

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, August 2, 1989
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 Dr. Wayne Kildall.

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

PRESENTATIONS There were no awards, proclamations, or presentations made
at this meeting.

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Reid,
Hinchman second, approved the following items
hereinafter set forth.
Agenda Items E-10, "Acceptance of improvements under
Beckman Park Pump Station Remodel, 1426 West Century
Boulevard, Contract" and E-11, "Acceptance of the
improvements under Well Drilling, Well 23, 55 East Harney
Lane, Contract" were removed from the agenda.

CLAIMS CC-21(a) Claims were approved in the amount of \$3,575,871.78.

MINUTES No minutes of previous City Council meetings were
presented for approval.

AMENDED SALARY RANGES
FOR MID-MANAGEMENT
CLASSIFICATIONS -
ASSISTANT CITY ENGINEER
AND SENIOR CIVIL
ENGINEER APPROVED

RESOLUTION NO. 89-87

CC-34 The City Council adopted Resolution No. 89-87 amending
CC-300 salary ranges for Mid-Management Classifications -
Assistant City Engineer and Senior Civil Engineer.

These adjustments are proposed in order to implement the
findings of a compensation study conducted subsequent to a
reorganization of the Engineering Division of the Public
Works Department.

This adjustment is to be effective July 24, 1989.
Likewise, these salary ranges will be adjusted effective
the pay period starting January 8, 1990 to coincide with
increases received by other mid-management classifications.

Continued August 2, 1989

This project is the installation of a new sports lighting system at Kofu Park as previously approved by the City Council in April 1989. It includes new wiring, poles, service panel, and switching for "soccer" or "baseball" lighting.

The Boosters of Boys and Girls Sports organization is contributing \$10,000 toward the cost of the project.

The design has been prepared by Musco of Northern California and has been reviewed by City staff. The system specified will greatly improve the lighting on the field with offsite glare levels less than that at Salas Park.

PLANS AND SPECIFICATIONS
FOR HARNEY LANE OVERLAY,
HUTCHINS STREET TO 400 FEET
WEST OF STOCKTON STREET APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Harney Lane Overlay, Hutchins Street to 400 feet west of Stockton Street.

This project consists of an asphalt concrete overlay with pavement reinforcing fabric and minor widening on the north side of the Southern Pacific Railroad crossing. The 6-foot widening will connect existing pedestrian walkways.

There are no driveways on this section of Harney Lane, thus the problem of vehicles scraping is not an issue.

ACCEPTANCE OF
IMPROVEMENTS UNDER
WELL 22 PUMP AND
MOTOR, 2040 SOUTH
CHEROKEE LANE, CONTRACT

CC-90 The City Council accepted the improvements for "Well 22 Pump and Motor, 2040 South Cherokee Lane" and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was apprised that the contract was awarded to Zim Industries of Fresno on February 1, 1989, in the amount of \$20,968.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

ITEMS REMOVED FROM AGENDA

Agenda item E-10 - "Acceptance of improvements under Beckman Park Pump Station Remodel, 1426 West Century Boulevard, Contract" was removed from the agenda.

Agenda item E-11 - "Acceptance of improvements under Well Drilling, Well 23, 55 East Harney Lane, Contract" was removed from the agenda.

ACCEPTANCE OF
IMPROVEMENTS UNDER
WATER WELL NO. 11
ABANDONMENT, 6013 EAST
HIGHWAY 12 CONTRACT

CC-90 The City Council accepted the improvements for "Water Well No. 11 Abandonment" and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The City Council was informed that the contract was awarded to Layne Western Company, Inc. of Woodland on March 22, 1989, in the amount of \$5,060.00. The contract has been completed in substantial conformance with the specifications approved by the City Council.

The contract completion date was June 16, 1989, and the actual completion date was June 21, 1989. The final

contract price was \$7,591.00. The difference between the contract amount and the final contract price is mainly due to additional quantities of work and liquidated damages.

ACCEPTANCE OF
IMPROVEMENTS AT
1314/1318 SOUTH
WASHINGTON STREET

RESOLUTION NO. 89-90

CC-46
CC-300

The City Council adopted Resolution No. 89-90 accepting the development improvements for 1314/1318 South Washington Street, more particularly shown on Drawing No. 88P028 on file in the Public Works Department.

The City Council was advised that improvements at 1314/1318 South Washington Street have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and J. Jeffrey Kirst, dated April 5, 1989, and as specifically set forth in the plans and specifications approved by the City Council.

