

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 19, 1990
7:30 P.M.

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

INVOCATION The invocation was given by Assistant City Manager Glenn.

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

PRESENTATIONS

CITIZENS AWARD A Citizens Award presentation was made to Michael Knight by Chief of Police Williams commending Mr. Knight on his actions involving a recent burglary.

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

Council Member Pennino abstained from voting on the approval of the November 7, 1990 (Regular Meeting) Minutes as he had not been sworn in as a member of the Lodi City Council at that time.

Agenda item E-7, entitled, "Specifications and advertisement for bids for the purchase of 12-kv instrument switchboard for the Electric Utility Department" was removed from the agenda.

CLAIMS CC-21(a) Claims were approved in the amount of \$2,665,077.20 and \$1,755,515.56.

MINUTES The Minutes of November 7, 1990 (Regular Meeting) and December 5, 1990 (Regular Meeting) were approved as written.

216

Council Member Pennino abstained from voting on the approval of the November 7, 1990 minutes as he had not been sworn in as a member of the Lodi City Council at that time.

APPOINTMENT OF ALTERNATE
DIRECTOR TO THE CALIFORNIA
JOINT POWERS RISK MANAGEMENT
ASSOCIATION (CJPRMA) AND
CALIFORNIA TRANSIT SYSTEMS
JOINT POWERS INSURANCE
AUTHORITY (CALTIP)

RESOLUTION NO. 90-196

CC-21.1(e) The Council adopted Resolution No. 90-196 thereby
CC-21.1(i) appointing Kirk Evans, Administrative Assistant to the City
CC-300 Manager, as Alternate Director to the California Joint
 Powers Risk Management Association (CJPRMA) and to the
 California Transit Systems Joint Powers Insurance Authority
 (CalTIP).

The City Council was advised that the City of Lodi has membership in CJPRMA and CalTIP. With these memberships come seats on the Board of Directors in each of these organizations. We also must appoint an Alternate Director.

Eric Whitaker was the City's alternate. Mr. Kirk Evans has been appointed as Administrative Assistant to the City Manager.

SPECIFICATIONS FOR PURCHASE
OF ONE CAB AND CHASSIS FOR
ELECTRIC UTILITY DEPARTMENT
APPROVED

CC-12.1(b) The City Council approved the specifications and authorized
 the advertisement for bids for the purchase of one cab and
 chassis for the Electric Utility Department.

The City Council was advised that the 10,000-lb. GVW (gross vehicle weight) cab and chassis will be utilized in the Electric Utility Department, when fitted with an existing utility body, by the expanded troubleman group. Funding for the cab and chassis was included in the Department's 1990-91 fiscal year budget. The estimated cost of this purchase is \$16,000 with delivery expected in approximately three months.

217

SPECIFICATIONS FOR PURCHASE
OF LOCAL AREA NETWORK SYSTEM
AND COMPUTER WORKSTATIONS FOR
THE ELECTRIC UTILITY DEPARTMENT
APPROVED

CC-12.1(b) The City Council approved the specifications and authorized the advertisement for bids for the purchase of one local area network system and three workstations.

The City of Lodi Electric Utility Department currently operates individual, stand-alone, computer workstations. This mode of operation severely limits a user's access to data files and programs.

This purchase will expand the Department's capability to provide system-wide data and program backup and to share data bases, programs and peripheral equipment. The purchase will consist of one file server, monitor, arcnet hub, workstations and required software.

The estimated cost of this purchase is \$28,000 with funding included in the Department's 1990-91 fiscal year budget.

The bid opening date has been set for Thursday, January 17, 1991.

SPECIFICATIONS FOR BIDS
FOR PURCHASE OF 12-kv
POWER REGULATOR

CC-12.1(b) The City Council approved the specifications and authorized the advertisement for bids for the purchase of one 12-kv power regulator for the Electric Utility Department.

The City Council was advised that this unit is for the replacement of an existing 12-kv regulator located at McLane Substation. The unit is in poor mechanical condition and has had several recent component failures. The regulator's manufacturer has been out of business for several years making repair parts unavailable.

The estimated cost of this purchase is \$135,000 with funding included in the Department's 1990-91 fiscal year budget. Delivery is expected in approximately 35-40 weeks.

The bid opening date has been set for Thursday, January 17, 1991.

ITEM REMOVED
FROM AGENDA

Agenda item E-7 - "Specifications and advertisement for bids for the purchase of 12-kv instrument switchboard for

218

the Electric Utility Department" was removed from the agenda.

SPECIFICATIONS FOR ASPHALT MATERIALS FOR THIRD AND FOURTH QUARTERS OF FISCAL YEAR 1990-91 APPROVED

CC-12.1(c) The City Council approved the specifications for asphalt materials for the third and fourth quarters of fiscal year 1990-91 and authorized advertisement for bids to be received Wednesday, January 2, 1991.

The City advertises for asphalt materials on a semi-annual basis. This bid will cover asphalt materials needed during the third and fourth quarters of fiscal year January 1, 1991 through June 30, 1991.

A recap of the quantities is shown below:

<u>ASPHALT MATERIALS</u>	<u>QUANTITIES</u>
3/8" Asphalt Concrete	900 tons
1/2" Asphalt Concrete	150 tons

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS FOR HALF-SIZE DUMP TRUCK FOR WATER/WASTEWATER DIVISION SERVICE AND CONSTRUCTION CREWS

CC-12.1(b) The City Council approved the specifications for a half-size dump truck for the Water/Wastewater Division service and construction crews and authorized advertising for bids to be received Tuesday, January 15, 1991.

Funds to purchase a dump truck for the Water/Wastewater Division's service and construction crews were approved in the 1990-91 Operations/Maintenance Budget.

The unit will be used by the crews to haul rubble generated at various job sites on a daily basis

SPECIFICATIONS FOR BIDS FOR THE PURCHASE OF SOFTBALLS FOR THE 1991 RECREATION PROGRAM APPROVED

CC-12.1(b) The City Council approved the specifications and authorized the advertisement for bids for the purchase of 225 dozen softballs for the Recreation Department's 1991 softball program.

219

Each year, the Recreation Department purchases softballs for use in Adult Summer and Seniors Slow Pitch softball programs, as well as Junior Olympic Softball.

This year's requirements are for 75 dozen fast-pitch, and 150 dozen slow-pitch balls.

The estimated cost of this purchase is \$9,500, with funding available in the Recreation Department's Adult Sports account.

The bid opening date has been set for Tuesday, January 8, 1991.

PURCHASE OF DUMP TRUCK
WITH FRONT-END LOADER FOR
PUBLIC WORKS DEPARTMENT
APPROVED

RESOLUTION NO. 90-180

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-180 approving the purchase of the dump truck with front-end loader from Interstate International, Stockton, California, for the amount of \$75,600.02.

