

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 17, 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 Deputy
City Clerk Perrin

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

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

PROCLAMATION
PRESENTATIONS

RED RIBBON WEEK Mayor Snider announced that October 21-28, 1990 will be
CC-37 Red Ribbon Week in the City of Lodi and urged all citizens
to show their support and wear red ribbons.

NATIONAL BUSINESS WOMEN'S WEEK Mayor Snider presented a proclamation recognizing National
Business Women's Week to Patti McCallister and Maria Elena
Serna of the National Federation of Business and
Professional Women. National Business Women's Week is
October 21-27, 1990.

AWARDS TO THE WINNERS
OF THE MAYOR'S CUP GOLF
TOURNAMENT

Mayor Snider presented awards to the winners in the Mayor's
Cup Golf Tournament held Sunday, October 14, 1990. The
winners were as follows:

Virginia Green - Women's Low-Gross

Diane Coyner - Women's Calloway (Accepted by her daughter,
Cindy Cummings)

Mike Diserio - Men's Low-Gross

Steve Virrey - Men's Calloway

Dallas Daniel - Handicap

Continued October 17, 1990

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

Further, the following agenda items were pulled from the agenda.

- a) E-11 entitled, "Improvement Agreement for Locust Square II, 217 North School Street, Lodi, California"; and
- b) E-13 entitled, "Amendment to contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Lodi pertaining to third level of 1959 Survivor Benefits".

CLAIMS CC-21(a) Claims were approved in the amount of \$2,441.568.16

MINUTES The Minutes of September 5, 1990 (Regular Meeting) and September 19, 1990 (Regular Meeting) were approved as written.

REPORT ON SALE OF CITY PROPERTY

CC-20 In accordance with Lodi Municipal Code Section 2.12.020, CC-47 a report of the sale of City property was submitted for the City Council's information.

On October 2, 1990, one lot of scrap wire and metal was sold to the high bidder, Robert Griffin (dba B & G Machinery, Lodi) for the amount of \$1,837.30.

During the course of operations the Electric Utility Department accumulates scrap wire and metal. Approximately twice a year these accumulations are offered for bids to scrap metal dealers in the Lodi/Stockton/Sacramento area. This latest offering yielded bids from LMC high bidder, B & G Machinery of Lodi.

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS - STEEL LIGHT STANDARDS APPROVED

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for the purchase of 47 steel light standards.

The Electric Utility Department has issued preliminary work orders for the replacement of 39 steel light poles. Recent

inspections and tests have revealed existence of metal fatigue in some of the older standards in the street light system. As a result, the Department is moving forward to replace those poles with new, galvanized steel standards.

The additional eight poles would be placed in inventory to provide immediate replacements for other poles found, in the future, to be deficient.

The estimated cost of this purchase is \$20,500, with funding available in the Public Works/Street Light Maintenance account.

The bid opening is scheduled for Tuesday, October 30, 1990.

SPECIFICATIONS AND
ADVERTISEMENT FOR BIDS -
TURF FERTILIZER APPROVED

CC-12.1(c) The City Council approved the specifications and authorized the advertisement for bids for the purchase of 20 tons of Best "Turf Gold" slow-release fertilizer for use in various City parks.

Each year the Parks Department purchases fertilizer for use on the City's 208 acres of parks. Experience has shown that Best Turf Gold yields a lower annual cost per acre due to a longer nitrogen release time, requiring fewer applications per year, than water-soluble or agricultural blend fertilizer.

This purchase, having an estimated cost of \$9,000, is included in the Parks Department's 1990-91 budget.

The bid opening date has been set for Tuesday, October 30, 1990.

SPECIFICATIONS AND
ADVERTISEMENT FOR BIDS
FOR LANE LINE PAINTING,
VARIOUS STREETS, 1990
APPROVED

CC-12.1(c) The City Council approved the specifications for Lane Line Painting, Various Streets, 1990, Contract and authorized advertising for bids to be received Wednesday, October 31, 1990.

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

Continued October 17, 1990

A recap of lane lines and quantities is shown below:

<u>Lane Lines</u>	<u>Miles</u>
Broken White/Yellow	48.3
Double Yellow	11.7
Eight-inch Solid White	2.2
Edge Line	.2
Transitional	.5
Two-way Left Turn	<u>7.5</u>
TOTAL MILES	70.4

PLANS AND SPECIFICATIONS AND
ADVERTISEMENT FOR BIDS FOR
ZUPO FIELD BACKSTOP AND FENCING,
350 NORTH WASHINGTON STREET APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Zupo Field backstop, 350 North Washington Street, Lodi project and authorized advertising for bids.

This project will replace the existing backstop at Zupo Field with a higher backstop. The existing backstop has been in use for many years and is in need of major repairs. The new backstop will be 40 feet high and will provide additional safety for the spectators. Ball clubs playing in the park have also been complaining about foul balls that are lost because our backstop is too low. The 40-foot backstop will keep more balls in the field and save teams the cost of replacing them. This project will also install fencing around the left field bullpen area and the field drinking fountains to provide additional protection for the ball players.

APPROVED PURCHASE OF
1200 KVAR CAPACITOR BANKS

RESOLUTION NO. 90-158

CC-12(d)
CC-300 The City Council adopted Resolution No. 90-158 awarding the bid for the purchase of two 1200 KVAR Capacitor Banks to the sole bidder whose proposal meets specifications, Cooper Power Systems of Burlingame, in the amount of \$7,843.38.

On August 15, 1990, the City Council approved specifications and authorized advertisement for bids. Bids were opened on September 5, 1990, but because of pricing discrepancies and deviations to specifications, bids were rejected by City Council action on September 19, 1990.

New bids were solicited and opened on October 3, 1990, with the following results:

General Electric Supply, Martinez	\$7,174.00
Westinghouse Electric, Concord	\$7,518.25
Cooper Power Systems, Burlingame	\$7,843.38

However, the Electric Utility Department Engineering staff noted that both General Electric and Westinghouse failed to meet specifications in construction material of the rack assembly, quoting aluminum construction versus galvanized steel as specified. As a result, the Engineering Department has recommended that General Electric and Westinghouse bids be disqualified, and that Cooper Power Systems be awarded the bid.

The capacitor banks are planned for installation at various locations throughout the City to increase electrical system capacity and to maintain high service levels during periods of peak demand.

Delivery would be fourteen weeks after placement of the order.

Funding for this purchase is available in Electric Utility Department's Operating Fund.

ACCEPTANCE IMPROVEMENTS
 UNDER LODI LAKE PARK RESTROOM
 IMPROVEMENTS (NORTH & SOUTH),
 1301 WEST TURNER ROAD, CONTRACT
 APPROVED

CC-90 The City Council accepted the improvements for the "Lodi Lake Park Restroom Improvements (North & South), 1301 West Turner Road" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Diede Construction of Woodbridge on March 7, 1990 in the amount of \$232,261.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was August 13, 1990, and the actual completion date was August 23, 1990. The final contract price was \$230,426.00.

ACCEPTANCE OF IMPROVEMENTS
 UNDER TYPE II SLURRY SEAL,
 VARIOUS CITY STREETS, 1990
 CONTRACT APPROVED

CC-90 The City Council accepted the improvements for "Type II Slurry Seal, Various City Streets, 1990" contract and

Continued October 17, 1990

directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Valley Slurry Seal Company of West Sacramento on August 2, 1990, in the amount of \$40,657.99. The contract has been completed in substantial conformance with the specifications approved by the City Council.

The contract completion date was September 24, 1990, and the actual completion date was September 19, 1990. The final contract price was \$40,657.90.

ITEM PULLED FROM AGENDA

IMPROVEMENT AGREEMENT FOR
LOCUST SQUARE II, 217 NORTH
SCHOOL STREET, LODI

CC-46 Agenda item E-11 entitled, "Improvement Agreement for
CC-300 Locust Square II, 217 North School Street, Lodi,
 California" was pulled from the agenda.

ACCEPTANCE OF IMPROVEMENTS IN
BROOKSIDE TERRACE, 2250 SCARBOROUGH
DRIVE APPROVED

RESOLUTION NO. 90-159

CC-46 The City Council adopted Resolution No. 90-159 accepting
CC-300 the subdivision improvements included in Brookside Terrace,
 Tract No. 2309, as filed on August 14, 1989, in Volume 29,
 Page 98, Book of Maps and Plats, San Joaquin County Records.