The street to be accepted is as follows:

<u>STREET</u>	<u>LENGTH IN MILES</u>
Washington Street	0.00 miles
TOTAL NEW MILES OF CITY STREETS	0.00 miles

ACCEPTANCE OF
IMPROVEMENTS IN THE
FOUNTAINS, 1516 AND
1718 SYLVAN WAY

RESOLUTION NO. 89-91

CC-46
CC-300

The City Council adopted Resolution No. 89-91 accepting the development improvements for The Fountains, 1516 and 1718 Sylvan Way, more particularly shown on Drawing Nos. 88D023 and 88D024 on file in the Public Works Department.

The City Council was apprised that the improvements at The Fountains have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Jerry Heminger, dated April 18, 1989, and as specifically set forth in the plans and specifications approved by the City Council.

DEVELOPMENT AGREEMENT
FOR 351 NORTH BECKMAN
ROAD APPROVED

CC-46

The City Council approved the development agreement for 351 North Beckman Road and directed the City Manager and City Clerk to execute the agreement on behalf of the City.

The City Council was advised that Jim Thorpe Oil, 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 development.

The developer is applying for a building permit and must install the offsite improvements on this existing industrial site.

CONTRACT AGREEMENT FOR
DESIGN AND PREPARATION
OF CONSTRUCTION DRAWING
FOR HALE PARK, 209 EAST
LOCUST STREET APPROVED

CC-90

The City Council authorized the City Manager and City Clerk to execute the contract agreement between the City of Lodi and Richard Bigler for providing construction plans and specifications for the Hale Park improvements.

The City Council was advised that under last year's Capital Improvement Program, the City Council allocated block grant funds for phased construction and upgrade of the Hale Park facilities. The improvements to be made with block grant funds did not include the replacement of the Hale Park building. The proposed addition to the existing parking lot will be designed by the Public Works Department. All other improvements included in the accepted Hale Park Master Plan are covered under this agreement.

The contract amount is \$41,650. Forty thousand dollars has been budgeted for this work. Therefore, Council approval of this contract will include allocating an additional \$1,650 from the General Fund Operating Reserve.

SPECIFICATIONS FOR
THE PURCHASE OF
WOOD UTILITY POLES
APPROVED

CC-12.1(b)

The City Council approved the specifications for the purchase of, and authorized advertisement for bids for, a total of 89 wood utility poles, Classes H-1 through 3.

The bid opening date has been set for Tuesday, August 22, 1989.

The City Council was apprised that the Electric Utility Department has requested that fifty-six poles be purchased to construct three new 60KV overhead lines connecting the new Industrial Substation to the current system. The other thirty-three poles would be placed in inventory to support the Utility Department's program of replacing damaged or deteriorating poles currently in service.

Estimated cost of this purchase is \$115,000. The amount required to support the 60KV line construction, about \$100,000, is within the scope of the overall funding for the Industrial Substation project. The balance of the cost, \$15,000, represents about one-fourth of the recommended 1989/90 Overhead System Maintenance equipment budget.

Delivery is estimated to be about 12 weeks after placement of order.

Two critical factors are affecting the market for wood poles, pushing prices on longer lengths up as much as 10% over the past 2-3 months. First, exports to Japan are extremely strong. Second, environmental issues concerning the spotted owl have taken nearly two and a half million board feet of timber off the market, primarily in old growth forests where longer poles are harvested. Consequently, shortages are beginning to occur in some lengths and classes, with process and lead times tending to push upward.

SPECIFICATIONS
FOR THE PURCHASE
OF 954 KCM
ALUMINUM OVERHEAD
CONDUCTOR

CC-12.1(b)

The City Council approved the specifications for the purchase of 40,000 feet of 954KCM bare aluminum conductor, and authorized the advertisement for bids thereon.

The bid opening has been set for Tuesday, August 22, 1989.

The City Council was apprised that the Electric Utility Department has requested that 40,000 feet of 954KCM Bare Aluminum conductor be purchased to construct three new 60KV overhead lines connecting the new Industrial Substation to the current system.

Estimated cost of this purchase, at current market rates for aluminum, is \$60,000. Funding for this purchase is available within the overall funding for the Industrial Substation project.

Delivery is estimated to be about 14-16 weeks after placement of order.