Funds to purchase a dump truck with front-end loader were approved in the 1990-91 operating budget and specifications were approved by the City Council on November 7, 1990. Bids were opened on November 21, 1990 and three bids were received from two bidders.

The low bidder, F.B. Hart, failed to meet the City's specifications in both bids. The second low bidder, Interstate International, met the specifications.

Following is a recap of the bids.

<u>Name of Bidder</u>	<u>Total Bid</u>
F.B. Hart, Sacramento	\$72,153.31
Interstate International, Stockton	\$75,600.02
F.B. Hart, Sacramento	\$82,371.37

220

PURCHASE OF DUMP TRUCK
FOR WHITE SLOUGH WATER
POLLUTION CONTROL FACILITY

RESOLUTION NO. 90-181

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-181 approving the purchase of dump truck for the White Slough Water Pollution Control Facility from Interstate International, Stockton, California for the amount of \$48,744.11.

Funds to purchase a dump truck for White Slough Water Pollution Control Facility were approved in the 1990-91 operating budget and specifications were approved by the City Council on November 7, 1990. Bids were opened on November 21, 1990 and three bids were received from two bidders.

The low bidder, F.B. Hart, failed to meet the City's specifications in both bids. The second low bidder, Interstate International, met the specifications.

Following is a recap of the bids.

<u>Name of Bidder</u>	<u>Total Bid</u>
F.B. Hart, Sacramento	\$46,216.62
Interstate International, Stockton	\$48,744.11
F.B. Hart, Sacramento	\$53,338.56

PURCHASE OF ADDITIONAL
EQUIPMENT FOR LOAD RESEARCH
PROGRAM

RESOLUTION NO. 90-182

CC-12(d)
CC-300

The City Council adopted Resolution No. 90-182 authorizing the expenditure of \$45,100 and the transfer of sufficient funds for meters and recorders to augment the load research program.

On December 17, 1986, the City Council approved the implementation of a load research program to assist the Electric Utility Department in resource planning and customer service. This program was initially directed towards large commercial/industrial and residential customers. On April 18, 1990, the City Council approved the expansion of the program to all customer classes. In order to conform to the accuracy and confidence levels used by the California Energy Commission in its work, it is recommended that additional equipment be purchased for this program and transfer of sufficient funds be made. A

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sole-source purchase is necessary to ensure compatibility with existing equipment and software. Associated cost estimates are listed below:

47 Meters	\$26,100
21 Recorders	<u>\$19,000</u>
Total	\$45,100

Funding for this expansion of the program will be \$23,748 remaining from the initial phase coupled with a transfer of \$21,352 from the Electric Utility Department's operating reserve.

PURCHASE OF PHOTOCOPIER
FOR POLICE DEPARTMENT

RESOLUTION NO. 90-183

CC-12(d) The City Council adopted Resolution No. 90-183 authorizing
CC-300 the emergency purchase of a Xerox 5065 high-speed copier
for the Police Department at a cost of approximately
\$21,700.00.

The City Council was advised that the present copier in the administration offices of the Police Department has become nonfunctional. According to the firm which maintains this equipment it cannot be economically repaired and will only do work on a time and materials basis.

In accordance with Section 3.20.070 the Council may determine that the direct purchase of the equipment is in the best interest of the City.

While the Xerox 5065 may cost more than others, we know the Xerox 5065 is a reliable piece of equipment, and the maintenance technicians have an excellent history of customer service. For these reasons it was requested that the Council authorize this purchase.

UPGRADES OF LOAD RESEARCH
AND REVENUE METERING EQUIPMENT
AND SOFTWARE FOR ELECTRIC
UTILITY DEPARTMENT APPROVED

CC-20 The City Council authorized the expenditure of \$18,300 and
CC-47 the transfer of sufficient funds for the upgrade of
retrievers and software for load research and large
commercial/industrial revenue metering.

On December 17, 1986, the City Council approved the implementation of a load research program to assist the

222

Electric Utility Department in resource planning and customer service. The program was initially limited to large commercial/industrial customers and a small sample of residential customers. On April 18, 1990, the City Council approved the expansion of the load research program to all customer groups. Additionally, program requirements have been increased to include large commercial/industrial customer revenue metering. In order to provide for more efficient use of staff time and greater reliability, it is recommended that existing retrievers and software used in the operation of the City's load research program and large commercial/industrial customer revenue metering be upgraded. It is estimated that upgrade costs will be amortized by labor cost savings over a two-year period. A sole-source purchase is necessary to ensure compatibility with existing equipment and software. Associated cost estimates are listed below:

Retriever upgrades (3)	\$16,000
Software upgrade (1)	<u>\$ 2,300</u>
Total	\$18,300

Funding for these upgrades will be from the Electric Utility Department's operating reserve.

PLANS AND ADVERTISEMENT
FOR BIDS FOR 217 WEST ELM
STREET APPROVED

CC-12.1(a)

The City Council approved the plans for a remodel of 217 West Elm Street and authorized advertising for bids to be received Friday, January 11, 1991.

Funds to remodel 217 West Elm Street and the Public Safety Building in order to relieve crowded working conditions for both the Fire Prevention Bureau and the Police Department were approved through a special allocation by the City Council on November 10, 1990.

The work that will be performed by an outside general construction contractor needs to be bid at this time, and will include primarily upgrading of electrical service and lighting, painting, plumbing, and some carpentry work to meet Uniform Building Code requirements.

225

Continued December 19, 1990

ACCEPTANCE OF IMPROVEMENTS
UNDER SACRAMENTO STREET WATER
MAIN IMPROVEMENTS, LODI AVENUE
TO 250 FEET NORTH OF LODI AVENUE,
ALLEY EAST OF SCHOOL STREET
WASTEWATER IMPROVEMENTS, 150 FEET
SOUTH OF OAK STREET TO OAK STREET,
CONTRACT

CC-90 The City Council accepted the improvements under the "Sacramento Street Water Main Improvements, Lodi Avenue to 250 Feet North of Lodi Avenue, Alley East of School Street Wastewater Improvements, 150 Feet South of Oak Street to Oak Street" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was advised that the contract was awarded to Phillips Backhoe Service of Lodi on October 3, 1990, in the amount of \$29,250.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was December 7, 1990 and the actual completion date was November 27, 1990. The final contract price was \$30,237.00. The difference between the contract amount and the final contract price is mainly due to an additional 20 linear feet of water main which was installed to clear a driveway and make the future extension easier.

CONTRACT CHANGE ORDER -
STREET IMPROVEMENTS, GUILD
AVENUE (LODI AVENUE TO PINE
STREET) AND LODI AVENUE (680
FEET EAST OF CLUFF AVENUE
TO GUILD AVENUE)

CC-90 The City Council was advised that this information was being given in accordance with the Contract Change Order policy approved by Resolution 85-72. One of the requirements of this policy is that we inform the City Council of all change orders over 10 percent of the contract amount.

