

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 7, 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 Assistant City Manager Jerry
Glenn.

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

PROCLAMATION Mayor Snider presented a proclamation proclaiming "National
CC-37 Scouting for Food, Good Turn Week".

RESOLUTION OF APPRECIATION

Mayor Snider presented a Resolution of Appreciation to the
Lodi News Sentinel.

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.

CLAIMS CC-21(a) Claims were approved in the amount of \$4,200,666.60.

MINUTES The Minutes of the Regular Meetings of October 3, 1990 and
October 17, 1990 were approved as written.

SPECIFICATIONS FOR DUMP
TRUCK FOR WHITE SLOUGH
WATER POLLUTION CONTROL
FACILITY APPROVED

CC-12.1(b) The City Council approved the specifications for a dump
truck for White Slough Water Pollution Control Facility and
authorized advertising for bids to be received Wednesday,
November 21, 1990.

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The unit will be used by White Slough staff to haul the grit removed by the treatment process and solid waste generated by the facility.

SPECIFICATIONS FOR BIDS
FOR DUMP TRUCK WITH
FRONT-END LOADER FOR
PUBLIC WORKS DEPARTMENT
APPROVED

CC-12.1(b) The City Council approved the specifications for a dump truck with front-end loader for the Public Works Department and authorized advertising for bids to be received Wednesday, November 21, 1990.

The unit will replace the existing vehicle #04016 and be used by the Street Division crews to pick up street sweeping debris.

PURCHASE OF THREE CUSHMAN
VEHICLES, TWO FOR PARKS
DEPARTMENT AND ONE FOR
HUTCHINS STREET SQUARE

RESOLUTION NO. 90-162

CC-12(d) The City Council adopted Resolution No. 90-162 awarding the
CC-300 bid for the purchase of three Cushman turf vehicles, two for the Parks Department and one for the Community Center at Hutchins Street Square, to the low bidder, Duke Equipment and Irrigation, Rancho Cordova, in the amount of \$26,378.93.

On September 5, 1990, the City Council approved specifications and authorized advertisement for bids for three Cushman vehicles. Initial bids, opened September 19, 1990, were rejected by the City Council on recommendation by staff, and new bids were requested.

On October 17, 1990, proposals from two bidders were received and opened:

| | |
|---|-------------|
| Duke Equipment & Irrigation, Rancho Cordova | \$26,378.93 |
| West Star Distributing, Inc., Hayward | 30,545.81 |

The two vehicles requested by the Parks Department are budgeted replacements for two work-out Cushman scooters used for maintenance in various City parks.

The vehicle for the Community Center is a budgeted item to be used by the maintenance person added to the staff on July 1 of this year.

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The 1990/91 Equipment Fund includes \$26,380 for this purchase.

Delivery is expected about five weeks after placement of the order.

PURCHASE OF HEWLETT-PACKARD
MICROCOMPUTERS AND MISCELLANEOUS
PERIPHERAL EQUIPMENT

RESOLUTION NO. 90-163

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-163 approving the purchase of five Hewlett-Packard microcomputer systems for use in the Public Works Department from Hall-Mark Electronics in an amount not to exceed \$35,000.

On October 3, 1990, the City Council approved specifications for the purchase of five Hewlett-Packard microcomputer systems and peripherals. The specifications included provisions for a "base bid" and additional bids for some alternatives, mostly video monitors and memory upgrades.

Bids were opened on October 24 and the following six bids were received:

| <u>Bidder</u> | <u>Location</u> | <u>Total Base Bid</u> |
|--------------------------|-----------------|-----------------------|
| Hall-Mark Electronics | Rocklin | \$34,483.44 |
| Computerland | Stockton | \$35,284.56* |
| D&G Connecting Point | Sacramento | \$35,896.56** |
| On-Line Connecting Point | Stockton | \$36,727.44 |
| Hewlett-Packard Co. | Sacramento | \$36,902.21 |
| Univar | Sacramento | \$36,995.06 |

*Base bid did not meet specifications

**Corrected figure

The low bidder, Hall-Mark Electronics, also included installation of memory chips, initial testing, and installation of the operating system which none of the other bidders included. This will save the City at least one full day of staff time. Staff is still investigating some of the alternative memory and video configurations and may wish to select some of those items in lieu of items included in the base bid.

This purchase would expand capability to run AutoCAD, as well as engineering, spreadsheet, word processing and data base programs. Future plans include integrating all Public Works systems into a local area network. Two systems are for the Building and Equipment Maintenance Division for maintenance management programs.

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Funding for this purchase is included in several budget accounts, amounts which include provisions for software as well as hardware:

| | | |
|--------------|--------------------------------|-------------|
| 012.0-012.44 | Equipment Fund | \$12,015.00 |
| 012.0-012.45 | Equipment Fund | \$14,210.00 |
| 012.0-013.09 | Equipment Fund | \$2,000.00 |
| 018.1-012.17 | Water Capital Outlay Fund | \$2,000.00 |
| 017.1-012.21 | Sewer Capital Outlay Fund | \$2,000.00 |
| 121.1-525.43 | Master Storm Drain Engineering | \$10,000.00 |

PURCHASE OF 20 TONS OF
TURF FERTILIZER FOR PARKS
AND RECREATION DEPARTMENT

RESOLUTION NO. 90-164

CC-12(d) The City Council adopted Resolution No. 90-164 awarding the
CC-300 bid for the purchase of 20 tons of Best "Turf Gold"
slow-release turf fertilizer to the low bidder, San Joaquin
Sulfur Company of Lodi, in the amount of \$8,956.88.

On October 17, 1990, the City Council approved specifications and authorized advertisement for bids for the purchase of 20 tons of Best "Turf Gold". Bids were opened on October 30, 1990, with the following results:

| | |
|--------------------------------|-------------|
| San Joaquin Sulfur Co., Lodi | \$ 8,956.88 |
| Turf Tech, Sacramento | 9,010.00 |
| Wilbur-Ellis Co., Stockton | 9,277.11 |
| Orchard Supply Co., Sacramento | 9,520.00 |
| Lockhart Seeds, Stockton | 10,883.40 |

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 a water-soluble or agricultural blend fertilizer.

Funds for this purchase have been allocated in the Parks Department 1990/91 budget.

PURCHASE OF 47 STEEL LIGHT STANDARDS

RESOLUTION NO. 90-165

CC-12(d) The City Council adopted Resolution No. 90-165 awarding the
CC-300 bid for the purchase of 47 steel light standards to the
bidder whose proposal yields the lowest net cost to the
City, Lingo Industrial Lighting of Sacramento, in the
amount of \$20,724.05.

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On October 17, 1990, the City Council approved specifications and authorized advertisement for bids for the purchase of 47 steel light standards. Bids were opened on October 30, 1990, with the following results:

Lingo Industrial Lighting, Sacramento
 \$20,933.38 less 1% when paid within
 ten days of invoice. Net cost: \$20,724.05

Westinghouse Electric, Concord
 \$20,906.49, net 30 days. Net cost: \$20,906.49

Both bidders offered identical poles manufactured by Valmont Industries. Further, Lingo Industrial quoted a four week lead time, while Westinghouse quoted a lead time of four to six weeks.

