular meeting of the Lodi City Council held July 11, 1990 was brought up for passage on motion of Mayor Pro Tempore Hinchman, Olson second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

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

Noes: Council Members - None

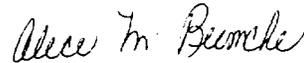
Absent: Council Members - None

Abstain: Council Members - None

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 9:56 p.m.

ATTEST:



Alice M. Reimche
City Clerk