Contract Change Order No. 1, Street Improvements, Guild Avenue (Lodi Avenue to Pine Street) and Lodi Avenue (680 feet East Cluff Avenue to Guild Avenue), approved by the City Manager, was in the amount of \$21,947.96, which is 19.7% of the contract. The work includes the regrading and reseeding of the cemetery lawn and the removal and replacement of the existing 6-foot chain link fence. The installation of a new retaining curb was also required. The change order was necessary because the developer's engineer

224

had shown the existing ground grade incorrectly on the plans and the design was not appropriate for the existing condition. Had the grades been shown correctly, the plans and specifications would have reflected this. The work would still have been necessary but would have been bid as part of the contract.

The time of completion was not affected by this change order.

IMPROVEMENT AGREEMENT FOR
633 EAST VICTOR ROAD, LODI

CC-46

The City Council approved the Improvement Agreement for 633 East Victor Road, a retail complex, and directed the City Manager and City Clerk to execute the agreement on behalf of the City.

Christian J. Knox, the developer of this property, has furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed development. This property is located on the north side of Victor Road just east of the Burger King development.

The developer is applying for a building permit and must install off-site improvements on this existing commercial site.

TRAFFIC RESOLUTION AMENDMENT -
WEST SIDE OF CHEROKEE LANE
FROM ALMOND DRIVE TO 100 FEET
NORTH OF ALMOND DRIVE, "NO
PARKING" OF VEHICLES 6 FEET
MORE IN HEIGHT

RESOLUTION NO. 90-184

CC-48(e)
CC-300

The City Council adopted Resolution No. 90-184 amending the Traffic Resolution 87-163 thereby approving the installation of a "No Parking" zone restricting vehicles 6 feet or more in height on the west side of Cherokee Lane from Almond Drive to 100 feet north of Almond Drive.

The Public Works Department has received two citizen complaints regarding the sight problem created by trucks parking on Cherokee Lane north of Almond Drive. Drivers eastbound on Almond Drive are not able to see vehicles southbound on Cherokee Lane when trucks are parked along the west curblin. Staff has observed that truck drivers stop at this location to patronize the convenience store on the northwest corner. This area is zoned C-2 and truck parking is allowed at this location. Since the store was constructed in June of 1989, one of the four reported

accidents at this intersection involved eastbound and southbound vehicles. The accident report for this collision indicated that the eastbound driver's vision was obscured by a truck parked in front of the convenience store.

Lodi Municipal Code Section 10.44.070 and Vehicle Code Section 22507 allow for the parking restriction of any vehicles 6 or more feet in height within 100 feet of the intersection to improve sight distance. Signing is required. Based on the confirmed truck parking problem, staff recommends the approval of this parking restriction on the west side of Cherokee Lane from Almond Drive to 100 feet north of Almond Drive. An area north of this proposed restriction will remain allowing trucks to continue to stop at the store.

At the time the City adopted the updated traffic ordinance and resolution, the authority to enact this restriction with Council approval was included but no locations were specified. This is the first time this restriction has been recommended. We will be evaluating this installation to see how well this type of restriction works.

TRAFFIC RESOLUTION AMENDMENT -
INTERSECTION CONTROL, TAMARACK
DRIVE AT PLEASANT AVENUE

RESOLUTION NO. 90-185

CC-48(h)
CC-300

The City Council adopted Resolution No. 90-185 amending the Traffic Resolution No. 87-163 thereby approving the conversion of "Yield" signs to "Stop" signs on Tamarack Drive at Pleasant Avenue.

The Public Works Department has received a request to convert the existing "Yield" signs on Tamarack Drive at Pleasant Avenue to "Stop" signs.

A review of available accident records indicates that there have been three accidents at this location from 1987 to the present. One accident occurred in 1987 and two in 1990. All of these accidents were right-of-way violations and are correctable with the installation of stop signs. The prima facie speed limit on both of these streets is 25 mph. The approach volumes on Tamarack Drive and Pleasant Avenue are approximately 535 and 465 vehicles per day, respectively. The volumes indicate that the existing "Yield" signs are controlling the major street traffic. However, because the approach volumes are low and they are nearly equal, staff is reluctant to reverse the controls at this time. Volumes and accidents will continue to be monitored. Staff also feels that regardless if the traffic

226

Continued December 19, 1990

controls are reversed, the "Yield" signs should be converted to "Stop" signs.

RESOLUTION OF INTENTION
TO VACATE THE PUBLIC UTILITY
EASEMENT AT 405 NORTH
PACIFIC AVENUE

RESOLUTION NO. 90-186

CC-52(b)
CC-300

The City Council adopted Resolution No. 90-187 a resolution of intention to abandon the public utility easement at 405 North Pacific Avenue; referred the matter to the Planning Commission, and set it for public hearing at the regular Council meeting of January 16, 1991.

The City Council was advised that this public utility easement abandonment has been requested by the owners of 405 North Pacific Avenue to allow the construction of a two-car garage to bring the property into compliance with the City of Lodi Zoning Ordinance (Section 17.60.100).

A new public utility easement is being dedicated for an electric utility line and water and sewer lines.

The owners have paid the required fees to process this abandonment. Pacific Bell, King Videocable, PG&E, and City utilities have been notified of this proposed abandonment and their approval will be secured prior to the final action.

NEW CLASS SPECIFICATIONS
FOR SENIOR PLANNER APPROVED

RESOLUTION NO. 90-187

CC-34
CC-300

The City Council adopted Resolution No. 90-187 approving the class specifications for Senior Planner, finding that David Morimoto appropriately is performing those duties, eliminating the Associate Planner from the list of Mid-Management positions and placing that classification in the General Services unit.

The City Council was advised that when the City performed the Mid-Management salary survey we found that the most used classification title for the Planning Division Chief in Community Development departments or the top assistant to the Planning Director is Senior Planner.

We have prepared a class specification which encompasses those duties and are forwarding this to the City Council for approval.

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At the same time, we reviewed the position in the Community Development Department occupied by David Morimoto and found that he has all the duties and responsibilities of a Senior Planner. We are asking Council to find Mr. David Morimoto performing those duties and assign him to the position of Senior Planner.

Staff is also recommending the position of Associate Planner be removed from the list of Mid-Management positions and be assigned to the General Services unit.

AMENDED SALARY RANGES FOR
EMPLOYEES IN VARIOUS UNITS

RESOLUTION NOS. 90-188 - 90-191

CC-34 The City Council adopted the following resolutions amending
CC-300 salary ranges for employees in the following units
 effective January 7, 1991:

- I. General Services - Resolution No. 90-188
- II. Mid-Management Employees - Resolution No. 90-189
- III. Police Dispatchers - Resolution No. 90-190;
 and
- IV. Confidential Employees - Resolution No. 90-191.