COMMENTS BY CITY COUNCIL MEMBERS

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

CONCERN EXPRESSED REGARDING SPEED OF TRAFFIC ON KETTLEMAN LANE IN THE AREA OF LOWER SACRAMENTO ROAD

CC-16 Mayor Pro Tempore Hinchman expressed concern regarding the speed of traffic on Kettleman Lane in the area of Lower Sacramento Road.
CC-24(b)
CC-48(a)

QUESTIONS POSED AS TO WHETHER BECKMAN RANCH SHOPPING CENTER SIGN ADHERES TO CITY REQUIREMENTS

CC-16 Mayor Pro Tempore Hinchman asked that staff check the new commercial sign that has been erected in the area of the Beckman Ranch Shopping Center as to whether or not it adheres to City requirements.
CC-35
CC-171

CONCERN EXPRESSED REGARDING QUALITY OF MOKELUMNE RIVER WATER AS IT ENTERS LODI

CC-16 Mayor Pro Tempore Hinchman expressed concern regarding the quality of Mokelumne River water as it enters the City.
CC-24(b)

REPORTS REQUESTED ON FUTURE POWER OUTAGES

CC-51(d) Mayor Pro Tempore Hinchman asked that in the future the City Council and the public be made aware of the problems and causes of power outages occurring in the City.

Electric Utility Director Rice reported to the Council on recent power outages we have incurred.

QUESTIONS POSED REGARDING THE PARKING OF VEHICLES FOR SALE ON LOWER SACRAMENTO ROAD

CC-16 Council Member Reid expressed concern and directed questions to staff regarding the parking of vehicles for sale on Lower Sacramento Road.
CC-48(a)

LODI LAKE PARK

Council Member Pinkerton stated that he is happy to see Lodi Lake again becoming a family area and applauded the Parks and Recreation Department staff and all who are visiting and enjoying the area in their efforts towards this end.

DUMPING OF MATERIALS
INTO CITY CATCH BASINS
CONCERNS COUNCIL

CC-16 Council Member Olson expressed her concern regarding
CC-176 citizens dumping materials into City catch basins. Council Member Reid, following discussion regarding the matter, asked for a staff report on the disposal of toxic waste materials within the City.

UPDATE ON VISIT TO
RECENT STOCKTON
PLANNING COMMISSION
WORKSHOP

CC-16 At the request of the Mayor, City Attorney McNatt reported
CC-35 on the August 1, 1989 workshop of the Stockton Planning Commission regarding amending the Stockton's General Plan to possibly include the area north of Eight-Mile Road. A number of City Officials attended that meeting. Mayor Snider assured the public that "we will not just stand by and allow this to happen".

ANNOUNCEMENTS REGARDING
EVENT OF LOCAL INTEREST

Announcements were made regarding the following events of local interest:

- I. September 2, 1989 - Lodi Day at Candle Stick Park in San Francisco
- II. August 3, 1989 - Pacific Southwest Babe Ruth Bambino Regional Baseball Tournament in Oakland
- III. August 5 - 10, 1989 - Pacific Southwest Babe Ruth 14/15 Regional Tournament in Lodi being held at Zupo Field

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:

REPORT OF TRAFFIC
HAZARD AT INTERSECTION
OF EAST OAK STREET
AND CHEROKEE LANE

CC-16 Mr. Jim Bullard, 409 E. Oak Street, Lodi expressed
CC-48(a) concern regarding the traffic hazard caused by parked vehicles at the intersection of East Oak Street and Cherokee Lane adjacent to Pinnell's Floor Covering and Interiors. Staff was directed to look into the matter.

PUBLIC HEARINGS

Notice thereof having been published and posted according to law, an affidavit of which publication and posting is on file in the office of the City Clerk, Mayor Snider called for the public hearing to consider vacating a portion of the public utility easement at 1806 West Kettleman Lane.

PUBLIC UTILITY EASEMENT
VACATION AT 1806 WEST
KETTLEMAN LANE

RESOLUTION NO. 89-92

CC-52(b)
CC-300

The City Council was reminded that at its meeting of July 5, 1989, it adopted a resolution of intention to vacate a portion of the public utility easement at 1806 West Kettleman Lane and referred the matter to the Planning Commission.

The Planning Commission determined at its meeting of July 24, 1989 that there was no public need, present or future, for this portion of the easement.

The owners have paid the required fees to process this abandonment. Pacific Bell, Pacific Gas and Electric, King Videocable Company and City utilities have been notified of this proposed abandonment and their approval has been secured.

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 Reid, Hinchman second, the City Council adopted Resolution/Order No. 89-92 vacating a portion of the public utility easement located at 1806 West Kettleman Lane, Lodi.