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 to be deficient.

Funding for this purchase is available in the 1990/91 Public Works/Street Light Maintenance account.

CONTRACT AWARD FOR WELL
 DRILLING, WELL 11-R,
 824 EAST TURNER ROAD

RESOLUTION NO. 90-166

CC-12(a)
 CC-300

The City Council adopted Resolution No. 90-166 awarding the contract total bid for Well Drilling, Well 11-R, 824 East Turner Road to Clark Well Inc. in the amount of \$89,495.00. The City Council also certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation for Well 11-R.

This well site is located east of Highway 99 and the Casa de Lodi Mobile Home Park on a small City-owned parcel. The project consists of drilling a production water well. Development of the site and the purchase of pumping equipment will be handled by separate contracts at a later date.

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The City has received the following four bids for this project:

| <u>Bidder</u> | <u>Location</u> | <u>Bid</u> |
|-------------------------------|-----------------|--------------|
| Engineer's Estimate | | \$102,700.00 |
| Clark Well | Stockton | \$89,495.00 |
| Maggiora Bros. Drilling, Inc. | Watsonville | \$94,660.00 |
| Arthur & Orum Well Drilling | Fresno | \$103,954.00 |
| Layne-Western Co. | Woodland | \$108,828.00 |

CONTRACT AWARD FOR LANE
LINE PAINTING, VARIOUS
STREETS, 1990

RESOLUTION NO. 90-167

CC-12(a)
CC-300

The City Council adopted Resolution No. 90-167 awarding the contract for Lane Line Painting, Various Streets, 1990 to Traffic Limited, Lodi, California, in the amount of \$16,892.23.

This project provides painting of lane lines on arterial and collector streets on an annual basis and approximately 50 percent of lane lines on residential streets. Bids were opened on October 31, 1990 and five bids were received. The cost of painting a mile of lane line has increased approximately four percent since the last time the City requested bids, which was November 1989.

Following is a tabulation of the bids received for your information:

| <u>Name of Bidder</u> | <u>Total Bid</u> |
|--------------------------------------|------------------|
| Traffic Limited, Lodi, CA | \$16,892.23 |
| Safety Striping, Filmore, CA | 19,900.20 |
| Central Striping, Rancho Cordova, CA | 22,343.95 |
| Chrisp Company, Fremont, CA | 22,666.05 |
| Asphalt Sealing, Sacramento, CA | 63,286.45 |

ACCEPTANCE OF IMPROVEMENTS
UNDER LODI LAKE PARK BEACH
RESTROOM REMODEL, 1301 WEST
TURNER ROAD, CONTRACT

CC-90

The City Council accepted the improvements under the "Lodi Lake Park Beach Restroom Remodel, 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 McDonald-Glenn Company of Manteca on March 21, 1990 in the amount of \$79,931.00. The contract has been completed in substantial conformance

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with the plans and specifications approved by the City Council.

The contract completion date was August 2, 1990, and the actual completion date was July 27, 1990. The final contract price was \$81,172.00. The difference between the contract amount and the final contract price is mainly due to three change orders which changed the gas water heater to an electric one and did minor revisions to the shower stalls.

ACCEPTANCE OF IMPROVEMENTS
UNDER PARKING LOT #5 ASPHALT
OVERLAY, NORTHEAST CORNER OF
ELM STREET AND CHURCH STREET,
CONTRACT

CC-90 The City Council accepted the improvements under the "Parking Lot #5 Asphalt Overlay, Northeast Corner of Elm Street and Church 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 Claude C. Wood Company of Lodi on August 1, 1990 in the amount of \$24,631.50. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was October 10, 1990 and the actual completion date was September 14, 1990. The final contract price was \$28,282.22. The difference between the contract amount and the final contract price is mainly due to an increase in the asphalt concrete quantity.

ACCEPTANCE OF IMPROVEMENTS
UNDER LOCKEFORD STREET OVERLAY,
SOUTHERN PACIFIC RAILROAD TO
CHEROKEE LANE, CONTRACT

CC-90 The City Council accepted the improvements under the "Lockeford Street Overlay, Southern Pacific Railroad to Cherokee Lane" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Claude C. Wood Company of Lodi on September 5, 1990 in the amount of \$122,503.50. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was November 19, 1990 and the actual completion date was October 17, 1990. The final contract price was \$118,505.95. The difference between the contract amount and the final contract price is mainly due

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to decreases in the quantities for slurry sealing, compact original ground, and asphalt concrete sidewalk.

SUBDIVISION IMPROVEMENT
AGREEMENT ADDENDUM FOR
WELLSWOOD COURT, SOUTH OF
MISSION STREET, WEST OF
GARFIELD STREET, AND NORTH
OF CONCORD STREET

CC-46 The City Council approved the Subdivision Improvement
CC-90 Agreement Addendum for Wellswood Court and directed the
 City Manager and City Clerk to execute the Subdivision
 Improvement Agreement Addendum on behalf of the City.

Schaffer, Suess and Boyd, the developer of this subdivision, has agreed to put in improvements which are not entirely its responsibility. The Subdivision Improvement Agreement Addendum will authorize payment for the City's portion of a six-inch wastewater main and a concrete alley approach. The City is also paying for 50 linear feet of curb, gutter and sidewalk on Mission Street.

IMPROVEMENT AGREEMENT
FOR 1248 SOUTH SCHOOL
STREET, LODI

CC-46 The City Council approved the Improvement Agreement for
CC-90 1248 South School Street, a parcel being divided to create
 four parcels for single-family residential units, and
 directed the City Manager and City Clerk to execute the
 agreement on behalf of the City.

Seco Plumbing, Inc., the developer of this property, has furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed improvements.

The developer has submitted a parcel map creating four parcels for single-family residential units and must install the offsite improvements on this existing residential site.

AGREEMENTS FOR OVERHEAD
ELECTRIC LINE CROSSINGS
OF RAILROAD RIGHTS-OF-WAY
APPROVED (AREA OF THE NEW
INDUSTRIAL SUBSTATION,
5200 EAST SARGENT ROAD)

CC-90 The City Council approved the agreements (2) for overhead
 electric line crossings of railroad rights-of-way and
 authorized the Mayor to execute same on behalf of the City.

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The new Industrial Substation will be interconnected to the City's existing system via new 60-kv and 12-kv lines. The routing for some of these lines cross over existing Central California Traction Co. railroad rights-of-way. Each such crossing requires an agreement between the City and the respective railroad company. Consideration in the form of a one time fee of \$920 (\$460 each) for these crossings, is also included in the agreements.