PROGRAM SUPPLEMENT TO LOCAL
AGENCY-STATE AGREEMENT FOR
TRAFFIC SIGNAL AT LODI AVENUE
AND LOWER SACRAMENTO ROAD

RESOLUTION NO. 90-192

CC-7(f) The City Council adopted Resolution No. 90-192 a
CC-300 resolution approving Program Supplement No. 028 to the
 Local Agency-State Agreement, approving a Special
 Allocation for \$32,000 from Gas Tax Funds, and authorizing
 the City Manager and City Clerk to execute the agreement on
 behalf of the City.

This agreement covers the use of Federal-Aid Urban (FAU) funds in the Combined Road Plan for the installation of the traffic signal at Lodi Avenue and Lower Sacramento Road. The Federal funds will cover 86 percent of the contract and the construction engineering. The City must match 14 percent of the contract and construction engineering and pay all the preliminary engineering and equipment costs. The matching funds for this project were originally budgeted in the Lower Sacramento Road operational

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improvements. However, the money was needed for that project and additional funds must now be appropriated.

CONSULTANT AGREEMENT FOR
WELL STANDBY GENERATORS

CC-90

The City Council authorized the City Manager to execute an agreement for consulting electrical engineering services for the design of ten standby generators for City wells.

The 1990/91 Water Capital Improvement Program (CIP) includes funds for the design of new standby generators for City wells. The attached CIP project sheet as presented to the City Council describes the project.

A local consulting engineer, Geib Engineering, has been contacted regarding this project and has provided a proposal including preliminary design, plans and specifications, and construction management assistance. The Electric Utility Department has reviewed the proposal and has recommended that we proceed. The agreement calls for work to be done in phases with a not-to-exceed compensation of \$55,050 including construction services.

The work includes a preliminary report on cost and effectiveness of available silencing options so that appropriate mufflers and other noise reduction means can be used at appropriate locations.

FILING OF A NEGATIVE DECLARATION
BY THE COMMUNITY DEVELOPMENT
DIRECTOR AS ADEQUATE ENVIRONMENTAL
DOCUMENTATION ON THE 1990-91 CAPITAL
IMPROVEMENT PROGRAM APPROVED

CC-15

The City Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the 1990-91 Capital Improvement Program.

Earlier this fall the Planning Commission determined that the projects listed in the 1990-1991 Capital Improvement Program were in conformance with the Lodi General Plan and recommended the plan's adoption to the City Council.

The City Council adopted the Capital Improvement Plan. In the past as each project in the plan came up for final review and action by the Council, the staff would file individual environmental documents. However, a recent change in the Fish and Game Code requires costly filing fees for each Negative Declaration and Environmental Impact Report beginning in January, 1991. In order to get around paying multiple fees, the staff recommended one Negative Declaration for the entire project. If the City files the

229

Continued December 19, 1990

Notice of Determination before January 1, 1991, we may escape paying any fees. In future years only the filing fee for the entire project would be paid.

INCREASED DIAL-A-RIDE
SUBSIDY

RESOLUTION NO. 90-193

CC-50(b)
CC-300

The City Council adopted Resolution No. 90-193 authorizing a 5% inflationary increase in Dial-A-Ride subsidies to City Cab Company for Dial-A-Ride services. The recommended subsidy will be \$3.25 for in-town trips and will remain \$3.75 for out-of-town (County) trips.

The City Council was advised that the last time the City raised the amount paid to City Cab for Dial-A-Ride services was September 1, 1989. Since that time the cost of fuel, parts, labor and supplies have risen.

This modest increase is not out of line and it was recommended Council approve this new amount effective December 31, 1990.

City Cab has also requested a \$.25 increase in County fares; however, before we modify our contract with City Cab Company we should receive the approval of the County and modify our contract with them.

COMMENTS BY CITY
COUNCIL MEMBERS

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

SB 2557

CC-28

Council Member Snider reported that the San Joaquin County will be having a meeting on January 29, 1991 regarding SB 2557 and the fees imposed by this legislation, i.e., booking fees of municipal prisoners in the County jail, fees for collecting property taxes. Council Members, staff, and citizens of the community were urged to attend. Mayor Pro Tempore Pinkerton and Council Member Sieglock also spoke regarding the subject.

SHIRTSLEEVE SESSION OF
JANUARY 15, 1991 TO BE
ADJOURNED TO JANUARY 18, 1991

At the suggestion of Mayor Hinchman, it was determined that the January 15, 1991 Shirtsleeve Session would be adjourned to January 18, 1991 to allow the City Council to attend the

250

Continued December 19, 1990

Business Council of San Joaquin County, Inc. general meeting to be held on that date.

DEDICATION OF ED DE BENEDETTI PARK AND THE DAVID J. REESE PARKS AND RECREATION ADMINISTRATION BUILDING ANNOUNCED

CC-27(a) Mayor Hinchman announced that at 4:00 p.m. December 21, 1990, a dedication ceremony will be held to dedicate the Ed De Benedetti Park and the David J. Reese Parks and Recreation Administration Building. Mayor Hinchman invited the public to attend.

MAYOR'S ANNUAL CHILD SHARE PROGRAM

Mayor Hinchman stated that the spirit of Christmas is alive in Lodi as he witnessed during his recent visit to the Lodi Service Center with all its efforts toward providing food and toys under the Mayor's Annual Child Share Program for the needy of this community during the holiday season.

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:

REQUEST FOR CITY TO OBSERVE MARTIN LUTHER KING DAY

CC-16 Mr. Bob Phillips, 15 South Rose Street, Lodi addressed the City Council requesting the City declare Martin Luther King Day a holiday.

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 Hinchman called for the Public Hearing to obtain citizens' comments on transit needs within the City of Lodi.

TRANSIT NEEDS WITHIN THE CITY OF LODI

CC-50(b) The public hearing was called to order by Mayor Hinchman. City Manager Peterson informed the public of the previous transit meeting that was held on December 5, 1990 at the Senior Referral Center and referred the matter to Assistant City Manager Glenn.

Following background information from the previous meeting, Mr. Glenn stated the problem he sees most often is delays

in Dial-A-Ride. Mr. Glenn prepared a two-week sampling in December and November with results showing that 95% of the people were picked up and delivered within 45 minutes and 99% were picked up and delivered within one hour. Mr. Glenn shared with the Council the needs that were expressed at the December 5, 1990 unmet transit needs public hearing. Those needs were the request for a fixed route transit system, appointment of a citizens' committee on transportation, the need to make appointments outside of the City of Lodi (especially at the County Hospital), and some type of emergency service without pre-bought tickets.