Improvements in Brookside Terrace have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and FCF Properties dated July 25, 1989, and as specifically set forth in the plans and specifications approved by the City Council.

No streets are being dedicated in this subdivision.

ITEM PULLED FROM AGENDA

AMENDMENT TO CONTRACT BETWEEN
BOARD OF ADMINISTRATION OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE CITY COUNCIL OF THE CITY OF LODI
PERTAINING TO THIRD LEVEL OF 1959
SURVIVOR BENEFITS

Agenda item E-13 entitled, "Amendment to contract between the Board of Administration of the Public Employees'

Continued October 17, 1990

Retirement System and the City Council of the City of Lodi pertaining to third level of 1959 Survivor Benefits was pulled from the agenda.

COMMENTS BY CITY COUNCIL MEMBERS

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

COMPLAINT FROM CITIZEN REGARDING U-TURNS

CC-16 Council Member Olson commented on a call she received from a local citizen with a complaint that the police are not strict enough when it comes to vehicles making U-turns in the middle of the block. Council Member Olson urged the citizens of the City of Lodi to be more careful and not make these U-turns.

UPDATE ON DIBROMOCHLOROPROPANE (DBCP)

CC-183(a) Council Member Olson requested a report regarding the status of the loan for Dibromochloropropane (DBCP). City Manager Peterson informed her that the loan has been approved. The Council then directed the Public Works Director to provide an update at the next meeting for action by the City Council.

FELLOWSHIP IN ACTION PROJECT ON SACRAMENTO STREET

Council Member Olson, who is a member of Fellowship in Action, informed the public of the project the group is currently involved in on Sacramento Street and invited the public to a work party Saturday, October 27, 1990 to clean up the area around the facility. Council Member Olson also mentioned the project could use more volunteers.

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:

VISION 2000: A BLUEPRINT FOR THE FUTURE

Mr. Walter Pruss, 2421 Diablo Drive, Lodi, commented on the workshop he recently attended in Stockton regarding "Vision 2000: A Blueprint for the Future". He feels this is a very worthwhile plan and would like to see the City get involved with it. Mayor Snider informed Mr. Pruss that the City has approved this plan in concept, and City Manager Peterson

Continued October 17, 1990

will make a copy of this plan available in the Lodi Library for public review.

CONCERN REGARDING REMOVAL OF
OAK TREES ALONG VICTOR ROAD

CC-16
CC-49

The following people spoke regarding the saving of the oak trees along Victor Road and requested that a Historic Preservation of Trees Ordinance be introduced to save the remaining trees and others like them.

1. Barbara Graham, Teacher, Lodi High School, 3 South Pacific, Lodi, California;
2. Gypsy Andrews, Senior, Lodi High School, 3 South Pacific, Lodi, California;
3. Amy Lung, Senior, Lodi High School, 3 South Pacific, Lodi, California; and
4. Elizabeth Baker, 321 Donner, Lodi, California.

Barbara Graham submitted for Council's information letters from students of Lodi High School, which copies are on file in the City Clerk's office. Also submitted for the Council's review was an article appearing in the Flames Newsletter, written by Lodi High School Senior, Gypsy Andrews, as shown below:

STUDENTS PROTEST DESTRUCTION OF TREES ALONG VICTOR ROAD

A new development in progress on Victor Road has led to the chopping down of trees, causing environmental awareness to rise among Lodi citizens.

The development, sponsored by Dart Container, Ted Molfino, and Teresi Trucking, is required by the City to have curbs and sidewalks installed as with other developments. This, in essence, will bring the removal of an entire row of historic trees, three of which have already been cut down.

LHS teacher, Barbara Graham, has made several phone calls to the City of Lodi and to Assistant City Engineer, Richard Prima, in regard to her concern about the utter demolition of the trees. The response Graham received from Prima was in a tone of "arrogance" and proved to be of no effect due to his difference of opinion in the matter. However, Alice Reimche, City Clerk, gave Graham some new enlightenment of the trees' history. Graham was told that the line of trees along Victor Road is the longest row of any trees existing in the United States. Thus the destruction of the trees would bring a great loss to priceless historical monuments.

Dawn Litton, LHS senior, also understands this loss. "When I was a little girl, my family and I would stop and get mistletoe at Christmas time from those trees. It's disappointing to me. Progress shouldn't bring destruction."

Not only would the loss of these trees bring a loss to history, but also a loss to one vital aspect in the circle of life: the release of oxygen into the atmosphere through photosynthesis. If trees continue to be chopped down in order that progress be made, the world's supply of oxygen will slowly be depleted. This is an environmental fact by which Lodi citizens must take heed and speak out against threats to the system. The opportunity in which to do so will be on October 17, 1990 at the next City Council meeting. Concerned students and residents should make it a point to attend so as to impede further destruction in their City and in their environment.

Angry students and teachers from LHS intend to make speeches at the City Council meeting concerning the situation, pointing out two alternative solutions to the tree problem. The other solutions (other than removal) include either rerouting the water system so as not to interfere with the trees' routes, or to simply build the sidewalks around the trees.

It is a known fact that in larger metropolitan areas, efforts have been made to save trees by doing just that. Also, the sidewalk at Hutchins Street Square has managed to have been built around the trees in order that they might be salvaged. Both are viable options to the developers.

Concerned residents aimed at putting a stop to the tree chopping might find reassurance in the following:

- ° Sonoma County residents saved many trees which grew along the Russian River just last year by protesting their opinion.
- ° The same company, Teresi Trucking, which is involved in the Victor Road incident, tried to do the same thing last year in the Clements area. The progressive development was stopped, once again due to angry residents who made clear their stand.

However, if a stand is not made now, it will soon be too late to save the trees and the teens of today will inherit an earth of devastation and decay. Responsibility should be taken by all.

The City Council directed the Public Works Director to ensure that no trees be cut down before the approval of the project by the City Council.

Continued October 17, 1990

EXECUTIVE SESSION

CC-200(d) The City Council adjourned to an Executive Session regarding the following matter:

1. Litigation - City of Lodi vs Diekman et al

At approximately 8:15 p.m. the City Council returned and on motion of Mayor Snider, Mayor Pro Tempore Hinchman second, it voted unanimously to settle with the Diekmans as indicated in the settlement agreement.

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 following Public Hearing:

1. To consider the Planning Commission's recommendation to prezone the Industrial Substation site and the remaining Diekman Parcel, 5200 East Sargent Road (APN 049-070-02) to M-2, Heavy Industrial (continued public hearing from September 19, 1990 and October 3, 1990)

RECOMMENDATION TO PREZONE THE INDUSTRIAL SUBSTATION SITE AND THE REMAINING DIEKMAN PARCEL, 5200 EAST SARGENT ROAD TO HEAVY INDUSTRIAL

ORDINANCE NO. 1499 INTRODUCED

CC-53(a) Community Development Director Schroeder presented the
CC-149 staff report requesting that the City Council prezone the 8.1 acre Industrial Substation site and the 7.1 remaining Diekman Parcel both located at 5200 East Sargent Road (APN 049-070-02) to M-2, Heavy Industrial.

As part of the City's settlement with the Diekman heirs, it agreed to prezone and annex the remainder parcel at the same time the substation site was prezoned and annexed.

The M-2 zoning is in conformity with the General Plan.

Although City owned property is not normally shown in a specific zoning classification, San Joaquin LAFCO requires that prezoning occur before an annexation can proceed.

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

There being no further questions from the Council, on motion of Council Member Reid, Olson second, the City Council unanimously introduced Ordinance No. 1499 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the 8.1 Acre Industrial Substation Site and the 7.1 Acre Remaining Diekman Parcel, Both Located at 5200 East Sargent Road (APN 049-070-02) to M-2, Heavy Industrial".

RECOMMENDATION TO AMEND
THE LODI MUNICIPAL CODE
TITLE 17 - ZONING - SECTION
17.69.020 REGARDING NONCONFORMING
BUILDINGS

ORDINANCE NO. 1500

CC-53(a)
CC-149

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 following Public Hearing:

1. To consider the Planning Commission's recommendation to amend Lodi Municipal Code Title 17 - Zoning - Section 17.69.020 regarding nonconforming buildings.

Community Development Director Schroeder presented the staff report to Council to consider the Planning Commission's recommendation that Lodi Municipal Code Title 17, Zoning, Section 17.69.020 regarding nonconforming buildings be amended to include the following:

"D. Notwithstanding subsection (c) above, any residential structure legally existing as a nonconforming use on October 1, 1990 in any Industrial ("M") zone may be rebuilt or restored if damaged or destroyed by fire, other calamity, or act of God, provided that such restoration or rebuilding is commenced within six months of such damage or destruction. However, such rebuilt or restored structure shall not exceed the square footage of the original structure and shall otherwise conform to all applicable building regulations for residences."

In June of this year, Loretta Churchill corresponded with the Planning Commission concerning a dwelling she owned at 609 South Sacramento Street and her problems in selling the property because of lenders' conditions for loaning on the parcel.

Continued October 17, 1990

The Planning Commission instructed the staff to prepare a zoning study of the South Sacramento Street area. A copy presented for Council's information is on file in the City Clerk's office. After reviewing the study, the Planning Commission asked the City Attorney to prepare an amendment to the Zoning Regulations which would accomplish Option 3 as discussed in the staff study.

The amendment has received widespread support from the property owners in the study area.

Questions were directed from the Council to the Community Development Director.

Mayor Snider then opened the hearing to the public.

The following person spoke in favor of the amendment of the Lodi Municipal Code Title 17 - Zoning - Section 17.69.020:

- 1) Loretta Churchill, 1513 South Pleasant Avenue, Lodi, California.

There being no further questions from the public, Mayor Snider then closed the public portion of the hearing.

On motion of Council Member Pinkerton, Hinchman second, Council unanimously introduced Ordinance No. 1500 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 - Zoning - Section 17.69.020 by Adding Thereto a New Subsection 'D' Relating to Nonconforming Buildings".

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of October 8, 1990.

ITEMS OF INTEREST

CC-35 The Planning Commission -

1. Denied the following requests of David F. Hoover:

- a. to amend the Land Use Element of the Lodi General Plan by redesignating 220 South California Street from Residential to Office Institutional.
- b. to rezone the parcel at 220 South California Street from R-1*, Single-Family Residential - Eastside, to R-C-P, Residential-Commercial-Professional.

Continued October 17, 1990

- 2. Took no action on the Negative Declaration filed by the Community Development Director on the requests of David F. Hoover for a General Plan Amendment and Rezoning at 220 South California Street.
- 3. Conditionally approved the request of Steven E. Pechin, Baumbach and Piazza, Consulting Engineers on behalf of Craig Graham, DMD, for the Tentative Subdivision Map of Graham Park, a proposed one-lot office condominium at 1210 West Tokay Street in an area zoned R-C-P, Residential-Commercial-Professional.
- 4. Agreed to vary the Off-Street Parking Design Standards by reducing the required parking space length at 239 stalls (16% of total stalls) to be used by mid-sized automobiles at Sunwest Plaza Shopping Center at the southeast corner of Kettleman Lane and Lower Sacramento Road in an area zoned C-S, Commercial Shopping as requested by Nadel Partnership Inc. on behalf of Lodi Plaza, a California Limited Partnership.
- 5. Conditionally approved the request of Nadel Partnership, Inc. on behalf of Lodi Plaza, a California Limited Partnership, for a Use Permit for approval of the site plan and building elevations of Sunwest Plaza Shopping Center at the southeast corner of Kettleman Lane and Lower Sacramento Road in an area zoned C-S, Commercial Shopping.

COMMUNICATIONS
(CITY CLERK)

ABC LICENSE
APPLICATIONS

The City Council received the following Alcoholic Beverage Control License Application:

CC-7(f)

- 1. Carmen M. Warner, Bumble Bee Inn, 20 North Main Street, Lodi, On Sale Beer, Person to Person Transfer.

LETTER OF COMMENDATION
REGARDING CITY EMPLOYEE,
RANDY MCVINNIE

CC-9
CC-34

Deputy City Clerk Perrin presented to the City Council a letter, set forth below, received from Mr. Terry Piazza commending City of Lodi employee, Randy McVinnie of the Public Works Department, for his brave action in apprehending a thief and holding him until the police arrived.

Dear Mr. Mayor:

Last week, I believe the 11th, while we were gone, my garage was entered and my grandson's bike was stolen. This

Continued October 17, 1990

is a daily occurrence, unworthy of note, except for one unusual item.

Mr. Randy McVinnie, a Public Works Department employee, saw the bike being taken away. He acted in a way that exemplifies him as a man with great integrity.

He apprehended the thief and held him for the police; an act that these days could be very dangerous.

In these times of "let George do it", and "I don't want to get involved", he took it upon himself to act. I commend him as an example to us all.

Mr. McVinnie is a credit to the City as a fine example of a public employee, and as a citizen.

Please attach this letter of commendation to Mr. McVinnie's personnel file.

Terry Piazza
Secretary Treasurer

REGULAR CALENDAR

REVIEW OF STATE BALLOT PROPOSITIONS 126 AND 134

CC-18
CC-28

City Attorney McNatt reminded Council that at an earlier City Council meeting, Mayor Pro Tempore Hinchman requested that at a Council meeting prior to November 6, 1990 a discussion and review be held regarding Proposition 126 and Proposition 134.

A summary of the propositions was presented by the City Attorney as follows:

PROPOSITION 126 - The Alcohol Abuse and Drug Education Tax Act of 1990.

Imposes excise tax and excise surtax on beer, wine and distilled spirits, as specified, that would supercede such taxes previously imposed and would be in lieu of all county, city or district taxes on the sale of alcoholic beverages.

Placed on Ballot By: ACA 38 (Cortese).

Arguments For:

1. The measure, supported by a broad bipartisan coalition of educators, alcohol abuse experts, taxpayer advocates, farmers, and other community leaders, would help prevent

alcohol abuse among children by allocating nearly \$1 billion to schools over a 10-year period.

2. Funds raised by this measure could be used effectively in such programs as hiring new officers to increase drunk driving patrols; treating alcoholics in trauma centers and mental health facilities; curing alcoholics in rehabilitation and recovery programs; and stepping up the war on illegal drug use and alcohol abuse.
3. The money raised by this proposition comes strictly from a tax on beer, wine and distilled spirits; not one penny comes from income, sales or other taxes.

Arguments Against:

1. New tax revenues from this measure will be deposited in the state general fund, to be spent at the discretion of the State Legislature.
2. Nothing will be done to address the negative impacts and costs of alcohol abuse to California taxpayers.
3. This initiative does not guarantee funding for alcohol and drug use education, programs affected by alcohol abuse or enforcement of drunk driving laws.

League of California Cities Policy Committees' (Community Services, Public Safety, and Revenue and Taxation) position: oppose

California Chamber of Commerce's position: support

A copy of the full text of information concerning this proposition as contained in the California Ballot Pamphlet for the November 6, 1990 General Election is on file in the City Clerk's office.

PROPOSITION 134 - Alcohol Surtax Fund. Initiative Constitutional Amendment and Statute.

Imposes an additional tax on alcohol products (5 cents per 12 ounces of beer, five ounces of wine, three ounces of fortified wine, one ounce of distilled spirits and an additional per unit floor stock tax). Resulting revenues would be deposited in the newly created Alcohol Surtax Fund to be appropriated for, among other things, alcohol and

Continued October 17, 1990

drug abuse prevention, treatment and recovery programs, emergency medical care, community mental health programs, child abuse and domestic violence prevention training and victim service, alcohol and drug-related law enforcement costs. The funds are to be supplemental and not meant to replace existing funds. This measure is also called the Connelly initiative.

Proponent: Andrew McGuire.

Arguments For:

1. Approximately 33 percent of all mentally ill and homeless persons also have alcohol and drug problems.
2. This measure targets the heavy drinkers, the drunk drivers and alcohol abusers who cause most of the deaths and injuries attributable to alcohol.

Arguments Against:

1. Proposition 134 continues the trend toward ballot box budgeting by earmarking the funds it raises.
2. This measure penalizes all Californians by locking in \$1.2 billion in current state spending and relying on tax increases to fund annual budget increases.

League of California Cities Policy Committees' (Community Services, Public Safety, Revenue and Taxation) position: support

California Chamber of Commerce's position: oppose

A copy of the full text of information concerning this proposition as contained in the California Ballot Pamphlet for the November 6, 1990 General Election is on file in the City Clerk's office.

Following questions from the Council Members, the following people from the audience spoke in favor of Proposition No. 126:

1. Tom Hoffman, 10112 East Woodbridge Road, Acampo, California;
2. John Ledbetter, 833 Wightman Drive, Lodi, California;

Continued October 17, 1990

3. Brad Alderson, General Manager, Mondavi Winery, P.O. Box 1260, Woodbridge, California;
4. Mark Gabrielli, Guild Winery, 1910 Windy Tree Lane, Lodi, California;
5. Tamara Lucas, 18196 North Davis Road, Lodi, California;
6. Steve Manildi, 1114 Devine Drive, Lodi, California; and
7. Joe Cotta, 9414 Kost Road, Lodi, California.

After further discussion among the Council and those who spoke in favor of Proposition No. 126, the Council on motion of Mayor Pro Tempore Hinchman, Reid second, voted unanimously to support Proposition No. 126.

ORIGINATED ANNEXATION
PROCEEDINGS FOR THE INDUSTRIAL
SUBSTATION AND THE REMAINING
DIEKMAN PARCEL

RESOLUTION NO. 90-160

CC-8(a)
CC-300

Community Development Director Schroeder presented the staff report requesting the City Council to adopt Resolution No. 90-160 originating the annexation of the 8.1 acre Industrial Substation site and the remaining 7.1 acre Diekman parcel (i.e. Industrial Substation Addition).

The combined parcels are adjacent to the City limits on the north, west and south. As a part of the settlement with the Diekman heirs, the City agreed to annex the remainder parcel at the time the substation site was added to the City.

It is in the City's best interest to annex City owned property whenever possible.

There being no questions from Council, on motion of Council Member Reid, Hinchman second, Council unanimously voted to adopt Resolution No. 90-160 originating the annexation proceedings for the Industrial Substation and the remaining Diekman parcel.

Continued October 17, 1990

REALLOCATED 1990-91
 COMMUNITY DEVELOPMENT BLOCK
 GRANT FUNDS TO PROVIDE FUNDING
 TO ASSIST SENIOR SERVICE AGENCY

RESOLUTION NO. 90-161

CC-55
 CC-300

Community Development Director Schroeder presented the staff report and asked that Council adopt Resolution No. 90-161 reallocating \$16,450.00 of the 1990-91 Community Development Block Grant funds to the Senior Service Agency from Grant Administration, \$6,450.00; and Public Safety Program, \$10,000.00.

The Senior Service Agency, a county-wide organization based in Stockton, has requested \$100,000.00 from the Urban County, Community Development Block Grant funds. The funds are to go towards the construction of a new kitchen facility replacing an outdated, unsanitary one which has been condemned by the State Department of Health.

Lodi's share of the request is based on the Urban County Allocation formula. The allocation ratio is shown on the letter from Rene Jackson, San Joaquin County Block Grant Administrator, which is on file in the City Clerk's office. The proposed funding of \$6,450.00 from Grant Administration is money not spent in 1989-90 fiscal year. The \$10,000.00 from the Public Safety Program is an estimated surplus from the Eastside alley striping program.

Below is the benefit received from the Senior Service Agency by the City of Lodi and surrounding areas stated in numbers of meals served and in dollars.

	<u>In Home/month</u>	<u>Congregate/month</u>	<u>\$</u>
Lodi	2835 meals	1470 meals	\$18,019.00
Surrounding	105 meals	*735 meals	\$ 4,009.00

* Woodbridge only

\$4.91 per congregate meal/\$3.81 per in-home meal

The congregate meals are served at Loel Center and the Woodbridge Grange Hall.

Speaking in favor of the reallocation of the CDBG funds to assist the Senior Service Agency was the following:

Continued October 17, 1990

1. Don Ochs, Senior Citizens Commission, 1812 Burgundy Drive, Lodi, California.

On motion of Mayor Pro Tempore Hinchman, Pinkerton second, the Council voted unanimously to adopt Resolution No. 90-161 reallocating the 1990-91 Community Development Block Grant Funds to provide funding to assist Senior Service Agency.

CLOSED SESSION

At approximately 9:25 p.m., the City Council adjourned to a closed session regarding the following matter:

CC-200(a)

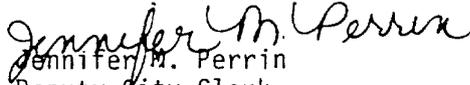
1. Personnel - Labor Negotiations

The City Council reconvened at approximately 10:09 p.m. No formal action was taken by the City Council

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 10:10 p.m.

ATTEST:


Jennifer M. Perrin
Deputy City Clerk

for Alice M. Reimche
City Clerk