WHITE SLOUGH WATER
POLLUTION CONTROL
FACILITY LEASE,
11775 AND 11995 NORTH
THORNTON ROAD

CC-27(b) The City Council awarded the lease for 220- acres of agricultural land at White Slough Water Pollution Control Facility to Lima Ranch and authorized the City Manager and City Clerk to execute the lease agreement.

The tenant presently subleasing this property from the City's lessee, Tamura Farms, wanted to plant alfalfa and requested that the City go to bid a year before the expiration of the lease. Since alfalfa is a multi-year crop, he did not want to plant alfalfa if he was unable to renew the lease in 1991. The City went to bid for the lease of this property from November 15, 1991 through December 31, 1993 and received the following three bids:

Total Rent for Term of Lease

| | |
|------------------|--------------|
| Lima Ranch | \$103,069.99 |
| Tamura Farms | \$99,343.75 |
| Alfred Bechthold | \$70,025.00 |

It was staff's recommendation that the lease be awarded to Lima Ranch, the high bidder.

SOUTHERN PACIFIC TRANSPORTATION
COMPANY STREET/HIGHWAY EASEMENT
AGREEMENT ON CLUFF AVENUE NORTH
OF VICTOR ROAD

CC-7(h)
CC-90 The City Council approved the Street/Highway Easement Agreement with Southern Pacific Transportation Company (SPT Co.) and authorized the City Manager and City Clerk to execute same and subsequent traffic signal agreements at this location.

During the traffic signal design process for Cluff Avenue and Victor Road intersection, it was determined the City did not have an agreement with SPT Co. to construct, reconstruct, and maintain Cluff Avenue adjacent the

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railroad lines. SPT Co. has prepared the standard agreement and it is ready to be executed by the City.

We are also in the process of obtaining an agreement with SPT Co. to locate traffic signals and conduits in the railroad right-of-way. This agreement should be ready to be signed in a few weeks. Staff recommended Council authorize City Manager and City Clerk to execute the crossing agreement and the subsequent signal agreement in order to expedite the signal installation.

SPT Co. is in the process of installing crossing protection at this intersection. Construction of the traffic signal should begin in Spring 1991 after Caltrans approves the plans.

PERSONNEL SERVICES CONTRACT
WITH THOMAS CARTWRIGHT FOR
TRAFFIC ENGINEERING SERVICES

CC-34 The City Council approved the proposed Personal Services
CC-90 Contract with Thomas Cartwright for traffic engineering services and authorized the City Manager to execute the contract on behalf of the City.

The Engineering Division has had an opening for a half-time position in Traffic Engineering since a contract was approved for a full-time employee, Paula Fernandez, to work half-time. After an open recruitment, the City has found a person to fill the "other half" of the position.

Mr. Thomas Cartwright has most recently worked in the traffic control business as a manufacturer's representative for over 13 years and previously for 12 years on the east coast for both public agencies and private firms. He is also willing to increase his hours while Ms. Fernandez is on maternity leave with her second child.

The Personal Services Contract is modeled after the one previously approved for Ms. Fernandez. The base salary is comparable to that of a Junior Civil Engineer with adjustments for benefits. Other terms and conditions have been modified to account for the fact that Mr. Cartwright has not been a permanent City employee.

REPORT ON VICTOR ROAD
(HIGHWAY 12) IMPROVEMENTS

CC-16 The Lodi City Council was advised that at its October 17,
CC-49 1990 meeting, the City Council directed staff to look into the possibility of saving trees on the south side of Victor Road (State Highway 12) and in particular, the trees at Teresi development at Victor Road and Guild Avenue. This direction was prompted by citizen concerns over the trees

that had been removed on the Teresi property and numerous trees that exist further east.

The trees in question are located on the south side of Victor Road within the State Highway right-of-way between Cluff Avenue and Locust Tree Road. There are approximately 100 trees east of the Central California Traction (CCT) tracks. Based on old aerial photos, there were 29 trees located between the CCT tracks and Highway 99 after Highway 99 was constructed. Most of these trees have been removed with the following projects:

- ° 7 trees - Misc. developments between Highway 99 and Cluff Avenue
- ° 8 trees - Lodi Door and misc. developments east of Cluff Avenue
- ° 5 trees - Dart Container east of Guild Avenue
- ° 4 trees - Teresi, west of Guild Avenue to Lodi Door
- ° 1 tree - Guild Avenue intersection

Thus four trees remain fronting the undeveloped parcel between Dart Container and the CCT tracks.

Development of the land included installation of curb, gutter, sidewalk, and utilities as required by City ordinances. Based on the location of the trees and the required alignment and width of Victor Road by the State of California, there has been little choice but to remove the trees. We do not recall any opposition to the earlier tree removals.

The Teresi project is the second phase of a subdivision which included the Dart Container project east of Guild Avenue. The Dart improvement project was approved and constructed in 1985, including plans for the Victor Road improvements showing removal of the trees. Construction of Guild Avenue was deferred pending development of the property west of Guild Avenue. In 1990, the owners initiated the necessary updating of the plans in preparation for development and Dart Container was requested to work with the owners on the joint installation of Guild Avenue. As the plans neared completion, the land was cleared and the owners contracted with Claude C. Wood Company to do the public improvement work on Victor Road. A subcontractor for Claude C. Wood started to remove the trees on Victor Road without obtaining the necessary State permits and was stopped by Caltrans after three trees were cut down. Of the two trees left, one was located with the Guild Avenue intersection and must be removed.

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During the time between this tree removal and the Council meeting of October 17, 1990, City staff was contacted by three persons regarding the trees. The first call was from a County Public Works engineer who asked about our policies and approval procedures regarding tree removal. He noted that their policy was that all tree removals within the right-of-way be specifically approved by the Board of Supervisors. The second call came later from a citizen who asked about what could be done to save the trees. Based on the City's past approvals and the fact that the trees were in the State right-of-way, the caller was directed to the City Council and/or the State. (After the Council meeting, another call was received. The caller supported efforts to save the trees but did not wish to leave a name).

At the October 17, 1990 Council meeting, staff indicated that we would check with Caltrans to see if the permit could be delayed. Unbeknownst to us, the permit had already been issued. As we later learned, the matter had been reviewed and approved by a number of persons at Caltrans, all the way up to the District Director. Their review by traffic engineers as well as a landscape architect, all concluded that it was appropriate to remove the remaining tree.

On Thursday, after the City Council meeting on October 17, 1990 staff contacted all the parties involved in the project. We first checked with Caltrans and found out that the permit was issued and since it had been approved by the Director, the Permit Department would not put a hold on the work. We were directed to the Traffic Department and the Director's Office. Both the Director and head of Traffic were on vacation. We then contacted Claude C. Wood Company and the tree subcontractor and left messages that the trees should not be cut. We spoke with the project engineer who was very concerned about construction delays, especially given the time of year. We also spoke with John Teresi who agreed to delay the work until Monday, October 22 while staff worked with Caltrans.

City traffic and survey staff made additional filed measurements to determine what modifications to the plans would have to be made in order to save the one remaining tree not within the Guild Avenue intersection.

The tree is located 31 feet from the centerline. The face of curb is to be 32 feet from the centerline. Thus saving the tree would mean one of the following:

1. Move the curb and gutter toward the centerline, creating a space behind the curb for the tree. This space would need to be at least 6 feet.

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2. Move the curb and gutter behind the tree and place a guardrail in front of the tree.
3. Leave out the curb and gutter and place guardrail in front of the tree.

These options were discussed with the head of the Caltrans Traffic Branch and the acting director on Friday, October 19, 1990. They did not approve any of these options, mainly because all would place an object in the pavement that would protrude from the curb alignment already established on both sides of the project. They also noted that the 32 foot 1/2 width was already 6 feet narrower than their current standards for this type of highway. Option 1 would further reduce the width to 26 feet and Options 2 and 3 would be approximately 28 feet.

On Monday, October 22, 1990 we informed Claude C. Wood Company that we could not legally stop them from removing the trees. However, the improvement plans had not yet been signed. On Tuesday, we received the attached letter from Caltrans. By late Wednesday, October 24, 1990 the owners had provided the insurance, fees and Caltrans permits required by the City. Therefore, we issued a City permit for the work. To further delay the work, after all our requirements have been met, would not only be unfair to the property owners, it would have left the City open to a lawsuit. The two remaining trees were cut on Friday, October 26, 1990.

The Future

In all our discussions with the State, County, citizens and developers, it was clear that the fate of the remaining trees to the east should be considered now, rather than piecemeal or in the middle of a development project.

As discussed previously with the City Council, one of the first projects that will be undertaken after adoption of the General Plan, will be a study of Highway 12/Kettleman Lane. Originally the study was to focus on the interchange at Highway 99. Later it became obvious that the study needed to include lane geometrics, access control, medians and other items on Kettleman Lane both east and west of Highway 99. This study would be the appropriate place to look at Victor Road since it is the extension of Highway 12 to the east.

There will not be a simple answer to saving the rest of the trees if Victor Road is ever to be widened to accommodate additional traffic. The north side is bounded by the Southern Pacific Railroad which severely limits widening on that side. Other options such as moving the State Highway to an alternate street east of Highway 99 (Kettleman Lane

or others) will have to be considered. In addition, it should be remembered that any work around oak trees often proves to be fatal to the tree. The City has had only mixed success in saving trees adjacent to new or widened streets.

The draft General Plan includes a recommendation that a heritage tree ordinance be developed. This could affect trees on both private property as well as public rights-of-way. Aside from the Victor Road project, the Council may wish to start on such an ordinance. We suggest that a committee including private citizens, the development community, City staff and possibly a qualified tree consultant be established to draft a workable ordinance and implementation guidelines. The Public Works Department would be glad to participate in such an effort.

INSTALLATION OF OFF-SITE IMPROVEMENTS, FAST GAS SERVICE STATION, SOUTHEAST CORNER OF LOWER SACRAMENTO ROAD AND KETTLEMAN LANE

CC-46

The City Council ordered the installation of the off-site improvements around the Fast Gas Service Station at the southeast corner of Lower Sacramento Road and Kettleman Lane.

As part of its approval of the Sunwest Plaza Shopping Center, the Planning Commission has recommended that the off-site improvements around the existing service station be installed. The City Council can make this requirement under existing law.

The Public Works Department will coordinate this project with the installation of the shopping center improvements.

With the exception of signage, the Planning Commission and SPARC have completed their respective review and conditional approval of the shopping center project.

PUBLIC HEARING SET FOR THE APPEAL OF J. J. S. WAREHOUSE TO THE NOTICE OF FIRE HAZARD AND ORDER TO ABATE ISSUED BY THE FIRE DEPARTMENT

CC-24(b)

On September 28, 1990, the Fire Marshal issued to J. J. S. Warehouse, 23 Maxwell Street, Lodi, a Notice of Fire Hazard and Order to Abate based on perceived violations of the Uniform Fire Code having to do with the storage of flammable liquids.

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An appeal by the owner of the warehouse has now been received. Under Section 15.20.080 of the Municipal Code, such appeals are heard by the City Council. It is recommended that the Council consider setting a public hearing for the December 5, 1990 Council meeting.

PUBLIC HEARING SET FOR
UNMET TRANSIT NEEDS

CC-50(b) Council set a public hearing to receive public input on unmet transit needs on December 5, 1990 at 9:00 a.m. at the Senior Information Center, Hutchins Street Square, and at 7:30 p.m. at the regular Council meeting at Carnegie Forum.

State law requires that the agency hold a public hearing to receive testimony on unmet transit needs which are perceived to exist in the transit service area. This hearing should be completed by the end of the calendar year.

The requirement is to receive public input only and to determine needs which can reasonably be met. It is not appropriate to address how those needs are to be met at that hearing.

Council should be aware there is a move afoot to establish a fixed-route bus system. A fixed-route system is not a need but a means of fulfilling a need.

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

RESOLUTION NO. 90-168

CC-34 The City Council adopted Resolution No. 90-168 - Resolution
CC-300 of Intention to Approve an Amendment to Contract Between
and the Board of Administration of the Public Employees'
Retirement System and the City Council of the City of Lodi.

We have agreed with all bargaining units except Fire to provide the third-level of 1959 survivor benefits.

Council adopted the necessary ordinance but did not adopt the appropriate Resolution of Intention. For PERS to amend our contract this resolution must be adopted.

Since the time of the original agreement with the other bargaining units we have told the Fire Fighters they too would be covered with this benefit. We must begin that

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process after this first amendment is finalized. We will bring an amendment to include the Fire Fighters in December.

TRAFFIC RESOLUTION AMENDMENT -
MAPLE STREET AT GARFIELD
STREET AND LEE AVENUE AT OAK
STREET, INTERSECTION CONTROL

RESOLUTION NO. 90-169

CC-48(h)
CC-300

The City Council adopted Resolution No. 90-169 amending the Traffic Resolution 87-163 to approve the conversion of "Yield" signs to "Stop" signs at the intersections of Maple Street at Garfield Street and Lee Avenue at Oak Street.

The intersections of Maple Street at Garfield Street and Lee Avenue at Oak Street have been reviewed due to their accident rates and complaints received. Maple Street currently yields at Garfield Street. This intersection provides two directions of travel on each of its four legs. Lee Avenue currently yields at Oak Street. This segment of Lee Avenue is one-way southbound, while Oak Street provides two directions of travel.

Based on the accident records and traffic volumes, staff recommends converting the "Yield" signs to "Stop" signs at both of these intersections. The volumes indicate that four-way or three-way stops would not be justified, and the existing right-of-way control is on the appropriate streets.