There being no questions from the City Council, Mayor Hinchman opened the hearing to the public. The following people spoke regarding unmet transit needs:

a) Lillian Goldsmith, 1830 South Hutchins Street #7, Lodi, presented the Council with some background information on an inter-agency committee that was formed to discuss various items concerning Lodi. One of the main topics that comes up for discussion is Dial-A-Ride and/or transportation within the City of Lodi. Ms. Goldsmith introduced Ms. Sally Podesta who is the chairman of this committee.

b) Sally Podesta, Lodi Unified School District, 307 Walnut Street, Jackson, spoke of the inter-agency committee. The committee meets the second Tuesday of every month. From this meeting it was determined that the following needs were unmet by the City of Lodi:

Appointments are not being made (especially at the County Hospital);

That a task force be appointed by the City Council with possibly Jerry Glenn as a City appointee; and

That the City of Lodi's transportation connect with Stockton.

Ms. Podesta informed the Council that they have conducted a preliminary survey (only 626 complete) with results showing that out of 13% using Dial-A-Ride the majority is happy with this system. However, 56% would use a fixed route bus system if implemented and 1/3 of the people would like the City of Lodi to connect with Stockton.

- c) Bob Slauson, 416 Palm Avenue, Lodi stated that he is very pleased with Dial-A-Ride; however, there are two major problems. One being occasional delays over one hour waiting for Dial-A-Ride and second the times of Dial-A-Ride should be expanded an hour earlier and an hour later. There are many times he must miss, drop or not participate in activities or classes because there is no transportation at that time of the day or night. If there was a fixed bus route system, it would make more time available to the citizen (instead of using a couple hours to wait for ride) and would enable the citizen to go many more places in one day. Currently he depends on County transportation to take him to Stockton, but it is not a fixed route, it's overburdened, it makes only three daily trips and he must plan two hours in advance for either direction. An inter-City transit system or expanded bus system would help solve his problem.
- d) Brian Young, State of California Engineer, 1056 Bradford Circle, Lodi feels that public transportation is missing from the City of Lodi. There is no transportation to the City of Stockton, leaving most people to commute or to carpool. Mr. Young has talked with Mr. Tom Dumas of Stockton Metropolitan Area Regional Transit (SMART), who has advised him that SMART makes special trips to French Camp, high schools, colleges and it also has an express system that leaves North Stockton at 7:15 a.m. through a special route and arrives in downtown Stockton just before 8:00 a.m. Mr. Young states that many Lodians drive to North Stockton to hook up with SMART's express system. Is there any way Lodi could get into a joint agreement with SMART to hook up to this system? Perhaps SMART could leave earlier and go through a fixed route through Lodi and then return to the route through to downtown Stockton.

There being no other persons wishing to speak on the matter, Mayor Hinchman closed the hearing to the public and called for questions from the City Council.

The next procedure, as Mr. Glenn stated, is that the San Joaquin County Council of Governments (COG) will send a preliminary report of the unmet transit needs to the City

of Lodi. Prior to the filing of Transportation Development Act (TDA) claims, the City must meet those needs.

Council Member Pennino presented the possibility that instead of creating a new committee for transportation, perhaps this item could be delegated to the Senior Citizens Commission which is already organized. Mayor Pro Tempore Pinkerton agreed that this item could be channeled through this commission. The Mayor, however, was unsure that this would fall under their delegation.

Lillian Goldsmith requested to speak regarding this suggestion. She feels that it would not be a good idea for the Senior Citizens Commission to handle the transportation needs. There is already a feeling among the general public that Dial-A-Ride is just for seniors and this would reconfirm that belief.

Mayor Pro Tempore Pinkerton expressed his feeling that the City of Lodi is already doing everything possible to help these needs and it can't afford a fixed bus system. Dial-A-Ride is adequate and it is a shame that the public feels it is only for seniors despite the many advertisements contrary to that. Long waits would still be encountered with a fixed route system and the drivers wouldn't be as courteous as the Dial-A-Ride drivers (i.e., helping in with the groceries).

Mayor Hinchman feels the Council should address the item about a transportation committee at the next transit meeting, which would be scheduled for some time in March 1991. The Mayor then closed the hearing.

No formal action was taken by the City Council on the matter.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the appeal of J. J. S. Warehouse to the Notice of Fire Hazard and Order to Abate issued by the Lodi Fire Department on September 28, 1990.

APPEAL OF J. J. S. WAREHOUSE
TO NOTICE OF FIRE HAZARD AND
ORDER TO ABATE ISSUED BY THE
LODI FIRE DEPARTMENT ON
SEPTEMBER 28, 1990

CC-53(b)

Following a request by Attorney-at-law Herbert E. Horstmann, representing J. J. S. Warehouse, the City Council, on motion of Mayor Pro Tempore Pinkerton, Snider second, continued to March 20, 1991, the appeal of J. J. S.

254

Continued December 19, 1990

Warehouse to the Notice of Fire Hazard and Order to Abate issued by the Lodi Fire Department on September 28, 1990.

APPEAL OF MR. LANCE ROBINSON
OF THE PLANNING COMMISSION'S
DENIAL OF HIS REQUESTS FOR
ZONING VARIANCES TO PERMIT TWO
EXISTING CANVAS ROOF COVERS TO
ENCROACH INTO THE REQUIRED FRONTYARD
(20 FEET) AND STREET SIDEYARD
(10 FEET) AT 25 SOUTH HUTCHINS STREET

CC-53(b)

Notice thereby having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the public hearing to consider the appeal received from Mr. Lance Robinson of the Planning Commission's denial of his requests for zoning variances to permit two existing canvas roof covers to encroach into the required frontyard (20 feet) and street sideyard (10 feet) at 25 South Hutchins Street.

Following introduction of the matter by the City Manager, Community Development Director Schroeder advised the City Council that this public hearing is being held to consider the appeal of Lance Robinson of Planning Commission's action denying requests for zoning variances to permit two existing canvas roof covers to encroach into the required front yard (20 feet) and street side yard (10 feet) at 25 South Hutchins Street.

The awnings, or sidewalk covers, were erected about two years ago without zoning clearance or building permit. The Community Development Department asked Mr. Robinson to remove the illegal encroachments after receiving a number of requests for similar installations on other parcels in residential areas.

The property owner then applied to the Planning Commission for zoning variances. The Planning Commission denied the request because (1) the mandatory finding of a "Zoning Hardship" could not be made; (2) the approval would establish a precedent for residential areas; and (3) future covers could be of wood, metal, plaster or similar construction.

The covers, their supporting columns and framework constitute a "structure" under the Uniform Building Code and would require a building permit. In the zone where the subject property is located no structure may encroach into the required front yard (normally 20 feet) or street side yard (normally 10 feet).

Addressing the City Council regarding the matter were the following people:

- a) Mr. Lance Robinson, 25 South Hutchins Street, Lodi;
- b) Ms. Bonnie Mayer, 111 North Stockton Street, Lodi;
- c) Mr. Lee Mulford, 516 Huntington Drive, Lodi;
- d) Mr. Glen Baumbach, 417 West Pine Street, Lodi; and
- e) Mr. Tim Fitch, 421 West Pine Street, Lodi.

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

Following a lengthy discussion with questions regarding the matter being directed to staff and to those who had given testimony, the City Council on motion of Council Member Snider, Hinchman second, granted the appeal of Lance Robinson of the Planning Commission's action denying the requests for zoning variances to permit two existing canvas roof covers to encroach into the required front yard (20 feet) and street side yard (10 feet) at 25 South Hutchins Street.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
November 26, 1990:

CC-35 The Planning Commission -

OF INTEREST TO THE CITY COUNCIL

- 1. Continued until December 10, 1990 the following requests of Benjamin Pineda:
 - a. for a use permit for a 15-bed board and care home for ambulatory adults at 458 East Almond Drive (APN 062-060-22) in an area zoned R-MD, Medium Density Multiple Family Residential.
 - b. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

236
✓

2. Continued until January 14, 1991 the request of Steven E. Pechin, Baumbach and Piazza, Consulting Engineers, on behalf of Andy Gooden for the approval of a Tentative Parcel Map to create two lots from one at 257 Royal Oaks Court (APN 041-290-29) in an area zoned F-P, Flood Plain.
3. Conditionally approved the request of Joe Murphy, Dillon Engineering, on behalf of Jay H. Roek for a Tentative Parcel Map to create seven lots from one lot at 955 East Turner Road (APN 049-020-23 and portion of 24) in an area zoned C-M, Commercial-Light Industrial, and M-2, Heavy Industrial.
4. Continued until January 10, 1991 the request of Brent Workman for a Tentative Parcel Map to create two parcels from one at 230 East Vine Street (APN 047-110-07) in an area zoned R-1*, Single Family Residential - Eastside.
5. Conditionally approved the request of Steven E. Pechin, Baumbach and Piazza, Consulting Engineers, on behalf of Diversified Holdings Limited and Pioneer Place Association for a Tentative Subdivision Map which would convert Pioneer Place Apartments into a one-lot, 120-unit condominium project at 505 Pioneer Drive (APN 041-240-45) in an area zoned C-2, General Commercial.
6. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers, on behalf of Surland Properties for a Tentative Subdivision Map of Century Park, a 1.5 acre, 15-unit single-family project at 2041 South Cherokee Lane (APN 062-380-34) in an area zoned P-D(19), Planned Development District No. 19.
7. Conditionally approved the request of Wanda Higgins for a Use Permit for a residential child day care facility for 12 children at 2100 Alpine Drive (062-220-05) in an area zoned P-D(10), Planned Development District No. 10.

ITEMS OF INTEREST

The Planning Commission also received the following report of the Planning Commission meeting of December 10, 1990:

The Planning Commission -

1. Conditionally approved the request of Benjamin Pineda for a 15-bed board and care home for ambulatory adults at 458 East Almond Drive (APN 062-060-22) in an area zoned R-MD, Medium Density Multiple Family Residential.

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

Continued December 19, 1990

- 2. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of Daryl Geweke for approval of a Tentative Parcel Map to create a 4.90 acre parcel and a designated remainder parcel of 51.56 acres on the east side of Beckman Road, north of Kettleman Lane (APN 049-070-65) in an area zoned M-1, Light Industrial.
- 3. Determined that a Zoning Hardship did not exist and denied the request of Lodi Unified School District for a Variance to reduce the required number of off-street parking spaces at 1305 East Vine Street (APN 049-070-72, 73 and 74) in an area zoned M-2, Heavy Industrial.
- 4. Determined that a Zoning Hardship existed and approved the request of Zion Reformed Church for a variance to reduce the rearyard setback requirements at 105 South Ham Lane (APN 035-110-11) in an area zoned R-1, Single-Family Residential (edge of sidewalk along Pacific Avenue).
- 5. Determined that a Zoning Hardship existed and approved the request of Eric Vanderlans to permit a detached accessory building (garage) in the front half of the lot at 827 South Pleasant Avenue (APN 045-180-17) in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of ICA, the City's Contract Administrator, and the City Attorney, on motion of Mayor Pro Tempore Pinkerton, Sieglock second, the City Council denied the following claims and referred them back to the City's Contract Administrator:

- a) Timothy A. Johnson, Date of loss 11/08/90
- b) Kelly and Sheri Luiz, Date of loss 10/26/90
- c) Frank Mowrey, Date of loss 10/30/90

APPOINTMENTS TO CITY OF
LODI BOARDS AND COMMISSIONS

- CC-2(f) Mayor Hinchman, following completion by the City Clerk of
- CC-2(h) the necessary postings required by law asked for City
- CC-2(i) Council concurrence of the following reappointments to various City Boards and Commissions:

Continued December 19, 1990

<u>Recreation Commission</u>	<u>Term</u>
Robert Johnson	four-year term expiring 12/31/94
Dennis Jones	four-year term expiring 12/31/94
Robert Casalegno	four-year term expiring 12/31/94

<u>Personnel Board of Review</u>	<u>Term</u>
Marcelo Lopez	four-year term expiring 1/17/95

<u>Lodi Senior Citizens Commission</u>	<u>Term</u>
Delores J. Dickey	four-year term expiring 12/31/94

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council concurred with the reappointments:

APPOINTMENTS OF MEMBERS OF THE LODI CITY COUNCIL TO VARIOUS AGENCIES, BOARDS, COMMISSIONS, AND TASK FORCES

- CC-7(g)
CC-7(j)
CC-7(m)
CC-7(n)
CC-7(s)
- On motion of Mayor Pro Tempore Pinkerton, Sieglock second, the City Council concurred with the Mayor's appointments of City Council Members to the following various agencies, boards, commissions, and task forces:
- a) Northern California Power Agency (NCPA) - Council Member Snider, Principal; and Council Member Sieglock, Alternate;
 - b) San Joaquin County Advisory Transportation Committee - Council Member Pennino;
 - c) San Joaquin County Council of Governments (COG) - Council Member Pennino, Principal; and Council Member Sieglock, Alternate; and
 - d) Transmission Agency of Northern California - Council Member Snider.

PETITIONS RECEIVED REGARDING UNKEMPT CONDITION OF PROPERTY AT 1800 COLLETTE STREET, LODI

CC-16 On motion of Mayor Hinchman, Snider second, the City Council referred to staff a petition that was received regarding the unkempt condition of property at 1800 Colette Street.

Continued December 19, 1990

RECESS Mayor Hinchman declared a five-minute recess and the City Council reconvened at approximately 9:20 p.m.

REGULAR CALENDAR

"NO SMOKING" INFORMATION PACKET

CC-6 The City Council was advised that the City's ordinance
CC-24(b) regulating smoking became effective December 6, 1990,
CC-28 following certification of the results of the November 6, 1990 election at which the ordinance as adopted was upheld by the voters. It has been suggested by some Council Members that the City produce and distribute signs and other informational material to assist business owners and others in complying with the provisions of the ordinance. The staff has assembled a packet of materials, copies of which were presented for the City Council's perusal.

Included are a 8½" x 11" sign; a question and answer brochure; and a cover letter signed by the Fire Marshal. Also being developed are "table tents" bearing the "NO SMOKING" logo for use on restaurant tables and store and office counters. These will be similar in nature to the water conservation "tents" which have been distributed to restaurants for some time. The plan is to print 2,000 each of the signs, brochures and "tents" for distribution by Fire Department personnel. The total printing cost will be under \$900.

The sign was developed by Public Works Department personnel; the brochure text by the City Attorney; and the brochure layout by the Administrative Assistant to the City Manager.

On motion of Council Member Snider, Pennino second, the City Council approved the design, printing and distribution of certain materials to aid in the implementation and enforcement of the City's smoking ordinance.

FEDERAL-AID URBAN UPDATE

CC-7(d) The City Council was reminded that at the Council meeting
CC-45(a) of November 28, the Council directed staff to attempt to
CC-48(h) sell Federal-Aid Urban (FAU) funds. If the staff was unable to sell the funds at not less than 70 percent, the Council directed the City to go forward with the traffic signalization at Kettleman and Mills and Hutchins and Vine and the upgrade of the Church Street signals.

City staff contacted Alameda County Transportation Authority and Santa Clara County Traffic Authority and they have both offered 80¢ on the dollar for our FAU funds. They would exchange local dollars which could be used on any transportation project. Although Caltrans has not given us the figure for the 1990/91 apportionment, our unaudited figure shows that we would have approximately \$192,000 to exchange. If the Council decides to go ahead with the sale of our FAU dollars, Staff asked that a resolution authorizing the City Manager to execute an agreement with one of these agencies be approved. Staff recommended that the City sell our FAU dollars to Alameda County Transportation Authority.

If the Council does not wish to proceed with the sale of FAU funds, it should provide staff with the appropriate direction.

Following a lengthy discussion with questions being directed to Staff, the City Council on motion of Council Member Snider, Pennino second, directed that negotiations be terminated with the City of Alameda for the sale of FAU funds and that the City proceed with the installation of signals at Kettleman and Mills, and Vine and Hutchins, and the upgrade of signals on Church Street.

The motion carried by the following vote:

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

ACCEPTANCE OF LOAN FOR
CALIFORNIA SAFE DRINKING
WATER FUNDS

RESOLUTION NO. 90-197

CC-183(a) Presented for Council approval was a proposed resolution
CC-183(f) regarding acceptance of a loan for the California Safe
CC-300 Drinking Water Funds. Included in the resolution are the
following requirements which are conditions in the contract
for accepting the loan.

- a) designating an officer to sign the contract with DWR and designating a person to approve partial payment estimates
- b) the establishment of a special fund to meet the payments when they become due.

241

The City Council was advised that the current estimate of need regarding this loan is \$3,783,000 plus a 5% administrative fee for the loan with a 20-year loan life. If additional wells exceed the established maximum contamination level of 0.2 parts per billion, then additional funds are available up to a maximum loan amount of \$5,000,000.

A lengthy discussion followed with questions regarding the matter being directed to staff.

On motion of Council Member Pennino, Hinchman second, the City Council "under duress" adopted Resolution No. 90-197 - A Resolution of the Lodi City Council accepting a loan from the California Department of Water Resources, authorizing the City Manager to sign the contract, establishing a fund to meet payments, and designating the Finance Director to approve partial payment estimates. Further, staff was directed to pursue possible avenues of extensions in this matter.

REPORT REGARDING IMPOSITION OF
CALIFORNIA ENVIRONMENTAL QUALITY
ACT (CEQA) FEES PURSUANT TO STATE
OF CALIFORNIA FISH AND GAME CODE
SECTION 711.4

CC-56
CC-28

City Attorney McNatt advised the City Council that very recently, the City became aware of Fish and Game Code Section 711.4 which becomes effective in January 1991. This new statute dramatically increases charges by the County Clerk's office for filing environmental documents under the California Environmental Quality Act (CEQA).

Under this new statute, the County Clerk is required to charge a mandated amount at the time of filing certain documents required by CEQA. Negative declarations will cost \$1250 and full environmental impact reports (EIR's) will cost \$850. By contrast, the only fee formerly collected by the City for filing a negative declaration was \$50. According to County Clerk Ralph Epperson, in the month of September 1990, there were 15 negative declarations and 3 EIR's filed with his office.

The funds are earmarked for Fish and Game purposes generally, but the statute contains no specifics on where or in what fashion the funds will be expended.

Although the City is not responsible for imposing these charges, the costs may directly impact projects subject to City planning approval. It is likely that the building industry will feel the brunt of the impact as well as proponents of smaller projects requiring CEQA clearance.

Continued December 19, 1990

240

We may expect a number of protests, but we can do nothing about this.

NEW YEAR'S EVE
DIAL-A-RIDE SERVICE

CC-50(b)

The City Council was advised that the past few years the City has offered free transportation on New Year's Eve. Assistant City Manager Glenn asked that the City Council approve the use of Dial-A-Ride vehicles for New Year's Eve.

City Cab will charge the City \$7.00 per vehicle hour for up to 10 vehicles on New Year's Eve. The cost to the City will be approximately \$560.00.

Last year we provided approximately 200 rides and expect to do the same this year.

Council is also requested to authorize expenditures of up to \$200 for advertising for this project.

On motion of Mayor Pro Tempore Pinkerton, Pennino second, the City Council authorized free transportation on New Year's Eve from 7:00 p.m. to 3:00 a.m. through City Cab and Dial-A-Ride.

REALLOCATION OF COMMUNITY
DEVELOPMENT BLOCK GRANT
(CDBG) FUNDS FOR HUTCHINS
STREET SENIOR GARDEN PROJECT

CC-55

Community Development Director Schroeder advised the City Council that when it was discovered that the Community Development Block Grant (CDBG) funds could not be used for the cabinet project at the Senior Complex at Hutchins Street Square due to the absence of required Davis-Bacon related documentation, it became necessary to develop another project at Hutchins Street Square for which the original \$75,000 could be used. Mr. Schroeder advised that the Senior Garden has been designed to fill that purpose.

On motion of Council Member Snider, Hinchman second, the City Council approved the reallocation and transfer of \$75,000 of CDBG funds from the 1988-89 fiscal year from the Hutchins Street Square Cabinets project to the Hutchins Street Senior Garden.

243

Continued December 19, 1990

WOODHAVEN LANE (WEST SIDE)
FROM 305 FEET NORTH OF TURNER
ROAD TO 580 FEET NORTH OF
TURNER ROAD - TRUCK PARKING

RESOLUTION NO. 90-194

CC-48(e)
CC-300

As requested by City Council, the Public Works Department has reviewed a letter received from the Wine and Roses Country Inn concerning the noise created by trucks parking adjacent to their inn. They have requested that truck parking be restricted on Woodhaven Lane.

The inn property is commercially zoned (C-1) and commercial vehicle parking is allowed per Lodi Municipal Code Section 10.52.050. A survey performed by staff indicates that three to four trucks regularly park in this area on both Woodhaven Lane and Turner Road. The section of Turner Road where trucks were observed is zoned residential-commercial professional (R-CP) and truck parking is not allowed at this location. These truck operations will need to look for alternate parking locations. This will most likely lead to an increase in truck parking in the commercially zoned areas along both sides of Woodhaven Lane. Because Woodhaven Lane will eventually be striped for four lanes of travel and "No Parking" will be required, staff has no major objection to the installation of "No Parking" at this location. However, staff is reluctant to create "No Parking" zones to eliminate truck parking unless sight problems are observed.

Following discussion, on motion of Council Member Pennino, Hinchman second, the City Council adopted Resolution No. 90-194 approving the installation of "No Parking" on Woodhaven Lane (West Side) from 305 feet north of Turner Road to 580 feet north of Turner Road.

AMENDMENT TO CONTRACT
BETWEEN THE BOARD OF
ADMINISTRATION OF THE PUBLIC
EMPLOYEES' RETIREMENT SYSTEM
AND THE CITY COUNCIL OF
THE CITY OF LODI

RESOLUTION NO. 90-195
ORDINANCE NOS. 1504 AND 1505 INTRODUCED

CC-34
CC-90
CC-149
CC-300

The City Council was advised that the City has agreed with all bargaining units to amend its PERS contract to provide for the third level of 1959 survivor benefits. The City has also agreed to amend the same contract to provide the one-year final compensation for the Firefighters bargaining unit.

244

Council has previously approved Resolution 90-168, a Resolution of Intention, to add all units except the firefighters to the third level of 1959 survivor benefits and adopted Ordinance 1473, an ordinance amending the contract.

Evidently we did not do things in the proper order. That coupled with our agreement with the firefighters to add the third level of 1959 survivor benefits and the one-year final compensation, PERS has advised us to start over and rescind previous actions.

The first act required by the City Council is to adopt a Resolution of Intention. Therefore, staff requested that Council rescind its previous Resolution of Intention and adopt a new one. Secondly the City must repeal Ordinance 1473 and adopt a new ordinance amending the City's contract.

Even though the contract states we will pay \$2.50 per month for the third level of 1959 Survivor benefits, there are sufficient reserves in the system to cover this liability.

The cost of the single highest year for the firefighters is 1.78% of all public safety salaries. This computes to approximately 4.5% of firefighters salary. This cost has been computed in the compensation package negotiated with the United Firefighters of Lodi.

The City Council took the following actions pertaining to amending the contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Lodi:

- a) On motion of Mayor Hinchman, Snider second, rescinded Resolution 90-168 and adopted Resolution No. 90-195 - a Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration of the Public Employees' Retirement System (PERS) and the City Council of the City of Lodi; and
- b) On motion of Mayor Hinchman, Pinkerton second, introduced Ordinance No. 1504 entitled, "An Ordinance of the Lodi City Council Repealing in its Entirety, Ordinance No. 1473 Entitled, 'An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System', Thereby Amending Lodi Municipal Code Chapter 2.48".

245

- c) On motion of Council Member Pennino, Hinchman second, the City Council adopted Ordinance No. 1505 entitled, "An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System, Thereby Amending Lodi Municipal Code Chapter 2.48".

URGENCY ITEM ADDED TO
AGENDA

PURCHASE OF 70-FOOT
AERIAL LINE TRUCK

RESOLUTION NO. 90-198

CC-12(d)
CC-300

Pursuant to the requirements of State statute, the City Council on motion of Mayor Pro Tempore Pinkerton, Sieglock second, determined the need to add an urgency item to the agenda.

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council added the following urgency item to the agenda:

Purchase of a 70-foot aerial line truck for the Electric Utility Department.

The City Council was advised that the Electric Utility Department has been obtaining information for the preparation of specifications to bid and purchase a line truck with a 70-ft. aerial platform.

During this process, the Department has just learned about a unit available from a supplier in Indiana. This unit is being offered to the City at the very favorable price of \$91,996.56. This truck is in the final stages of construction and is identical to the unit being specified.

A year ago, the Department purchased two line trucks of similar configuration at a price of \$135,000 each, however, a digger was included. The anticipated bid price on this unit would be \$120,000.

Currently, the Department is in the construction phase of the 60-kv lines to and from Industrial Substation and has rented a similar unit at \$3,500 per month to assist in this construction project.

This rental unit has been returned, but will be needed again at a later phase of the project. If a unit was bid

and subsequently built, such a unit could be expected in about 10-12 months, thus not being available in time for this construction project.

It should be noted that at least a couple of other utilities are very interested in this unit now being offered to the City and will be purchasing if the City declines.

Therefore, based on the above, it is recommended that the City take advantage of this offer at this time and purchase the unit from TECO of Indiana at a price of \$91,996.56, thus saving the City an estimated \$28,000.

Funding in the amount of \$128,814 is available in the Department's 1990-91 fiscal year budget for this purchase.

On motion of Mayor Pro Tempore Pinkerton, Snider second, the City Council adopted Resolution No. 90-198 approving the purchase of a 70-foot Aerial Line Truck from TECO of Indiana at a price of \$91,996.56.

ORDINANCES

ORDINANCE ADDING CHAPTER TO
THE LODI MUNICIPAL CODE
RELATING TO GRAFFITI
ABATEMENT ADOPTED

ORDINANCE NO. 1502 ADOPTED

CC-6
CC-13
CC-149

Ordinance No. 1502 entitled, "An Ordinance of the Lodi City Council Adding Chapter 9.28 to the Lodi Municipal Code Relating to Graffiti Abatement" having been introduced at the adjourned regular meeting of the Lodi City Council held November 28, 1990 was brought up for passage on motion of Council Member Snider, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 10:05 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk