

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, MAY 18, 1988  
7:30 P.M.

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

INVOCATION The invocation was given by Pastor Don Thomas, Lodi Community Church.

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

PRESENTATIONS

DONATION RECEIVED FROM THE OLD LODI HIGH SCHOOL SITE FOUNDATION  
Dennis Bennett, Chairman of the Old Lodi High School Site Foundation, presented the City with a \$50,000 donation which is to be applied against the construction loan of the Fine Arts Building.  
CC-14(e)  
CC-27(e)

Mayor Pinkerton presented his gratitude to the Foundation, to staff, and to all the volunteers who have given so much of their time and talent to this project.

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

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CLAIMS CC-21(a) Claims were approved in the amount of \$1,194,531.65.

MINUTES The Minutes of March 16, 1988, April 6, 1988 and April 19, 1988 were approved as written.

PLANS AND SPECIFICATIONS FOR UNDERGROUND TANK INSTALLATIONS, 230 WEST ELM STREET AND 1331 SOUTH HAM LANE APPROVED  
The City Council approved the plans and specifications for Underground Tank Installations, 230 West Elm Street and 1331 South Ham Lane and authorized advertising for bids.  
CC-12.1(c)

The City Council was apprised that this project includes the installation of City furnished double-walled tanks. The tanks are as follows:

<u>Public Safety Building</u>	<u>Municipal Service Center</u>
Unleaded - 10,000 gallon	Regular - 2,000 gallon
Diesel - 2,000 gallon	Unleaded - 10,000 gallon
	Diesel - 5,000 gallon
	Waste Oil - 2,000 gallon

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A small portion (approximately \$60,000) of this expenditure is State reimbursable.

AWARD CONTRACT  
FOR ASPHALT  
REJUVENATING AGENT

RES. NO. 88-65

The City Council adopted Resolution No. 88-65 awarding the contract for 5,000 gallons of asphalt rejuvenating agent to the low bidder, Western Oil and Spreading, Inc, Lodi, in the amount of \$3,922.00.

CC-12(d)  
CC-90

The City Council was informed that the specifications for asphalt rejuvenating agent were approved by the City Council at its meeting on April 20, 1988, and four (4) bids were received.

Asphalt rejuvenating agent costs have decreased 8% since the last time the City requested bids, which was June 1987.

Following is a tabulation of the bids:

<u>CONTRACTOR</u>	<u>TOTAL GALLONS</u>	<u>TOTAL COST</u>
Western Oil & Spreading	5,000	\$3,922.00
Reed & Graham, Inc.	5,000	4,028.00
Ophir Oil Co., Inc.	5,000	4,165.80
Kent's Oil Service	5,000	4,717.00

AWARD CONTRACT FOR  
HUTCHINS STREET  
RECONSTRUCTION,  
RIMBY AVENUE TO  
VINE STREET

RES. NO. 88-66

The City Council adopted Resolution No. 88-66 awarding the contract, Alternate B, for the Hutchins Street Reconstruction, Rimby Avenue to Vine Street to Claude C. Wood Company in the amount of \$301,841.50 and transferring \$235,000.00 in appropriations from the Hutchins Street, Tokay to Lodi, project.

CC-12(c)  
CC-90

The City Council was apprised that this project consists of reconstructing the section of Hutchins Street between Rimby Avenue and Vine Street. The street will also be widened five feet on the west side to allow for parking and a continuous left turn lane. The alternates involve conventional paving with asphalt concrete and aggregate base (Alternate A) or full depth asphalt concrete (Alternate B).

Plans and specifications for this project were approved on April 20, 1988.

The following bids were received:

<u>BIDDER</u>	<u>ALTERNATE A</u>	<u>BID</u> <u>ALTERNATE B</u>
Engineer's Estimate	\$343,048.00	\$351,994.00
Claude C. Wood Company	298,900.50	301,841.50
Teichert Construction	327,721.10	322,463.00
Mount Diablo Corp.	391,654.00	396,942.50

Staff recommended awarding Alternate B. This will result in a faster job with less inconvenience to the public and lessen the amount of excavation over the existing shallow utilities.

This project was to be coordinated with the reconstruction project on Hutchins Street from Tokay to Lodi. Additional funding was to be provided in July 1988 with the new Capital Improvement Program. However, right-of-way delays have required rescheduling such that the Tokay to Lodi project will not be done until 1988/89. Therefore, Staff recommended the transfer of appropriations from that project in order to proceed this year with the Rimby to Vine project.

STATE DEPARTMENT  
OF FINANCE -  
POPULATION ESTIMATE  
JANUARY 1, 1988

CC-36

The City Council was apprised that on April 29, 1988 the State Department of Finance released its January 1, 1988 estimates of population. Lodi's population is shown as 48,042 which constitutes a gain of 2,269 people since January, 1987 (4.96 percentage increase).

The City Manager has completed and returned the necessary forms to have the new estimate certified as Lodi's official population.

CITY MANAGER AND  
CITY CLERK  
AUTHORIZED TO  
EXECUTE DESIGN  
ENGINEERING AGREEMENT  
FOR WHITE SLOUGH  
WATER POLLUTION  
CONTROL FACILITY  
EXPANSION

CC-6  
CC-90

The City Council authorized the City Manager and City Clerk to execute the Design Engineering Agreement (Work Order No. 2 of Master Agreement) between the City of Lodi and the engineering firm of Black and Veatch.

The City Council was advised that, in February 1987, the City Council approved the Master Agreement together with the Preliminary Engineering Agreement (Work Order No. 1) between the City and the firm of Black and Veatch. The work under the Preliminary Engineering Agreement is essentially complete.

The work under the Design Engineering Agreement includes the preparation of the plans, specifications, estimate, and obtaining necessary approvals from other regulatory agencies.

The total estimated cost under the Design Engineering Agreement, Work Order No. 2, is \$628,150.00. It is estimated that the work under this agreement will take approximately 300 calendar days.

ACCESS EASEMENT  
AGREEMENT FOR WELL  
10R, LOCATED IN  
THE 18000 BLOCK OF  
NORTH KENNISON  
LANE APPROVED

CC-27(a)  
CC-183(b)

The City Council approved two access easement agreements, one from Howard Mason and the other from Glee Mason, Vesta Mason, Margaret Ferdun, Willard Mason, Helen Mason, Carol Lynn Bonadurer, and Douglas Mason, and direct the City Manager and City Clerk to execute the subject documents on behalf of the City.

The City Council was advised that Well 10R is situated at the east end of a private road known as Lime Street. In order for the City to have legal access to the well site, access easement agreements were signed with the property owners on the south side of Lime Street whose property line extends into Lime Street. The easement is 15' wide and the City

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agrees to relocate this access easement if it should interfere with the development of these parcels. There was no cost for these easements.

RENEWAL OF LANDSCAPE  
MAINTENANCE CONTRACT  
APPROVED

CC-6  
CC-90

The City Council approved renewal of the Landscape Contract with Ireland Landscape Company, Inc. and authorized the City Manager and City Clerk to execute the renewal of the Landscape Maintenance Contract for the 1988-89 fiscal year to Ireland Landscape Co., Inc.

Council was apprised that Ireland Landscape Company, Inc. has maintained landscape areas within the City since July 1, 1982, and has provided satisfactory service. The number of areas maintained has increased from 28 in 1982 to 40 in 1988. In their letter dated February 22, 1988, they have agreed to maintain the existing 40 areas at a three percent increase in cost for an additional twelve months, July 1, 1988 through June 30, 1989. Ireland Landscape Co., Inc. has not requested a rate increase since July 1, 1986.

Funds to finance the contract were included by various departments in the 1988 operating budget.

RESOLUTION ADOPTED  
CONCURRING WITH THE  
EXECUTION OF AGREEMENT  
WITH BONNEVILLE POWER  
ADMINISTRATION FOR  
POWER PURCHASES FOR  
1988-89

RES. NO. 88-67

CC-51(d)  
CC-90

The City Council was advised that on May 28, 1987 the Northern California Power Agency, by NCPA Commission adoption of Resolution No. 87-23, approved an Agreement with the Bonneville Power Administration. This Agreement provides for the purchase and sale of surplus firm power.

The term of this Agreement is June 1, 1988 through September 30, 1989 subject to earlier termination by NCPA if NCPA, for reasons beyond its control, shall lose the assignment of transmission capacity which it has received from the Sacramento Municipal Utility District.

The City Council adopted Resolution No. 88-67 concurring with the City Manager's execution of Agreement with the Bonneville Power Administration for power purchases for 1988-89 as approved by the Northern California Power Agency.

RESOLUTION ADOPTED  
APPROVING 1988-89  
TRANSPORTATION  
DEVELOPMENT ACT  
CLAIM

RES. NO. 88-68

CC-7(f)  
CC-50(a)

The City Council adopted Resolution No. 88-68 approving the City's 1988/89 Transportation Development Act (TDA) Claim for Local Transportation Funds (LTF) and State Transit Assistance (STA) authorizing the City Manager to execute the subject document on behalf of the City.

Council was advised that the City's 1988/89 TDA Claim requests all of the LTF apportionment which amounts to \$903,273 and the STA apportionment which is \$6,950. It is estimated that the City will be using approximately \$226,460 of the LTF and \$6,950 of the STA money for the Dial-A-Ride system. Included in this amount is the plan to purchase a wheelchair lift van.

TDA funds are used in conjunction with other street funds for the Transportation Improvement Program and maintenance of City streets. This claim includes work in progress projects, as well as street projects that are expected to be included in the capital improvement plan which will use the LTF funds. The projects were presented for Council review. Showing these projects on the City's claim allows the City the flexibility to use TDA funds. It does not approve these projects for construction. The pedestrian and bicycle apportionment (\$17,515) will be used on the City sidewalk upgrading program, together with other funds. Since this project includes pedestrian safety, it meets the requirements of this portion of the claim.

ADULT CROSSING  
GUARD FOR HAM LANE  
AND VINE STREET  
INTERSECTION  
APPROVED

CC-7(e)  
CC-24(b)  
CC-43

The City Council was apprised that Lodi Unified School District (LUSD) Superintendent Neil Schmidt sent a letter requesting the Public Works Department study the Ham Lane/Vine Street intersection for an adult crossing guard.

The Ham Lane and Vine Street intersection is controlled by a traffic signal and is adjacent to Senior Elementary Middle School. Currently, there are no student patrols at this intersection.

Staff performed the necessary studies for an adult crossing guard in accordance with the guidelines adopted by Caltrans. The guidelines require that the traffic volume exceed 300 vehicles while at least 40 elementary school pedestrians use the crossing when going to or from school each of any two hours daily.

Staff reviewed the accident records. In the past 3 years and 4 months, there have been 15 reported accidents. Two of these were pedestrian versus vehicle accidents and one accident involved a bicycle and pedestrian.

During the traffic count, staff observed students not using the traffic signal pedestrian buttons and some students walked or rode their bicycles on a red light. The results of the traffic count are as follows:

Location	Type of Control on Major St.	Morning Count		Afternoon Count		Volumes Necessary To Satisfy Warrant		Warrant Satisfied
		VEH	PED*	VEH	PED*	VEH	PED	
Ham/Vine	Signal	956	116	1239	176	300	40	Yes

\*NOTE: Student bicyclists were included as pedestrians

The City of Lodi's crossing guard agreement with the LUSD states that the City will reimburse the School District for costs of employing school crossing guards if the requisite criteria are met. The primary criterion is the data shall be measured against the warrants of the Traffic Manual published and adopted by Caltrans.

Since this criterion is met and staff feels an adult crossing guard is needed to direct the students, it was recommended the City Council approve an adult crossing guard at Ham Lane and Vine Street.

Based on Staff's recommendation, the City Council approved an adult crossing guard at Ham Lane and Vine Street.

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SPECIAL ALLOCATION  
FOR THE INSTALLATION  
OF AIR CONDITIONS  
AND ROOFING FOR THE  
CAFETERIA AT HUTCHINS  
STREET SQUARE  
APPROVED

CC-14(e)  
CC-27(e)  
CC-47

The City Council was advised that pressure has increased dramatically on the facilities at Hutchins Street Square since the closure of Hale Park. The only two large spaces the City owns for recreation classes and community rental space are the old cafeteria in the multipurpose building and the girl's gymnasium. In September, Hutchins Street Square will lose the use of the girl's gymnasium to remodeling construction for the new Senior Complex.

It is recommended to spruce up the old multipurpose room with the following improvements:

- \*Repair the roof  
(Roof Rangers estimate, \$9,300)
- \*Installation of old air conditioners from Hale Park  
(Henderson Brothers estimate, \$25,000)
- \*Installation of portable hardwood floor from Girl's Gym  
(Sanded and refinisher, \$6,000)
- \*Paint walls, repair ceiling tiles  
(Material estimate, \$5,000, use Community Service Work Program for labor)
- \*Install curtains over east windows to control light and improve accoustics  
(Estimate \$3,700)
- \*Signage  
(Estimate, \$1,000)

The City Council appropriated \$50,000 from the Capital Outlay Budget for improvements in the multipurpose building at Hutchins Street Square as heretofore outlined.

PUBLIC HEARING SET  
TO CONSIDER CERTIFYING  
THE FINAL ENVIRONMENTAL  
IMPACT REPORT (EIR)  
FOR THE PROPOSED  
ELECTRIC INTERCONNECTION  
BETWEEN THE CITY OF  
LODI AND THE WESTERN  
AREA POWER  
ADMINISTRATION

CC-51(e)

The City Council set a Public Hearing for 7:30. p.m., Wednesday, June 1, 1988 in the City Council Chambers to consider certifying, as adequate, the Final Environmental Impact Report (EIR) for the proposed Electric Interconnection between the City of Lodi and the Western Area Power Administration.

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COMMENTS BY CITY  
COUNCIL MEMBERS

There were no comments made by members of the City Council under this segment of the agenda.

COMMENTS BY THE  
PUBLIC ON NON AGENDA  
ITEMS

REQUEST FOR FUNDS  
FOR LODI HIGH SCHOOL  
COMPETITIVE SPEECH  
TEAM

Following a presentation by Lodi High School Speech Teacher

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CC-23 Tom Montgomery Council, on motion of Council Member Hinchman, Olson second, voted to give an amount to the Lodi High School Competitive Speech Team to cover expenses for their participation in National Competition equal to that which was given to the Tokay Theater Arts Group and the Lodi High School Choir. This amount will be appropriated from the Contingency Fund.

CITY COUNCIL AGREES  
TO RESET PUBLIC  
HEARING TO CONSIDER  
THE APPEAL OF LODI  
MEMORIAL HOSPITAL OF  
THE PLANNING COMMISSION'S  
DENIAL OF A ZONING  
VARIANCE TO PERMIT  
THE ERECTION OF A  
THREE STORY PROFESSIONAL  
OFFICE BUILDING WHERE  
A MAXIMUM OF TWO  
STORIES IS ALLOWED AT  
975 SOUTH FAIRMONT AVENUE

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 Pinkerton called for the Public Hearing to consider the appeal of Lodi Memorial Hospital of the Planning Commission's denial, based on its determination that a "Zoning Hardship" did not exist, to permit the erection of a three story professional office building where a maximum of two stories is allowed at 975 South Fairmont Avenue in an area zoned R-C-P, Residential-Commercial-Professional.

CC-53(b)

The matter was introduced by Community Development Director James Schroeder who advised that a letter had been received from Lodi Memorial Hospital requesting that the subject public hearing be reset to a date uncertain.

The City Council, on motion of Council Member Reid, Hinchman second, agreed to reset the subject public hearing to a date uncertain.

PUBLIC HEARING ON  
THE MATTER OF THE  
REVIEW OF THE DRAFT  
COUNTY OF SAN JOAQUIN  
HAZARDOUS WASTE  
MANAGEMENT PLAN

CC-24(a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing on the matter of the review of the Draft County of San Joaquin Hazardous Waste Management Plan.

CC-24(b)

The matter was introduced by Fire Chief Larry Hughes. Chief Hughes advised that the County Hazardous Waste Management plan had been developed with City of Lodi input pursuant to AB 2948. The majority of the impacts of the Plan will have on the City are positive in nature. Chief Hughes further stated that there are some, however, which will require man hours from various City departments and listed the following:

Create County and City ordinances requiring that all new firms that generate hazardous wastes implement a waste reduction program as a condition for receiving a permit.

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Consider having the County and the cities develop a model ordinance covering transportation of hazardous wastes on local streets. Consider appropriate routing for hazardous waste management vehicles.

Consider developing County and City aboveground tank ordinances.

Consider having County and cities implement an ordinance that requires performing environmental assessments on agricultural and industrial properties that are being rezoned for residential use.

Incorporate the Hazardous Waste Management Plan into the City General Plan and adopt necessary ordinances.

Consider requiring all new businesses that generate hazardous waste to apply for a Conditional Use Permit.

Provide informational handouts for the public that stress the concept of "reduce", "reuse", and "recycle".

Providing of additional training.

Education of the business community.

Chief Hughes then introduced Gordon Lillis of the County Public Works Department who gave an in-depth overview of the subject Plan and responded to questions as were posed by the City Council.

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

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

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of May 9, 1988:

CC-35 The Planning Commission -

ITEMS OF INTEREST

1. Conditionally approved the request of Ronald and Linda Johnstad for a Use Permit to conduct a Licensed Day Care Center for 12 children at 864 Wightman Drive in an area zoned R-1, Single-Family Residential.
2. Accepted the request of Myrna Merriman to withdraw her request for a Use Permit to add an attached second unit (Granny Unit) to an existing single-family dwelling for use by an elderly family member at 2124 West Elm Street in an area zoned R-1, Single-Family Residential.
3. Continued the request of Glen I. Baumbach, c/o Baumbach and Piazza, Consulting Engineers on behalf of Maurice O. Ray for the approval of a Tentative Parcel Map to create two parcels from 1108, 1120 and 1132 Sylvia Drive and 811 South Fairmont Avenue (APN's 033-080-19, 14, 13 and 16) in an area zoned R-C-P, Residential-Commercial-Professional.

The matter was continued for a second time so that the applicant could provide information concerning existing off-street parking to the Planning Commission.

- 4. Approved the request of Glen I Baumbach, c/o Baumbach and Piazza, Consulting Engineers, on behalf of Chris Keszler for a Tentative Parcel Map for a Lot Line Adjustment between 2352 Grenoble Drive (APN 027-270-01) and 2383 St. Anton Drive (APN 027-260-15) in an area zoned P-D(25), Planned Development District No. 25.
- 5. Accepted the request of Ted O'Neill to withdraw the request of Liquid Carbonic Industrial/Medical Corporation for a Use Permit to install a temporary office trailer and to operate a truck terminal at 1123 East Vine Street in an area zoned M-1, Light Industrial.
- 6. Conditionally approved the request of Claude C. Wood Co. for a Use Permit to install a 36' X 60' temporary office trailer at 636 East Lockeford Street in an area zoned M-2, Heavy Industrial.

COMMUNICATIONS  
(CITY CLERK)

CLAIMS

CC-4(c)

On motion of Council Member Olson, Reid second, the City Council denied the following claim and referred it back to Leonard J. Russo Insurance Services, Inc., the City's Contract Administrator:

A) Ramon Velazques, DOL 5/23/87

COUNTY BOARD OF  
SUPERVISORS OPPOSES  
DEMOLITION OF  
SOUTHERN PACIFIC  
DEPOT IN LODI

CC-7(h)  
CC-14(a)

City Clerk Reimche presented a resolution which had been received from the Board of Supervisors of the County of San Joaquin opposing demolition of the Southern Pacific Railroad Depot in Lodi.

APPOINTMENTS TO  
LODI ARTS  
COMMISSION

CC-2(k)

On motion of Mayor Pro Tempore Snider, Reid second, Council concurred with the following appointments/reappointments to the Lodi Arts Commission:

Betsy Fiske - three year term expiring 5/5/91 - reappointment

Jim Levine - three year term expiring 5/5/91 - reappointment

Kathleen Manwaring - three year term expiring 5/5/91 - appointment

REGULAR CALENDAR

CHANGE IN AGENDA  
FORMAT APPROVED

Following introduction of the matter by City Manager Peterson the City Council, on motion of Council Member Hinchman, Olson second, agreed to revise the agenda format moving Regular Calendar item K-3 - "Request from Sanitary City Disposal Company, Inc. for an extension to the current contract for refuse collection for the City of Lodi" to the first item on the regular calendar.

REQUEST FROM SANITARY  
CITY DISPOSAL COMPANY,  
INC. FOR AN EXTENSION  
TO THE CURRENT CONTRACT  
FOR REFUSE COLLECTION  
FOR THE CITY OF  
LODI

City Manager Peterson apprised the City Council that Mr. Dave

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CC-22(b) Vaccarezza, Sanitary City Disposal Company, Inc. had sent a letter to the City Council requesting an extension to his contract with the City of Lodi. The present contract expires June 30, 1988. The City is not required to go to bid for this service and may thus extend the contractual relationship with Sanitary City Disposal Company, Inc. under a newly-negotiated franchise agreement if the City Council feels comfortable in doing so and it is deemed to be in the best interest of the City. Mr. Vaccarezza was in the audience and responded to questions as were posed by the Council.

On motion of Council Member Olson, Snider second, the City Council directed Staff to negotiate with Sanitary City Disposal Company, Inc. for an extension to the current contract for refuse collection for the City of Lodi. Further, the proposed newly negotiated franchise is to be placed on the agenda for Council review at the City Council Informal Informational Meeting of August 30, 1988 and on the agenda for the regular City Council meeting of September 7, 1988 for Council action.

RECESS At approximately 8:35 p.m., Mayor Pinkerton called for a five-minute recess, and the City Council reconvened at approximately 8:45 p.m.

TRUCK ROUTE  
ENVIRONMENTAL IMPACT  
REPORT

CC-45(a)  
CC-48(a)

Following introduction of the subject by City Manager Peterson, Public Works Director Ronsko presented the following report to the City Council.

At its October 21, 1987 meeting, the Council directed staff to take the necessary steps toward preparation of an Environmental Impact Report (EIR) on the establishment of truck routes within the City of Lodi. This was done as part of the discussions concerning the new Traffic Ordinance and regulation of commercial vehicles.

One of the city wide problems that was to be addressed in the new ordinance was that of truck parking in residential areas. At the time the ordinance was drafted (early 1987), the most effective way to prohibit truck parking in residential areas was to restrict their travel.

Cities can restrict travel of commercial vehicles through the establishment of weight limits. This is usually done in one of two ways:

- 1) Weight Limits on Selected Streets - This is the approach used in Lodi. Weight limits have been set on two streets (East Tokay Street and Holly Drive). This method requires signs on each street.
- 2) Weight Limits on All Streets Except Selected Streets (Truck Routes) - This approach was suggested in the new Traffic Ordinance but was not adopted due to controversy over the status of Turner Road. Under this method, signs are posted on the truck routes only. Advantages include:
  - Reduced signing
  - Clearer message to truck drivers
  - Better control in all residential areas, not just streets with weight limit (as in 1)

- Controls off-street parking in residential areas
- Slight reduction in street wear by putting trucks on streets that are designed for truck loading.

The truck routes proposed previously were shown on an Exhibit presented for Council's review.

The controversy over establishing Turner Road as a truck route included both pro and con arguments with supporting letters. Trucking industry representatives wanted the truck route, and area residents wanted a weight limit that would substantially reduce truck traffic. The City was placed in a position where either action would need an EIR.

Staff contacted Jones and Stokes, the firm preparing the City-wide General Plan update, and TJKM, the traffic firm doing the Street Master Plan as part of the General Plan. The EIR would be prepared by Jones and Stokes using the traffic data generated by TJKM. The cost of the project is:

Jones & Stokes EIR	\$23,500
TJKM	13,500
City work (approximate)	<u>5,000</u>
Total	\$42,500

In spite of the advantages provided by establishment of truck routes, staff has some reservations about going ahead with the EIR. They are:

- 1) The environmental impacts will be vague and inconclusive. Based on our knowledge of traffic volumes and noise/air quality analyses, it is very likely there will be no firm statements that will be of use in decision making.
- 2) It is impractical to prohibit trucks on Turner Road. Given the street network and location of Turner Road and the businesses/industries located on or near Turner Road, a complete prohibition of trucks (even excepting deliveries on Turner itself) will be impractical, unenforceable, and ill-advised.
- 3) Even if some environmental impacts due to establishing Turner Road as a truck route can be identified, there are no practical mitigating measures and Council can make a finding of overriding considerations and establish the route anyway.
- 4) A compromise solution for Turner Road such as prohibiting I-5 to Highway 99 trucks could be reached without the expense of an EIR.
- 5) The money could be much better spent elsewhere such as contributing toward the cost of a traffic signal.

In January 1988, a new State law went into effect allowing Cities to restrict truck parking in residentially zoned areas. The City's new ordinance makes this effective in Lodi. Thus, the primary reason truck routes were even considered no longer applies.

Therefore, it was staff's recommendation that no action be taken on proceeding with a truck route EIR.

The following persons addressed the City Council regarding the matter:

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- a) George McCulley, 218 River Oaks, Lodi, CA
- b) Ron Hackworth, 1017 West Turner Road, Lodi, CA
- c) James Lind, 1134 West Turner Road, Lodi, CA
- d) Lawrence Fowler, 927 Parkview Avenue, Lodi, CA
- e) Helen Stevens, 616 West Turner Road, Lodi, CA
- f) Robert M. Ellis, Attorney-at-Law, 2800 March Lane, Stockton, CA, representing Frank Alegre Trucking
- g) Mary Lee Hope, 420 Palm Avenue, President of the Lodi District Chamber of Commerce.

Council Member Pinkerton asked to abstain from discussion and voting because of a possible conflict of interest.

Mayor Pro Tempore Snider received the gavel from Mayor Pinkerton and chaired this segment of the meeting. Mayor Pinkerton left his Council seat.

A motion by Council Member Hinchman, Reid second, to proceed with an Environmental Impact Report with regard to truck routes in the City of Lodi, failed to pass.

Following additional discussion, with questions being directed to Staff Council, on motion of Mayor Pro Tempore Snider, Olson second, determined that Turner Road not be designated a truck route (from freeway to freeway); that staff be directed to seek the State's assistance to appropriately sign the subject area; and that the City initiate an aggressive enforcement program immediately.

Mr. George McCulley, 218 River Oaks Drive, Lodi, addressed the City Council challenging Mayor Pro Tempore Snider right to vote on this matter indicating that at the previous City Council Meeting where this subject had been discussed, Mayor Pro Tempore Snider had abstained because of a possible conflict of interest.

Mayor Pro Tempore Snider stated that because the focus of discussion had been on Turner Road, it did not bring to mind the fact that he owned property another area of Lodi which had been under discussion as a truck route.

City Attorney McNatt then suggested that Mayor Pro Tempore Snider abstain from any further discussion and action on the subject and that the previous motion be voted upon again with both Mayor Pinkerton and Mayor Pro Tempore Snider abstaining.

Mayor Pro Tempore Snider then asked Council Member Hinchman to chair the meeting, handed the gavel to Council Member Hinchman and left his Council seat.

The motion to determine that Turner Road not be designated a truck route (from freeway to freeway); that staff be directed to seek the State's assistance to appropriately sign the subject area; and that the City initiate an aggressive enforcement program, immediately carried by the following vote:

Ayes:	Council Members - Olson and Reid
Noes:	Council Members - Hinchman
Absent:	Council Members - None

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Abstain: Council Members - Pinkerton and Snider

GOEHRING MEAT'S INC.  
REQUEST FOR CITY  
SEWER SERVICE

CC-6  
CC-44  
CC-51(b)

The subject was introduced by City Manager Peterson and Public Works Director Ronsko who indicated that on April 15, 1988 the City received a letter from Nolte and Associates of Sacramento, on behalf of Goehring Meat, Inc., which read in part as follows:

"On behalf of Goehring Meat Inc., it is requested that the City of Lodi City Council formally consider, as an agenda item, Goehring's proposal to connect to the City industrial waste system. If possible, it is requested that the matter be brought before the City Council for a vote no later than the meeting schedule for May 4, 1988.

The current City of Lodi Wastewater Discharge Regulations prohibit industrial users outside the City limits from connecting to the wastewater treatment system. In addition, Regulations require that a Waste Discharge Permit be obtained for industrial wastewater flows in excess of 50,000 gpd. It is specifically requested that the City Council exempt Goehring Meat from these two items in the Regulations which are preventing the proposed connection to the industrial waste system at this time.

Upon approval by the City Council, Goehring Meat is prepared to enter into a contractual arrangement with the City for handling the process wastewater."

The City Council was further advised that the Lodi City Code, as shown below, prohibits sewer connections from outside the City limits.

13.12.150 CONNECTIONS OUTSIDE CITY.

No discharge from facilities or properties outside the limits of the city shall be allowed into the sewerage system.

35. "Sewerage system" means all words for collecting, pumping, treating, disposing, storing and reclaiming sewage, industrial waste and/or storm drain system.

In order to allow a connection from outside the City limits to the City's sewerage system, the City Council must change the City Code by ordinance.

Goehring's request also asks for a waiver of City Code Section 13.12.110, Restricted Discharges. This section requires certain dischargers to obtain a wastewater discharge permit. Through this permit process, the City is able to control discharges to the City's sewerage system and cannot recommend giving a waiver of discharge requirements to any discharger. In order to allow the requested waiver, the City Council must change the City Code by ordinance.

The City's engineers, Black and Veatch, have been meeting with Goehring Meat's engineers, Nolte and Associates, since January of this year analyzing different proposals. The major concern to the City is the salt content of the proposed flows from Goehring Meat. The salt content is measured by total dissolved solids (TDS) in milligrams per liter (mg/l).

	<u>Average Flow (gal/day)</u>	<u>TDS (mg/l)</u>
Goehring's original proposal	110,000	2,000

Goehring's latest proposal 90,000 750

The City's present land disposal operation at White Slough is experiencing increasing levels of TDS. Looking at the problem with TDS and the other concerns related to Goehring's proposal, Staff is in full agreement with Black and Veatch's position:

"The City is faced with potential reduction in TDS limits by regulatory agencies, expected increases in domestic influent TDS levels, and incomplete information on Goehring's ability to achieve the proposed flow separation and meet contaminant limits over the long run. The current land application of effluent provides the City with the flexibility to meet changing conditions while still protecting the environment. Sufficient margin of safety does not exist within these constrictions to allow the City to reduce their operational options by accepting Goehring's proposal. Any benefits of accepting Goehring Meats' 750 mg/l process waste stream are more than offset by the considerable risk of future effluent discharge liability for the City and its citizens."

Staff therefore recommended that the City not modify the City Code to allow for acceptance of discharges outside the City limits, nor can Staff recommend any waiver of waste discharge permit process to any discharger to the City's sewerage system.

Public Works Director Ronsko further advised the City Council that the Regional Water Quality Control Board required Goehring Meat, Inc. to provide them, prior to May 1, 1988, a minimum of three wastewater disposal alternatives for their plant process wastewater. The City Council was provided with a copy of the letter directed to the California Regional Water Quality Control Board on March 31, 1988 setting forth three process wastewater disposal alternatives considered feasible. The costs of the three alternatives for disposing of their low TDS wastewater stream are as follows:

<u>ANNUAL ALTERNATIVE</u>	<u>CAPITAL COST</u>	<u>ESTIMATED O &amp; M COST</u>
1. Connect to City of Lodi	\$400,000	\$31,000
2. Rapid Infiltration	150,000	20,000
3. Slow Rate Land Application	350,000	5,000

It was pointed out that the connection to the City of Lodi has the highest capital cost and also the highest estimate annual O & M cost of the three alternatives.

A presentation was then made by Mr. M. Burchett of Black and Veatch.

Mr. Burchett listed the following six reasons why the City should not accept Goehring Meat's wastes:

1. Against City Policy
  - a) City Ordinance prohibits serving areas outside City limits
  - b) Goehring Meat located north of Mokelumne River
2. Would set precedent
  - a) Would lose capacity which would otherwise be available to those located within City limits

- b) Industry located outside City limits not on tax rolls
  - c) Could become a regional plant
  - d) Growth policies outside City limits are decided by county, not City
  - e) City could lose control of decisions regarding timing and size of treatment plant expansions
3. Expose City to unknown future liability
- a) City does not have NPDES requirement for TDS now
  - b) RWQCB has already notified City of Manteca that they may get NPDES requirements on TDS
  - c) City of Lodi has been told verbally that TDS could be added to its next NPDES permit
  - d) Existing and proposed N. Stockton municipal wells are located down-gradient from City's disposal area
  - e) Additional TDS load at irrigation site could lead to TDS requirement in future
  - f) USEPA and State Drinking Water Standards = 500 mg/L
  - g) Future changes in permit requirements regarding TDS would have major economic impact on both City of Lodi and Goehring Meat
4. Reduce City's current margin of safety
- a) Current City effluent 440 mg/L and rising
  - b) Industrial effluent TDS highly variable
  - c) Additional 10% of TDS load would increase effluent TDS to 480 mg/L - very close to 500 mg/L
  - d) "Dilution water" from other industries is not available year-round
5. Goehring Meat has other alternatives
- a) Tie-in to City was highest cost alternative
  - b) According to report, low rate irrigation on nearby lands was less expensive
  - c) At least two additional alternatives with potential to be less expensive than tie-in to City have not been considered
- On-site treatment and discharge to local irrigation distribution system
- On-site treatment and discharge to Mokelumne River
6. Unknowns regarding Goehring Meat's proposal
- a) Very little data exist on either City's or Goehring Meat's waste
  - b) Major concerns - flow and TDS
  - c) Other concerns - grease, odors, corrosion, pH, BOD

Continued May 18, 1988

- d) Can Goehring successfully achieve segregation of wastes?
- e) What would be the impact if Goehring Meat expands its operations in the future?
- f) Current estimates of buy-in costs in reports are very low
- g) Change in White Slough WPCF of this magnitude may require an environmental review and/or EIR

Speaking on behalf of the request were the following:

- a) Mr. Ben Goehring
- b) Mr. Richard Stratton, Project Engineer for Nolte and Associates, who gave an in-depth presentation on behalf of Goehring Meat, indicated that he feels connecting to the City of Lodi would have a minimal effect on the White Slough Water Pollution Control Plant and cited the reasons for this opinion.

Mr. Stratton also indicated that he felt that the other alternatives, as outlined above, were very iffy.

Mr. Stratton stated that all the City requirements would be met with the exception that Goehring Meats are not located within the City of Lodi.

Other persons speaking on behalf of the request were:

Mr. Chuck Wagner, 1126 Lakehome Drive

Mr. Bob Wheeler, Plant Manager, General Mills

Mr. Ben Schaffer, 207 River Oaks Drive, Lodi

Mr. Ken Boyd, 2208 West Vine Street, Lodi

Mrs. Mary Lee Hope, President of the Lodi District Chamber of Commerce, stated that the Chamber would like to help seek a fair and equitable solution to this problem.

Mr. George McCulley, 121 River Oaks Drive, Lodi, asked a number of questions regarding the request.

Petitions bearing approximately 1,000 signatures urging the City Council to vote in favor of allowing the City of Lodi to accept the effluent of Goehring Meat Company, were presented. The petitions further stated that the Company is a major economic force in the community employing in excess of 500 employees at the Lodi location. The Company has been in business in this area for 37 years. The petitions urged the City Council to consider that hundreds of Goehring employees and their families work, live and/or purchase services in the community.

A very lengthy discussion followed with questions being directed to staff and to those who had addressed the City Council regarding the matter.

On motion of Council Member Hinchman, Olson second, the City Council directed Staff to continue discussion with Goehring Meat's to seek solutions to remedy the problem and keep the plant open.

RECESS

At 12:10 a.m. Mayor Pinkerton declared a five-minute recess and the City Council reconvened at approximately 12:15 a.m.

Continued May 18, 1988

CAMP HUTCHINS  
CONCEPT APPROVEDCC-6  
CC-40  
CC-188

The City Council was advised that for a number of months the Recreation Department has been developing a year-round recreation program as an answer to year-round schools. On Tuesday, May 10, 1988 Council heard an oral presentation and received a written proposal for "Camp Hutchins."

In order for this program to be up and running by July 11, 1988 advance work must be done prior to that date. The first thing that must be done is to have the City Council endorse the concept of Camp Hutchins. This is a new program and if it meets expectations it will be a big program.

Also, in order to have the program ready on July 11 there will be some expenses that must be made before the first camper arrives. It is estimated that \$20,000 will be needed to provide for salaries of the Camp Director and Recreation Supervisor in charge of the program, tee shirts, supplies, equipment and publicity. After the first enrollment fees are collected the City should be able to pay for expenses through a revolving fund. The Finance Department will establish a Special Revenue Fund to collect the fees and make the disbursements for the camp.

At present the Recreation Department has budgeted a part time Recreation Supervisor, Ms. Dale Summersille. This position is budgeted to do programming for youth activities outside this project. The over-all supervision of Camp Hutchins will require at least 20 hours per week of a recreation supervisor's time.

It is recommended that, rather than hire two part time recreation supervisors, that the City hire one person full time. One half the salary would be attributed to the normal recreation program and one half of the salary would be charged to Camp Hutchins. That portion of the salary charged to Camp Hutchins was included in a proposed budget which was submitted to Council for review.

Staff proposed that the City hire Ms. Summersille on a contract basis. If Camp Hutchins later proves not to be a viable program then, of course, this position would no longer be justified on the basis of Camp Hutchins and the City would not have a permanent employee to deal with.

Following discussion, on motion of Council Member Hinchman, Reid second, the City Council approved the concept of Camp Hutchins, appropriated \$20,000 as initial start up costs from the General Fund Operating Reserve, and approved the hiring of a full time Recreation Supervisor, on contract, in lieu of part time hours.

REPAYMENT OF  
OVERCHARGE BY  
PG&ECC-6  
CC-51(d)

The City Council was apprised that a check in the amount of \$464,711.86 and the following brief letter were received May 9, 1988. A telephone call to the PG&E representative, Mr. Harry W. Long, Jr., disclosed that an audit by the Federal Energy Regulatory Commission (FERC) concluded that PG&E improperly charged certain costs to the City of Lodi and other wholesale customers in 1981:

"Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94106

May 6, 1988

Continued May 18, 1988

Mr. Henry Rice  
Utility Director  
City of Lodi  
221 W. Pine Street  
Call Box 3006  
Lodi, CA 95241-1910

Dear Mr. Rice:

Enclosed please find a check in the amount of \$464,711.86. This amount is a refund as a result of our recent FERC audit. The audit centered on the Fuel Cost Adjustment (FCA).

If you have any questions, please feel free to call me at (415) 972-3611.

Sincerely,

Harry W. Long, Jr.

Enclosure"

Apparently, PG&E bought out some fuel supply contracts held by Chevron Oil and passed the contract penalty costs through as fuel costs. FERC does not allow utilities to pass such non-fuel cost through wholesale fuel clause applications.

PG&E interpreted its contract with wholesale customers as permitting such costs to be passed through, according to Mr. Long.

FERC demanded that PG&E repay its wholesale customers with interest from 1981.

The \$464,711.86 is the accrued amount owed Lodi up to the time when the NCPA/PG&E Interconnection Agreement was signed in 1983.

An additional amount for the repayment accrual owed Lodi under the Interconnection Agreement coverage will be distributed by NCPA to the City in the next several weeks following necessary calculation of each NCPA members share. Lodi Staff anticipates the additional repayment be about \$340,000 or a total repayment amounting to approximately \$800,000.

Following discussion, on motion of Council Member Olson, Snider second, the City Council took the following actions regarding this matter.

1. Authorized that an amount equal to the repayment sum be passed through to the Lodi electric customers over a short period of time by appropriate reduction in the monthly Fuel Cost Adjustment (FCA).
2. Determined that the total repayment amount should be deposited in the rate stabilization fund and monthly operations cost, needed to cover the reduced fuel cost revenue, could be drawn from that fund.
3. Approved a reduction of 4 mills/KWH in the FCA until September 1988.

VOTING DELEGATE AND  
ALTERNATE SELECTED  
FOR 1988 AMERICAN  
PUBLIC POWER  
ASSOCIATION ANNUAL  
NATIONAL CONFERENCE

CC-7(1)

Following introduction of the matter by staff, Council on motion of Mayor Pinkerton, Hinchman second, designated Council Member Reid as the Voting Delegate and Council Member Olson as the Voting Alternate for the 1988 American Public Power Association Annual National Conference.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pinkerton adjourned the meeting at approximately 12:27 a.m., May 19, 1988.

ATTEST:

  
Alice M. Reimche  
City Clerk