CHEROKEE LANE NORTH OF
PIONEER DRIVE -
"NO PARKING" ZONE

RESOLUTION NO. 90-170

CC-48(e)
CC-300

The City Council adopted Resolution No. 90-170 approving the installation of a 275-foot "No Parking" zone on the west side of Cherokee Lane north of Pioneer Drive.

The Public Works Department has received two citizen complaints and one Police Department complaint regarding the sight obstruction created by trucks parking on the west side of Cherokee Lane north of Pioneer Drive. Staff has verified truck parking is legal and trucks are parking at this location. Available accident records indicate that only one right angle accident involving southbound and eastbound vehicles occurred during the 3 3/4 years from 1987 to the present. According to the accident report, this 1989 collision was not caused by a sight obstruction. Traffic volumes for Pioneer Drive and Cherokee Lane are approximately 780 and 10,000 vehicles per day, respectively. The posted speed limit on Cherokee Lane

Continued November 7, 1990

south of Pioneer Drive is 40 mph. The prima facie speed limit on Pioneer Drive is 25 mph.

Although the sight obstruction has not led to an accident problem, staff has verified the truck parking problem and sight obstruction and recommends the installation of 275 feet of "No Parking" zone.

This section of roadway is under State of California jurisdiction and will require Caltrans approval after City Council approval.

TRAFFIC RESOLUTION AMENDMENT -
ESTABLISH EVERGREEN DRIVE AND
CRESCENT AVENUE FROM KETTLEMAN
LANE TO LODI AVENUE AS THROUGH STREETS

RESOLUTION NO. 90-171

CC-48(a)
CC-300

The City Council adopted Resolution No. 90-171 amending the Traffic Resolution 87-163 to establish Evergreen Drive from the north City limits to the south City limits and Crescent Avenue from Kettleman Lane to Lodi Avenue as through streets.

The City's informal guidelines for considering establishing through streets are traffic volumes of approximately 2,000 vehicles per day and use as a minor collector. Minor cross streets intersecting through streets are controlled by stop signs.

- Evergreen Drive

The Public Works Department has received two recent complaints requesting a stop sign on Park West Drive at Evergreen Drive and at other cross streets. Evergreen Drive runs the entire length of the existing Park West Subdivision and is designed to collector street standards. Evergreen Drive will eventually be extended north to Turner Road and south through the Batch property subdivision. The intersection of Evergreen Drive and Elm Street will be controlled by multi-way stop signs when the streets are extended. Current traffic volumes are approximately 1,250 vehicles per day. Although the volume is below the recommended minimum, the street is being used as a collector and projected volumes will exceed 2,000 vehicles per day when the adjacent property develops. For these reasons, staff has no objection to establishing Evergreen Drive as a through street from north City limits to the south City limits. Stop signs will be installed on all minor streets constructed in the future that intersect Evergreen Drive. The prima facie speed limit of this street is 25 miles per hour.

Continued November 7, 1990

- Crescent Avenue

The segment of Crescent Avenue from Kettleman Lane to Lodi Avenue is designed to collector street standards and is being used as such. Traffic volumes are approximately 2,200 vehicles per day. Designating this section of Crescent Avenue as a through street would be consistent with other similar streets such as Mills Avenue, West Lockeford Street, and Brandywine Drive. For these reasons, staff recommends establishing Crescent Avenue from Kettleman Lane to Lodi Avenue as a through street as shown on Exhibit B. Currently, many of the cross streets intersecting Crescent Avenue are controlled by stop signs. The posted speed limit of this segment is 35 miles per hour with a 25 mile per hour school speed zone adjacent to Nichols School.

TRAFFIC RESOLUTION AMENDMENT -
EAST SIDE OF PACIFIC AVENUE
FROM OAK STREET TO 556 FEET SOUTH
OF OAK STREET, PARKING MODIFICATION

RESOLUTION NO. 90-172

CC-48(k)
CC-300

The City Council adopted Resolution No. 90-172 amending the Traffic Resolution 87-163 to approve the modification of the restricted parking hours on the east side of Pacific Avenue from Oak Street to 556 feet south of Oak Street to 6:30 a.m. to 4:30 p.m., school days only.

The Public Works Department has received a letter from the School District requesting the modification of the hours that parking is restricted on the east side of Pacific Avenue from Oak Street to 556 feet south of Oak Street. They have requested that the existing restricted hours of 9:00 a.m. to 10:00 a.m. and 12:30 p.m. to 1:30 p.m., school days only, except with Zone C permit be changed to 6:30 a.m. to 4:30 p.m., school days only. Staff does not feel this change will create a problem with the residential parking program because it affects the side yard of only one residence. The remaining affected area is all along the rear frontage of the Zion Reformed Church property.

The School District requested these modifications to reduce congestion and increase safety in front of the school. The District's objective is to "clean up" the front of the school by eliminating student parking at the portions of the school frontage where a problem exists. These problems include vehicle congestion, loitering, and pedestrian activity crossing Pacific Avenue. They have indicated that there is more than enough parking available in the student lot to handle these displaced vehicles.

Continued November 7, 1990

Staff has reviewed and approved the other modifications requested by the School District and feels that changing the restricted parking hours, as indicated, will reduce congestion and increase pedestrian safety in front of the school as long as enforcement can be provided. For these reasons, staff recommended the approval of this modification.

COMMENTS BY CITY COUNCIL MEMBERS

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

CONCERN EXPRESSED REGARDING RESPONSE TO CITIZEN'S ANXIETY REGARDING TRAFFIC ON TURNER ROAD IN THE AREA OF LAKEWOOD SCHOOL

CC-16

Mayor Pro Tempore Hinchman expressed his concern regarding the response that was sent by the Public Works Department to a crossing guard who had reported her concerns regarding traffic on Turner Road in the area of Lakewood School. The City Manager was asked to look into ways the City might better respond and assist citizens in complaints of this nature.

COMMENTS REGARDING NOVEMBER 6, 1990 MUNICIPAL ELECTION

Mayor Pro Tempore Hinchman spoke about the November 6, 1990 election stating that the City Council Members he has worked with the last six years have been outstanding. Mayor Pro Tempore Hinchman again reiterated his feeling that the citizens of Lodi should have regular reports on what is happening in this community and feels the City should look into adopting some type of communication plan.

Council Member Olson congratulated candidates Phil Pennino and Jack Sieglock on their victory and urged the community to support them. She also urged the women of this community to seek public office.

Mayor Snider spoke about the illegal flyer that was circulated in our community just prior to the election and that he felt it was a disservice to all nine candidates. Mayor Snider then presented the following report of facts on the various charges that had been alleged.

Charge - Lodi has only five police officers on patrol at any given time.

Continued November 7, 1990

- Fact - From 12:00 noon to 3:00 a.m. (15 hours, and the busiest time) Lodi has 8 officers assigned, plus a sgt. and lt. and 10 are assigned between 10:00 p.m. and 3:00 a.m. The only time 5 are assigned is during the normally slow period of 3:00 a.m. to 12:00 noon.
- Charge - Lodi has reduced the police budget when compared to total spending.
- Fact - The Police Department budget is 28.3% of the General Fund, the highest percentage it has been in the last ten years.
- Fact - The Police Department budget has been increased 61% in the last 5 years, the highest percentage increase of all operating departments.
- Fact - The number of police officers per 1,000 population is the highest it has been in the last 7 years, and the total number of police officers and support personnel is the highest it has been in the last 15 years.
- Charge - Lodi is seeing the problems of crime and drugs threaten our way of life.
- Fact - The increase in the Lodi crime rate during the last 8 years is actually lower than it was in the previous 8 years. I encourage you to review the numbers with the Chief of Police. In the past year, the crime rate is down by 6%.
- Charge - The Council is reducing police protection.
- Fact - Documented numbers prove this is a false charge.
- Charge - The Council has refused to live by the provisions of Measure A and instead adopted its own growth plan allowing Lodi to grow by 26,000 new residents over the next 17 years.
- Fact - The City's growth management plan is part of the City's new General Plan which is in the process of being adopted. It provides for a 2% growth limit. This percentage increase was the result of a recommendation by a citizen task force appointed by the City Council to develop a growth management plan. The task force was comprised of an equal number of citizens in favor of and opposed to Measure A. This will result in an additional 19,450 residents in the next 17 years, not 26,000, an error in the charge of 34%.

Continued November 7, 1990

- Charge - Measure A would have allowed just 3,000 new residents by the year 2007.
- Fact - There would have been no way to determine the growth rate of the City because each annexation would have had to have been approved by the voters.
- Charge - The Council allowed developers to convert property previously dedicated to single family homes to apartments, thereby putting a strain on the sewer system.
- Fact - The conversion from some single-family uses to apartments was consistent with the zoning ordinance adopted in 1968. It was this City Council that put a stop to these conversions by putting in place a moratorium prohibiting such action. This Council took that action 5 years ago. This Council listened and down-zoned the area thereby increasing the life of both the sewer and water systems.
- Charge - The State had to step in and order the City Council to update and renovate the sewer system.
- Fact - The State has never issued such an order.
- State law requires that when the sewer plant reaches 75% capacity, the City must notify the State and move ahead with expansion. This we have done in accordance with State law.
- Further, the Council adopted 2-1/2 years ago a moratorium on sanitary sewer connections for areas not in the City limits at that time.
- This was done to ensure that those parcels within the City limits would have sanitary sewer capacity.
- Charge - In order to pay for the improvements, the Council has dramatically raised sewer fees and hook-up charges.
- Fact - Part of the sewer fee increase is to pay for the improvements. The remainder of the sewer fee hike and the increased hook-up fees are to provide, on a pay-as-you-go basis, the funding for the next expansion 10-12 years from now. That's the cheapest financial approach. That represents good planning.
- Charge - The City is operating under a special waiver from the State Department of Health which allows

it to use City wells that exceed the maximum contamination levels for DBCP.

Fact - The new State requirements regarding DBCP levels went into effect in July 1989. All cities experiencing DBCP have been given the same direction from the State. This has been granted to allow time to install new filtration systems, and because the State's Department of Health Services acknowledges there are no short-term health concerns.

Charge - The Council has been forced to rush to drill new wells.

Fact - New water wells are being developed in accordance with a regular schedule set forth in the City's Capital Improvement Program. That schedule is in no way being altered or rushed.

Charge - Lodi residents have no choice but to consume contaminated water.

Fact - Lodi's water is safe to drink. The State Department of Health Services agrees with this statement. There are far less cancer-causing elements in one-half gallon of Lodi water than there are in:

A peanut butter sandwich

A raw mushroom

A 12-ounce can of soda

Charge - A comparison of the budgets of four Central Valley Cities presents the cost of the budget per person is:

| | | |
|------------|---|--------|
| Sacramento | - | \$ 976 |
| Stockton | - | 749 |
| Modesto | - | 596 |
| Lodi | - | 1,139 |

Fact - The other three cities do not have municipal electrical systems. The fact that Lodi has a municipal electrical system is of tremendous benefit to our citizens and our commercial and industrial communities. Lodi residents currently pay for electrical service about 35% less than they would pay if served by PG&E. When you subtract the Electric system budget from the total, Lodi's cost per person is \$511, the lowest of the other three cities listed.

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- Charge - Should the City have a certified and verified audit of its budget?
- Fact - The City of Lodi has, annually for decades, always had an audit of its fiscal condition performed by an independent auditing firm. In addition, federal law requires cities to perform an annual audit because federal funds are part of the City's annual expenditures.
- Charge - The White Slough Sewer Plant expansion was awarded this year to an "out of state firm".
- Fact - The Council awards bids to the "lowest responsible bidder". To do so is to realize the completion of a project for the taxpayer at the lowest possible cost. This policy is clearly in the best interest of the tax paying citizen.

Council Member Reid spoke about the large number of political signs that had been posted on power poles, public rights-of-way, etc. during this past election. Council Member Reid indicated he would like to have the City Attorney draft a new ordinance regarding the placement of such signs in order to remedy the situation.

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:

INFORMATION REQUESTED
TO BE INCLUDED IN MINUTES

Ray Davenport, 445 Almond Drive #45, Lodi, addressed the City Council asking that the full report just given by Mayor Snider be made a part of the official minutes.

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 Hearing to consider repealing Lodi Municipal Code Chapter 13.12, Sewer Service, and reenacting a new ordinance relating to sewer service.

LODI MUNICIPAL CODE AMENDED
RELATING TO SEWER SERVICE

ORDINANCE NO. 1501

CC-14 The matter was introduced by Public Works Director Ronsko
CC-44 who advised that in July 1988 the Environmental Protection
CC-51 Agency (EPA) performed an audit of the City's required
CC-149 industrial pre-treatment program. The EPA audit

Continued November 7, 1990

outlined deficiencies in the City's present Sewer Ordinance. The proposed changes in the ordinance were reviewed by the City Council at its shirtsleeve session on October 9, 1990. The major changes were outlined once again for the benefit of the City Council and the audience.

On October 18, 1990, the Water/Wastewater Superintendent and Assistant Superintendent met with the Chamber's Industrial Relations Committee and discussed the proposed changes. There were no major concerns brought forth at that meeting.

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

On motion of Council Member Olson, Hinchman second, the City Council introduced Ordinance No. 1501, entitled, "An Ordinance of the Lodi City Council Repealing Lodi Municipal Code Chapter 13.12 - Sewer Service - and Reenacting a New Ordinance Relating to Sewer Service". The motion carried by unanimous vote of the City Council.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of October 29, 1990.

CC-35 The Planning Commission -

1. Determined that the 1990-91 Capital Improvement Program as prepared by the Public Works Department conformed to the Lodi General Plan and recommended its approval to the City Council.
2. Approved the request of Colleen K. Conner for a permanent Use Permit to conduct a residential day care facility for 12 children at 1307 Holly Drive in an area zoned R-2, Single-Family Residential.
3. Conditionally approved the request of Robert F. Rauschenbach, A.I.A., RBS Architectural Group on behalf of Greg Tcherkoyan for an amended Use Permit to construct a single 7000 square foot commercial building rather than two 3500 square foot structures at 730 West Kettleman Lane in an area zoned P-D(15), Planned Development District No. 15.
4. Determined that no "Zoning Hardship" existed and denied the request of Lance Robinson for a Variance to permit two existing canvas roof covers which encroach into the required front yard and street side yard to remain at 25 South Hutchins Street.

COMMUNICATIONS (CITY CLERK)

110
✓

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CLAIMS CC-4(c)

On recommendation of the City Attorney and the City's Contract Administrator, Insurance Consulting Associates, Inc., the City Council, on motion of Mayor Pro Tempore Hinchman, Reid second, rejected the following claims and referred them back to the City's Contract Administrator:

- a) Pacific Bell, date of loss 8/14/90
- b) Clayton Butler, date of loss 9/15/90
- c) Mark W. Kaiser, date of loss 9/8/90

MATTERS PERTAINING TO
VARIOUS CITY OF LODI
BOARDS AND COMMISSIONS

CC-2(f)
CC-2(h)
CC-2(i)
CC-2(k)

On motion of Mayor Pro Tempore Hinchman, Olson second the City Council directed the City Clerk to post for terms expiring on various City of Lodi Boards and Commissions.

The City Clerk apprised the City Council that the following terms on various City Boards and Commissions are expiring. State statute requires that the City Clerk post for terms that are due to expire to allow citizens interested in service to submit an application. The City Council was requested to direct the City Clerk to make the necessary postings.

RECREATION COMMISSION

- Robert Johnson 4 year term expiring 12/31/90
- Dennis Jones 4 year term expiring 12/31/90
- Robert Casalegno 4 year term expiring 12/31/90

PERSONNEL BOARD OF REVEIW

- Marcelo Lopez 4 year term expiring 1/17/91

LODI SENIOR CITIZENS COMMISSION

- Delores J. Dickey 4 year term expiring 12/31/90

APPOINTMENT TO THE
LODI ARTS COMMISSION

At the May 16, 1990 Council meeting, the City Clerk was directed to post for the vacancy on the Lodi Arts Commission which term would expire on July 1, 1991.

The Mayor requested that Council, by motion action, concur with the following appointment to the City of Lodi Arts Commission:

LODI ARTS COMMISSION

Donald J. Levy to fill vacancy which term will expire July 1, 1991

On motion of Mayor Pro Tempore Hinchman, Olson second, the City Council concurred with the appointment of Donald J. Levy to fill an unexpired term on the Lodi Arts Commission, which term is due to expire July 1, 1991.

The posting for this vacancy was done under direction of the City Council pursuant to State Statute.

CITY OF MODESTO REQUESTS
COUNCIL SUPPORT TO LOCATE
A UNIVERSITY OF CALIFORNIA
CAMPUS IN THE GREATER MODESTO AREA.

CC-6
CC-107

City Clerk Reimche presented the following letter which had been received from Mayor Carol G. Whiteside, Mayor of the City of Modesto:

I would like to enlist the support of the City of Lodi in our efforts to attract a University of California campus to the greater Modesto area. Both the Mape's Ranch site on Highway 132, ten miles west of Modesto, and the Don Pedro site, 30 miles east of Modesto, remain under consideration as possible locations for the proposed tenth U.C. campus.

We feel that strong regional support will enhance our chances of obtaining this campus. A sample resolution is enclosed. If you need someone to make a presentation, please let me know.

An endorsement by the City of Lodi of our efforts would be greatly appreciated.

Carol G. Whiteside
Mayor, City of Modesto

The City Council directed the City Clerk to prepare a letter of support for the Mayor's signature.

FENCE ON EAST SIDE
OF HAM LANE FROM
CARDINAL STREET SOUTH

CC-16

City Clerk Reimche presented the following petition which had been received signed by approximately 20 homeowners in

Continued November 7, 1990

the area regarding the fence on the east side of Ham Lane from Cardinal Street south:

The fence along the east side of Ham Lane from Cardinal Street south approximately 1150 feet is in terrible disrepair. The property owners, whose homes all face Sunset Drive, are interested in replacing this fence and are asking that the City participate in this replacement for several reasons.

This fence is directly across the street from Kofu Park, named after our sister city and shown to visiting dignitaries. If the fence is replaced by individual property owners, it will probably not be uniform and would be aesthetically unpleasing to people using the park. Also, the homeowners are proposing a high masonry fence to help alleviate the noise from the increased traffic along Ham Lane.

The homeowners on the petition, which is on file in the City Clerk's office, would like to see the City replace this fence and are willing to share in the cost.

On motion of Mayor Pro Tempore Hinchman, Olson second, the matter was referred to staff.

REQUEST RECEIVED REGARDING
A TREE PLANTING PROGRAM
FOR THE DOWNTOWN PARKING LOTS

CC-49

City Clerk Reimche presented the following letter which had been received from Anne and Larry Meyers asking the City Council to consider a tree planting program for the downtown parking lots:

Would you consider a tree planting program this fall and winter.

The downtown parking lots are in need of cooling off in the summertime when these areas become deserts.

Downtown workers and shoppers would appreciate the few degrees of cooling that the shade would produce.

Thank you for your consideration.

The Meyers
Anne and Larry

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council referred the matter to staff.

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REGULAR CALENDAR

FINAL ACCOUNTING OF THE
WILLIAM G. HOLZ SENIOR
COMPLEX, 125 SOUTH HUTCHINS
STREET, SUITE B, PROJECT

CC-6 City Manager Peterson advised the City Council that the Old
CC-27(e) Lodi Union High School Site Foundation is anxious to bring
the William G. Holz Senior Complex project to a close from
the standpoint of the accounting for expenses. The total
expenditure and revenue recap on this project is:

| | |
|-----------------------|---------------------|
| Expenses | \$3,144,264.13 |
| Revenue (Holz Estate) | <u>2,882,877.02</u> |
| Deficit | \$ 261,387.11 |

The Foundation underwrote the anticipated deficit and all of the bills have been paid. Foundation representatives met with the City Manager earlier this week for the purpose of negotiating a final settlement. It was agreed that a portion of the shortfall should be absorbed by the City, and thus the City would not receive the total amount of \$261,387.11. This recommended agreement represents no actual expenditure on the part of the City, but does result in less revenue being received from the Foundation.

The amount to be absorbed by the City is in three categories. They are:

| | |
|-----------------------|------------------|
| Inspector Fees | \$ 46,665.12 |
| Transfer of Certain | |
| Miscellaneous Charges | 4,957.80 |
| Community Development | |
| Block Grant Funding | <u>48,400.00</u> |
| Total | \$100,022.92 |

A brief description of these categories follows:

Inspector Fees - At the time the project bid award was made, the City Council agreed that it would be an appropriate City participation for the City to absorb the expense of the on-site inspector retained to monitor the project.

Transfer of Certain Miscellaneous Charges - The Foundation has reached an agreement with the Finance Department that a certain amount of minimal charges were incorrectly allocated to this project. The costs have been reallocated to other accounts which are the City's responsibility.

Community Development Block Grant Funding - At the time the project was bid, it was agreed that a certain portion of the City's Community Development Block Grant (CDBG)

Continued November 7, 1990

allocation could be used on the project for the installation of cabinets throughout the project. An unusually high turn-over rate in that position in the Community Development Department responsible for the administration of the CDBG funds (three different CDBG administrators in a less than two-year period) resulted in a breakdown in record keeping for Federal Government monitoring purposes. Staff attempted to reconstruct the records, but the Federal Government would not accept the figures. This resulted in the CDBG monies not being available for the Holz project. Thus it is recommended that the City absorb this cost. These monies are still available for the continued improvement of the Senior Complex, so the project will benefit from some CDBG funding, but not for the purpose originally envisioned.

Mr. Dennis Bennett, Chairman of the Old Lodi High School Site Foundation addressed the City Council regarding the matter and responded to questions as were posed by members of the Council. Mr. Bennett further advised that if the City Council is in agreement with this settlement, a Foundation representative will be in attendance at the next regularly scheduled Council meeting to present the City with a check in the amount of \$161,364.19, which when coupled with the City's participation, will close this phase of this project.

On motion of Council Member Reid, Olson second, the City Council approved the participation of the City of Lodi in the final costs incurred in the completion of the William G. Holz Senior Complex project in the amount of \$100,022.92.

RESOLUTION APPROVING THE
NORTH COUNTY SANITARY LANDFILL
AS THE REPLACEMENT SITE FOR THE
HARNEY LANE SANITARY LANDFILL

RESOLUTION NO. 90-173

CC-7(b) City Manager Peterson presented the following letter which
CC-54 had been received from Henry M. Hirata, Director of Public
CC-300 Works, County of San Joaquin regarding the North County
Sanitary Landfill:

The County's Harney Lane Sanitary Landfill is reaching its capacity and must be closed in 1991. The 1986 County Solid Waste Management Plan, which was approved by your City Council on June 25, 1986, recommended the procurement and development of a replacement site for the Harney Lane Sanitary Landfill (HLSL). The replacement site was to be located near the existing HLSL.

Continued November 7, 1990

Consistent with that recommendation, the County of San Joaquin, in 1987, purchased a 320 acre parcel as a replacement site for the HLS. This site is located on Harney Lane, 1 1/2 miles east of the HLSL. Presently, the County is in the process of securing the necessary State operating permits for the landfill. This landfill is referred to as the North County Sanitary Landfill (NCSL), and is expected to be in operation by September 1, 1991.

Last month, Governor Deukmejian signed into law Assembly Bill 2296. Basically, the Bill facilitates the permitting of new disposal sites until each county in California has a State approved integrated waste management plan.

Since San Joaquin County does not have an approved integrated waste management plan at this time, the NCSL project is subject to the provisions of AB 2296. One of the provisions requires that the facility be approved by the County and a majority of the cities within the county representing a majority of the population of the incorporated areas.

Accordingly, we respectfully request that your City Council consider adopting a resolution, similar to the one attached, declaring its approval of the NCSL. If adopted by your City Council, please forward a certified copy of the resolution to us.

We are currently working with staff from the California Integrated Waste Management Board (CIWMB) to place the permitting of the NCSL on the CIWMB's November 1990 agenda. Therefore, we request that, if possible, your City Council consider this matter at its earliest convenience. Preferably, by November 15, 1990.

If you have any questions, please contact Tom Horton, Solid Waste Manager, at 468-3066.

Henry M. Hirata
Director of Public Works

Following discussion, on motion of Council Member Reid, Pinkerton second, the City Council adopted Resolution No. 90-173 approving the North County Sanitary Landfill as the replacement site for the Harney Lane Sanitary Landfill.

MEETING OF THE CITY OF
LODI INDUSTRIAL DEVELOPMENT
AUTHORITY

CC-60

At approximately 8:32 p.m., the City Council adjourned to a meeting of the City of Lodi Industrial Development Authority.

Continued November 7, 1990

Following the meeting of the Lodi Industrial Development Authority which concluded at 8:35 p.m., the City Council reconvened.

ORDINANCES

PREZONING 8.1 ACRE INDUSTRIAL
SUBSTATION SITE AND THE 7.1
ACRE REMAINING DIEKMAN PARCEL,
BOTH LOCATED AT 5200 EAST
SARGENT ROAD TO M-2, HEAVY
INDUSTRIAL

ORDINANCE NO. 1499 ADOPTED

CC-53(a) Ordinance No. 1499 entitled, "An Ordinance of the Lodi City
CC-149 Council Amending the Official District Map of the City of
Lodi and Thereby Prezoning 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 " having been introduced at a regular
meeting of the Lodi City Council held October 17, 1990 was
brought up for passage on motion of Council Member
Pinkerton, Hinchman 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.

ORDINANCE AMENDING THE
LODI MUNICIPAL CODE TITLE 17 -
ZONING - SECTION 17.69.020 BY
ADDING THERETO A NEW SUBSECTION
"D" RELATING TO NONCONFORMING
BUILDINGS ADOPTED

ORDINANCE NO. 1500 ADOPTED

CC-53(a) Ordinance No. 1500 entitled, "An Ordinance of the Lodi City
CC-149 Council Amending the Lodi Municipal Code Title 17 - Zoning
- Section 17.69.010 by Adding Thereby a New Subsection 'D'
Relating to Nonconforming Buildings" having been introduced
at a regular meeting of the Lodi City Council held October
17, 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.

CLOSED SESSION

At approximately 8:40 p.m., the City Council adjourned to
a "Closed Session" regarding the following matters:

Continued November 7, 1990

CC-200(d) a) Litigation - Frank Madden, Morris Brown Realty, and Lodi Physical Therapy, date of loss 8/5/88

CC-200(b) b) Personnel - Labor relations

The City Council reconvened at approximately 9:40 p.m.

ADJOURNMENT There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 9:40 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM
WEDNESDAY, NOVEMBER 21, 1990

Wednesday, November 21, 1990 at 7:30 p.m. in the Carnegie Forum, 305 West Pine Street, being the time and place of a regular meeting of the City Council of the City of Lodi, I appeared on said date at said hour and place and finding no members of the City Council in attendance, did then and there adjourn said regular Council meeting to Wednesday, November 28, 1990 at same said time and place, all in accordance with Section 36811 of the Government Code of the State of California.

Attest:

Jennifer M. Leun
Alice M. Reimche
City Clerk *for*