PLANNING COMMISSION Community Development Director Schroeder presented the following Planning Commission Report of the Planning Commission Meeting of July 24, 1989:

CC-35

The Planning Commission -

PUBLIC UTILITY EASEMENT
VACATION AT 1806 WEST
KETTLEMAN LANE

- 1. Determined that no public need existed and recommended that the City Council abandon (vacate) a portion of the Public Utility Easement at 1806 West Kettleman Lane

OF INTEREST TO THE CITY COUNCIL

The Planning Commission also -

- 1. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of Northern California Conference Association of Seventh Day Adventists for a lot line adjustment to create nine residential lots from a 1.35 acre parcel at 1001 South Garfield Street (APN 047-300-45) in an area zoned R-1*, Single-Family Residential (Eastside).
- 2. Conditionally approved the request of RBS Architectural Group on behalf of Greg Tcherkoyan for a Use Permit for two 3,500 square foot retail buildings at 730 West Kettleman Lane (Vineyard Shopping Center) in an area zoned (P-D(15), Planned Development District No. 15).
- 3. Set the following items for Public Hearing on Monday, August 14, 1989:
 - a. Consider recommending to the City Council the certification of the Final Environmental Impact Report for Kettleman Properties, a 51 acre project located at the northeast corner of East Kettleman Lane and Beckman Road.

- b. Consider recommending to the City Council that Kettleman Properties, a 51 acre project located at the northeast corner of East Kettleman Lane and Beckman Road be rezoned M-1, Light Industrial.
- c. Consider recommending to the City Council the certification of the Final Environmental Impact Report for Sunwest Plaza Shopping Center, a 23.68 acre project proposed for the southeast corner of West Kettleman Lane and Lower Sacramento Road.
- d. Consider recommending to the City Council that Sunwest Plaza Shopping Center, a 23.68 acre project proposed for the southeast corner of West Kettleman Lane and Lower Sacramento Road be rezoned C-S, Commercial Shopping.

COMMUNICATIONS
(CITY CLERK)

PUC APPLICATIONS

CC-7(f) City Clerk Reimche presented Application No. A89-07-021 filed July 17, 1989 with the California Public Utilities Commission, Greyhound Lines, Inc. requesting approval to increase its passenger bus fares.

REGULAR CALENDAR

LODI AMBULANCE SERVICE
AMENDED RATES APPROVED

RESOLUTION NO. 89-93

CC-22(d)
CC-132
CC-300

The City Council was reminded that the City Code provides that the City Council "reserves the right to finally determine and fix by resolution, the rates to be charged by the operator of the ambulance service." Mr. Michael N. Nilssen, owner-operator of Lodi Ambulance Service, has, in accordance with the provisions of the City Code, filed with the City Clerk a request to amend the ambulance rates charged in the City of Lodi. A copy of the requested new rate schedule as set forth below was presented for Council's review. Also presented was a copy of a letter from Ms. Elaine L. Hatch, the County of San Joaquin's Emergency Medical Services Coordinator, advising of the action of the County Board of Supervisors to establish the County ceiling for ambulance rates. The request of Lodi Ambulance Service is in accordance with the new ceiling. The basic rate ceiling was increased 15%; the advanced life support rate ceiling was increased 5%; and the oxygen rate ceiling was increased 7%. The other charges remain unchanged. The new rate schedule would be effective August 10, 1989. The last increase was effective December 1, 1988. The County's plan is to from this point forward review the ambulance rate schedule at mid-year. Previous reviews were toward the end of each year.

Mr. Nilssen was in the audience and addressed the City Council regarding his request.

Life Medical Industries, Inc.
Service Rate Adjustments

	Current Rate	Proposed Rate
Base Rate, Non-emergency	\$148.00	\$170.00
Advance Life Support	\$356.00	\$375.00
Emergency	\$ 46.00	\$ 46.00
Night Call, 7:00 p.m. to 7:00 a.m.	\$ 46.00	\$ 46.00
Oxygen	\$ 28.00	\$ 30.00
Mileage	\$ 8.60	\$ 8.60

Following discussion, on motion of Mayor Pro Tempore Hinchman, Olson second, the City Council adopted Resolution No. 89-93 approving an amended fee schedule for service provided by Life Medical Industries, Inc. as heretofore set forth.

RENTAL OF SPACE FOR
PARKS AND RECREATION
DEPARTMENT

CC-14(a)
CC-142

The City Manager advised the City Council that for several years it has been apparent to all that the Parks and Recreation Department has been in serious need of clean, dry, secure and convenient storage space for the wide variety of equipment used by the department in conducting its numerous activities. In addition, with the demise of the Hale Park building it has become quite difficult to offer certain on-going programs and activities because of lack of space. A space has surfaced that ideally meets these needs. A vacancy has developed in a portion of the light industrial building located at 111 N. Stockton Street immediately south (across the alley) of the Parks and Recreation Department offices. The area totals 3,050 square feet and is being offered to the City at a rental fee of \$1,400 per month (approximately 46 cents per square foot). The building contains restrooms and a small office. A portion of it would be used for on-going programs such as karate and gymnastics, and the remainder would be fenced to be utilized for the storage of equipment. The lease is for a period of five years commencing August 1, 1989 or as soon thereafter as the requested modifications to the building have been completed. The lease is for a period of five years. However, the City reserves the right to cancel with six-months notice. It is unlikely that we will initiate the proposed major reconstruction of the Parks and Recreation Department facilities within the next three to four years. In the interim, this rented space will serve well.

The City Manager reported that while in the midst of evaluations of budget reductions, it seems paradoxical that staff would bring this recommendation to the City Council. However, community support groups, primarily the Boosters of Boys' and Girls' Sports, have provided the City's recreation program with a substantial amount of equipment. It is painful to witness that equipment deteriorate and become unusable because of its storage in substandard City facilities.

Following discussion with questions being directed to Staff, the City Council, on motion of Mayor Pro Tempore Hinchman, Olson second, authorized the City Manager and City Clerk to execute an agreement with Elm Street Investors for the lease of a building at 111 N. Stockton Street for temporary use by the Parks and Recreation Department.

PAVING STONES IN
DOWNTOWN AREA

CC-10(c)

The City Council was advised that the Public Works Department has performed the final check of the downtown paving stones installed as part of the United Downtown Improvement District (UDID) project. The stones were installed in 1984 and the specifications included a requirement for a five-year warranty bond in the amount of \$42,000. The bond was provided by Reliance Insurance Company for the paving stone subcontractor, Mumbert Pipe Co. Inc., dba Specialty Paving System. The warranty, which will expire on August 10, 1989, states that: "...the installed paving stones will remain intact and free from settlement, breakage and uplifting". Neither the warranty nor the specifications included any specific limits on settlement.

In September 1985, the City notified the prime contractor, Claude C. Wood Company, that some concrete and paving work needed to be corrected and that some of the paving stones had settled; however, a decision as to what should be done with the paving stones was deferred.

In August 1986, Claude C. Wood Company was notified that work on the paving stones at a few locations needed to be done immediately and some should wait until late in the warranty period. This letter indicated an acceptable amount of settlement was 1/2". This was based on ride quality and some allowance for future settlement. As a point of reference, the City's sidewalk maintenance policy states that vertical offsets of less than 3/4" need not be patched. However, the requirements for new streets are more strict; for example, manholes must be adjusted to within 1/8" of grade. The work called for in the August 1986 letter was completed in late 1987.

City staff has recently examined all the paving stone installations. It was noted that, in many cases, settlements are not significantly greater than in 1986. The defects found are listed below and referenced on the attached key map. Ride quality is a very subjective estimate, depending on the vehicle and driver's perception. The worst, rated "3", are considered poor and, combined with excessive settlement, triggered a repair recommendation. The best, rated "1", are considered acceptable. The "2s" are obviously in-between and are comparable to riding over a trench patch or poorly adjusted manhole. It should be remembered that it is impossible to expect ride quality across these crosswalks comparable to the rest of the street.

<u>Location</u>	<u>Defect</u>	<u>Ride*</u>	<u>Recommendation/ Comments</u>
A. Pine/Sacramento, west crosswalk	1/2" to 1"+ settlement	3/3	Remove, regrade and reset
B. Pine/Sacramento, northeast corner	1/2" settlement at curb near signal	N/A	Grind curb
C. Pine/Church, north crosswalk	1/2" settlement in wheel path	2/2	Small area
D. Pine/Church inside fillet at 3 corners	1/2" settlement	N/A	Not in wheel path

	<u>Location</u>	<u>Defect</u>	<u>Ride*</u>	<u>Recommendation/ Comments</u>
E.	East side of School, alley north of Elm	Settlement is uniform but water valve riser is now above the stones	N/A	Reset valve riser
F.	Elm/School, east crosswalk	1/2" to 5/8" settlement	2/2	Remove, regrade and reset
G.	Elm/School, south crosswalk	Minor settlement less than 1/2"	2/3	OK
H.	East side of School, alley north of Pine	1/2"+ settlement at curb & back of alley approach	N/A	Not a hazard low traffic
I.	Pine/School, west crosswalk	Two broken/chipped stones	N/A	Minor problem
J.	Pine/School, south crosswalk	5/8" to 1" wheel path settlement	3/2	Remove, regrade and reset
K.	Pine/School, northeast corner	1/2"+ settlement	N/A	OK, not in wheel path
L.	Pine/School, east crosswalk	Less than 1/2" wheel path settlement	2/3	OK - minor settlement
M.	Oak/School - east crosswalk	1/2"+ to 1" wheel path & general settlement	2/1	OK
M.	Oak/School - south & west crosswalks	1/2" to 1" wheel path and general settlement	3/2 (South) 2/2 (East)	Remove, regrade and reset
N.	Walnut/School, east crosswalk	1/2" to 5/8" settlements, broken stone	2/2	Remove, regrade and reset
N.	Walnut/School, west crosswalk	1/2" to 5/8" settlements, broken stone	3/1	Remove, regrade and reset
O.	Walnut/School, southeast corner	Raised/settled stones, some due to previous repair	N/A	OK
P.	East side of School, alley north of Lodi	3/4" to 1" settlement	N/A	Grind concrete
Q.	Lodi/School, northeast corner	Less than 1/2" settlement	N/A	OK
R.	Lodi/School, northwest corner	3/4" settlement at curb, 3/4" wheel path settlement	1/1	Remove, regrade and reset @ curb

*Left side/right side - The right side is the right side of the crosswalk from the point of view of a driver approaching the intersection. The left side would be seen by a driver approaching from the opposite direction.

Not all the defects listed require repair. There are many minor defects which may present an appearance problem, but are not a safety or maintenance problem. Given the nature of paving stones and the chance that repairs may not appreciably improve the existing condition, the recommended number of repairs is minimized. Some areas, such as the alley approach on the west side of School Street north of Elm, look very bad. However, the problem is due to the poor sidewalk, curb, and alley paving which was not replaced as part of the Downtown project due to cost considerations.

The City Council was further advised that a demand letter has been sent in order to protect the City's interest under the terms of the warranty. It calls for repairs at 7 of the 27 crosswalks. This may require that the paving stones be completely removed, the subgrade regraded and the stones reset. Minor repairs are recommended at four locations.

No formal action was taken by the City Council following discussion regarding the matter.

AWARD CONTRACT FOR
HUTCHINS STREET
IMPROVEMENTS,
TOKAY STREET TO
LODI AVENUE

RESOLUTION NO. 89-94

CC-12(a)
CC-300

The City Council was apprised that the contract for Hutchins Street Improvements, Tokay Street to Lodi Avenue provides for reconstructing approximately 75,000 square feet of roadway and replacing 1,400 linear feet of 18-inch sanitary sewer. The project also includes minor street widening near Lodi Avenue; curb, gutter, and sidewalk; and storm drain facilities. The project duration is 45 working days. The street will be closed to through traffic for approximately three to four weeks. Access to local businesses will be maintained except during critical construction operation. This project also includes traffic signal automation modifications at the intersection of Ham Lane/Turner Road and Hutchins/Tokay Streets.

Plans and specifications for this project were approved on July 5, 1989. The City received the following bid for this project:

	<u>Claude C. Wood Co.</u>	<u>Engineer's Estimate</u>
Base Bid (street & signal work, sanitary sewer)	\$294,385	\$198,502
Alt. 1 - Remove old sewer	17,025	34,050
Alt. 2 - Fill old sewer with grout	17,025	11,250
Alt. A - Base rock/asphalt concrete pavement	159,870	137,565
Alt. B - Full depth asphalt concrete pavement	153,550	138,000

The major differences between the bid and the estimate are in the following areas:

Clearing/Concrete Work	\$30,000	The estimate left out concrete removal and grading where concrete is being replaced at the same location
Sanitary Sewer	24,000	The estimate did not include diversionary structures for handling existing sewage and underestimated the cost of clay pipe
Traffic Control	20,000	The specifications included a number of signing and traffic handling requirements to lessen the impact on businesses and traffic. The City does not have experience in estimating this type of work.
Pavement (Alt. B)	16,000	The estimate did not allow for recent price increases. Also, having a separate item for traffic control reduces this cost; however, the effect was overestimated.

If the project were rebid, it is possible a more competitive bidding climate would result in a lower price. However, this would mean delaying the project until next year. Contractors would have to allow for possible price increases. Also, this project has already been delayed due to right-of-way acquisition problems and the street certainly needs to be rebuilt.

Proposed project funding is as follows:

	<u>Presently Appropriated*</u>	<u>Additional Appropriation Needed**</u>
Street Project (TDA Fund)	\$242,260	\$138,000
Turner/Ham Signal Work (Gas Tax)	2,700	10,000
Sanitary Sewer Replacement (Wastewater Fund)	112,360	30,000

The additional appropriations will be included in the 1989/90 Capital Improvement Program.

Following discussion, on motion of Council Member Olson, Hinchman second, the City Council adopted Resolution No. 89-94 awarding the contract for the above project to Claude C. Wood Company in the amount of \$464,960.00 for the base bid plus Alternates 1 and B, and appropriated an additional \$178,000 from the funds heretofore listed.

AGREEMENT BETWEEN
PACIFIC GAS AND
ELECTRIC COMPANY AND
THE CITY OF LODI
PROVIDING FOR AN
INTERCONNECTION POINT
AT THE CITY OF LODI
INDUSTRIAL SUBSTATION

CC-6
CC-7(t)
CC-51(d)
CC-90

Electric Utility Director Rice reminded the City Council that the City had entered into a "letter of Intent for a New Interconnection Point" dated December 15, 1988 with PG&E which declared the intent of the parties to establish a new substation (Industrial Substation) to replace the existing interconnection point at Killelea Substation. This Letter of Intent called for a formal agreement document based upon the principles stated therein.

The subject Agreement represents the formal agreement of the parties. A substantial portion of the work proposed by PG&E has now been accomplished.

Funding for this approximately 5.5 million dollar project shall be obtained from retained earnings in the Rate Stabilization fund and the Electric Capital Outlay Fund as required.

Following a report highlighting the terms of the agreement, Mr. Rice responded to questions from the City Council pertaining to the subject agreement.

On motion of Council Member Reid, Olson second, the City Council approved the Agreement between Pacific Gas and Electric Company and the City of Lodi providing for an interconnection point at the City of Lodi Industrial Substation, 5200 East Sargent Road and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Further, the City Council appropriated \$200,000 from the Utility Outlay Reserve to cover certain costs set forth in the terms of this agreement.

PURCHASE OF PHOTOCOPIER
FOR CITY HALL APPROVED

CC-12(d)
CC-47

Assistant City Manager Glenn advised the City Council that the 1988-89 budget included funds for the purchase of a copier for City Hall. The Purchasing Agent received proposals on 10 different copiers. Our requirements were that the equipment have a design capacity of 80,000 copies per month, 50 copies per minute, with a 40-bin collator. In addition to cost, we analyzed the cost of operation over a five-year period and the ease of operation. Five vendors met the minimum requirements.

The initial cost and five-year cost for each of the five is shown below:

Manufacturer and Model	Initial Cost	Five-Year Cost *
RICOH FT-7060	\$16,159	\$55,479
IBM III-70	26,021	58,533
XEROX 1065	26,758	67,975
CANON 8580	19,245	58,401
MINOLTA 870	15,126	56,509

* Includes supplies and maintenance agreement for 50,000 copies per month for five years at 5% annual inflation rate.

There are some operational problems with the Ricoh copier. It is much larger than the IBM and does not have the large central work area of the IBM. However, California Copy, Inc. has just advised us that they would be providing a lucite cover for the top of the copier which would enlarge the central work area.

The initial cost of the Ricoh copier is significantly less than the IBM. The five-year cost is less, and the need for the work area was not included in the specifications. These factors make it difficult to justify the IBM equipment.

The Ricoh bid did not include the cost of a user key which is needed to allocate costs to using departments.

The cost of that item will add \$900 to the bid price of the Ricoh.

BID RESULTS
COPIER FOR CITY HALL

Bids Received May 26, 1989

	RICOH FT-7060	IBM-III/70	CANNON NP8580	XEROX 1065	MINOLTA 870
Bid Price	\$16,159.60	\$26,020.88	\$19,245.36	\$26,728.00	\$15,126.20
Terms	Net 30	Not Specif.	Net 30	Net 30	Net 30
Est. 5-Yr Cost of Supplies	\$ 9,081.00	\$ 1,831.00	\$16,072.00	\$10,226.00	\$12,769.00
Est. 5-Yr Maintenance Agreement Cost	\$30,238.00	\$30,682.00	\$23,084.00	\$31,021.00	\$28,614.00
Total Estimated 5-Yr Cost	\$55,478.60	\$58,533.88	\$58,401.36	\$67,975.00	\$56,509.20

Following discussion the City Council, on motion of Mayor Pro Tempore Hinchman, Reid second, authorized the purchase of a Ricoh FT-7060 for City Hall from California Copy, Inc. Funds for this equipment were included in the 1988/89 budget in the amount of \$17,000.

The motion carried by the following vote:

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

FEASIBILITY STUDY ON
THE FORMATION OF A
REDEVELOPMENT AGENCY
FOR THE CITY OF LODI

CC-6
CC-35
CC-310

The City Council was advised that at its July 10, 1989 regular session, the Planning Commission received a presentation from the City Attorney of the purpose and mechanics of creating a Redevelopment Agency. This presentation had been at the request of the Planning Commission.

The City Attorney's written report to the Planning Commission on this subject is set forth below:

"At the request of the Planning Commission, this memo has been prepared as a brief overview of the purpose for and mechanics of creating a Redevelopment Agency. It is somewhat brief because the topic is a broad one, and an attempt to cover it comprehensively would require something the size of a textbook.

The applicable law is found in the Community Redevelopment Law (Health and Safety Code (H&S) §33000 et seq., the California Environmental Quality Act (CEQA) (Public Resources Code §21000 et seq.), miscellaneous provisions of the Political Reform Act (Government Code §81000) and the Relocation Assistance Law (Government Code §7260 et seq.).

The general purposes and goals of a Redevelopment Agency are to prepare plans for the redevelopment of blighted areas, to disseminate information on redevelopment, and to accept or obtain financial assistance from public and private sources, to acquire or dispose of land, build or rehabilitate real property, and thereafter to manage or operate it (H & S §33000 et seq.; 51 Cal.Jur. 3d, Public Housing, §37).

As stated in H&S § 33100, there is a Redevelopment Agency in every community, which cannot function until the City Council declares the need for such Agency by ordinance. This ordinance is then filed with the Secretary of State in order to officially activate the Redevelopment Agency (H&S § 33101).

The members of the Agency are appointed by the Council (H&S § 33110) and may constitute a board of 5 or 7 members. In the alternative, the Council may designate itself as the Redevelopment Agency (H&S §33114.5; §33200).

The activities which a Redevelopment Agency may carry out are also specified by statute. Generally, the first activity involves the drafting and adoption of a Redevelopment Plan (H&S § 33131) and a determination of the

area which is to be redeveloped. Certain findings are also required for the determination of this "blighted area" which is to be the redevelopment area (H&S § 33320.1). "Blight" is defined as "unfit or unsafe buildings" or "property suffering from economic dislocation, deterioration or disuse because of:

1. Faulty planning
2. Physical conditions
3. Depreciated values
4. Inadequate public improvements
5. Impaired investment, or
6. Flooding

The Planning Commission is charged with responsibility for the formal selection of the redevelopment project area (H&S § 33322, § 33325).

In addition to the study and adoption of the redevelopment plan and designation of the redevelopment area, an environmental impact report (EIR) is required under Public Resources Code § 21000 et seq. The Planning Commission would also be involved in that process, since the designation of a redevelopment area is a "project" within the meaning of CEQA.

If a Redevelopment Agency is deemed appropriate, some of the benefits associated with the function of such Agency include the ability to accept certain public or private aid (including Federal grants if available), the power to issue certain types of bonds or certificates of participation which may be utilized to pay for projects, and such financing vehicles as tax increment financing.

In addition, the Redevelopment Agency is deemed an independent entity for purposes of eminent domain, possessing independent authority under the Government Code and Code of Civil Procedure. The Redevelopment Agency can do some things that the City Council cannot in conjunction with redevelopment projects, such as the acquisition, rehabilitation and sale of private property. The Council is generally prohibited from rehabilitating and then selling on the open market, the real property acquired by condemnation. This is one of the attributes of a Redevelopment Agency, however."

Planning Commissioners Craig Rasmussen and Susan Hitchcock-Akin spoke on behalf of the Planning Commission's recommendation.

Discussion followed with questions regarding the matter being addressed to Staff and to the Planning Commissioners who had addressed the City Council on the matter.

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council by the following vote continued the matter for two weeks to allow staff time to review the matter and return a recommendation to the City Council:

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

1989-90 AMENDED
BUDGET

CC-21(b)

Following a discussion regarding the 1989-90 Amended Budget, the City Council, on motion of Council Member Olson, Hinchman second, determined that it wished to return its focus to the adoption of the 1989-90 Recommended Budget with modifications set forth during the budget review process and directed the City Manager and City Clerk to schedule Council Meetings when all members of the City Council would be available to review the personnel and equipment requests contained in that document, community allocations, and other related budget items.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 9:50 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk