

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MARCH 18, 1987
7:30 P.M.

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

INVOCATION The invocation was given by Dr. Wayne Kildall, Center of
Hope.

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

PRESENTATIONS

PROCLAMATION A proclamation was presented to Charles H. (Chuck) Chapman,
Retired Marshal, Lodi Municipal Court.
CC-37

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Snider, Olson
second, approved the following actions hereinafter set
forth with the following exceptions:
A) Agenda item e-1-D - "Award Contract for Well Drilling,
Well 10R, East Side of Central California Traction Line
at Lime Street off of Guild Avenue" was removed from
the agenda.
B) Agenda item e-1-G - "Adopt an Appropriations Spending
Limit for 1986-87 in Compliance with Proposition 4,
Article XIII B of the State of California" was removed
from the Consent Calendar for consideration under the
regular agenda.
C) Agenda item e-1-J - "Approve Consultant Agreement for
Preparation of Environmental Impact Report for City's
Wastewater Treatment Plant Expansion" was removed from
the Consent Calendar for consideration under the
regular agenda.

CLAIMS CC-21(a) Claims were approved in the amount of \$1,265,667.71.

PLANS AND
SPECIFICATIONS FOR
1987 ASPHALT
CONCRETE OVERLAYS
APPROVED

CC-12.1(c) Council approved the plans and specifications for 1987
Asphalt Concrete Overlays and authorized advertising for
bids thereon.

This project includes asphalt concrete overlays with
pavement reinforcing fabric at the following locations:

- 1) Fairmont Avenue - Vine to Lodi

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- 2) Kettleman Lane - Beckman to Highway 99
- 3) Ham Lane and Lodi Avenue intersection

ITEM REMOVED
FROM AGENDA

Agenda item e-1-D - "Award contract for Well Drilling, Well 10R, East Side of Central California Traction Line at Lime Street off of Guild Avenue" was removed from the agenda.

AWARD - CONTRACT
FOR PURCHASE OF
15-KV XLPE CABLE

RES. NO. 87-34

City Manager Peterson presented the following bids which had been received for 15,000 feet of #2/0 Aluminum 15-KV Concentric Neutral Cable:

CC-12(d)
CC-47

BIDDER	BID	Delivery (weeks)
Phillips Cable, Inc.	\$11,607.00	8-10
Power Communications	12,402.00	14
Reynolds Aluminum	12,735.90	not specified
Pirelli Cable Corp.	12,942.60	4-6
Platt Electric Supply	14,230.50	2
General Electric	14,421.30	8-10
Valley Electric Co.	15,168.60	10
Westinghouse Electric	No Bid	

Council was apprised that this cable purchase will be used throughout the city to serve developments currently being designed and to maintain an inventory for other needs as they develop. Some of the specific projects requiring this cable are:

- 1. Sunwest, Unit #7
- 2. Park West, Unit #8
- 3. 1301 East Pine Street
- 4. Minton Company

Council adopted Resolution No. 87-34 awarding the bid for 15,000 feet of #2/0 aluminum 15-kv concentric neutral cable to the low bidder, Phillips Cable, Inc., in the amount of \$11,607.00.

APPROPRIATION
APPROVED FOR
LANDSCAPE
ARCHITECTURAL
AGREEMENT, LODI
LAKE MASTER PLAN

CC-21(a)
CC-27(c)

Council was reminded that, at the July 16, 1986 Council Meeting, the Council approved the Landscape Architectural Agreement for the Lodi Lake Master Plan with Mr. Richard Bigler, consultant. The amount of \$3,000.00 was approved and appropriated for this Agreement in the 1986 Capital Improvement Program. The amount of \$22,000 is now needed to complete the funding for the services of Mr. Bigler for this project.

Council approved the appropriation and transfer of \$22,000 from the Capital Outlay Reserve Fund for the Landscape Architectural Agreement covering the Lodi Lake Master Plan.

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DESTRUCTION OF CERTAIN PUBLIC WORKS RECORDS APPROVED

RES. NO. 87-36 Council adopted Resolution No. 87-36 approving the destruction of certain Public Works records pursuant to Section 34090 of the California Government Code. CC-6

SALARY ADJUSTMENT FOR POLICE OFFICERS AND MID-MANAGEMENT POLICE PERSONNEL APPROVED

RES. NO. 87-37 Council was apprised that the MOU between the City of Lodi and the Police Officers' Association of Lodi calls for a salary increase beginning the pay period of March 23, 1987. As in the past it was recommended that like salary increases be given to the Police Mid-Management employees. CC-34

Council adopted Resolution No. 87-37 approving salary adjustments for police officers and police mid-management personnel effective March 23, 1987.

PUBLIC HEARINGS There were no public hearings scheduled for this meeting.

PLANNING COMMISSION REPORT City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of March 9, 1987:

The Planning Commission -

ITEMS SET FOR PUBLIC HEARING FOR ACTION OF THE CITY COUNCIL

- A) Recommended approval of the request of Jerry D. Kelly to amend the Land Use Element of the General Plan (GPA-LU-1) by redesignating 1340 South Pleasant Avenue from Medium Density Residential to Commercial. CC-35 CC-53(a)
B) Recommended the approval of the request of Jerry D. Kelly to rezone 1340 South Pleasant Avenue from R-MD, Medium Density Multiple Family Residential, to C-2, General Commercial.
C) Recommended the approval of the request of Glen I. Baumbach, c/o Baumbach and Piazza, on behalf of Chris Keszler (Sunwest Development) to rezone 2336 and 2342 West Vine Street and 900 and 906 Interlaken Drive from R-C-P, Residential-Commercial-Professional and Assessor Parcel No. 027-040-26 from U-H, Unclassified Holding, to R-1, Single-Family Residential.

On motion of Council Member Snider, Olson second, Council set the heretofore listed items for Public Hearing at the Regular Council Meeting of April 1, 1987.

OF INTEREST TO THE CITY COUNCIL

The Planning Commission also -

- A) Conditionally approved the request of Glen I. Baumbach, c/o Baumbach and Piazza, on behalf of Chris Keszler (Sunwest Development) for the approval of the Tentative Subdivision Map of Sunwest, Unit No. 8, a 17-lot, 4.5 acre residential development on the east side of

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Interlaken Drive, south of West Vine Street, in an area zoned R-C-P, Residential-Commercial-Professional and U-H, Unclassified Holding.

- B) Conditionally approved the request of Jerry Heminger, et al for the approval of the Tentative Subdivision Map of Lakeshore Gardens, a 7.13, 66-lot, zero-lot line residential project, proposed for the west side of Sylvan and Sage Ways, north of Century Boulevard in an area zoned P-D (24), Planned Development District No. 24.

In a related matter the Planning Commission certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this request.

- C) Conditionally approved the request of Morris and Wenell, Architects and Planners, on behalf of Temple Baptist Church for a Use Permit for Phase III of a church complex at 801 South Lower Sacramento Road in an area zoned P-D (16), Planned Development District No. 16.
- D) Determined that the existing lot width of 30 feet constituted a zoning hardship and approved the request of Neil King for a variance to reduce the required off-street parking from two covered spaces to a 1-car garage at 824 South Church Street, in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS
(CITY CLERK)

CLAIMS

CC-4(c)

Following recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Mayor Pro Tempore Olson, Hinchman second, rejected the following claims and referred them back to the City's Contract Administrator:

- A) Helene Adames, DOL 9/29/86
B) Margaret Weber, DOL 1/27/87

ALCOHOLIC BEVERAGE
LICENSE APPLICATION

CC-7(f)

City Clerk Reimche presented the following information pertaining to an Alcoholic Beverage License Application which had been received:

Straw Hat Restaurants, Inc.
Pizza Hut, 210 North Ham Lane
Lodi, California
On-sale beer and wine eating place - Stock Transfer

COMMENTS BY CITY
COUNCIL MEMBERS

CONCERN REGARDING
NOTIFICATION OF
OWNERS OF CATS
SNARED IN CAT TRAPS

CC-16

Mayor Pro Tempore Olson spoke of a telephone call she had received regarding cats being snared in cat traps and then being disposed of by the Lodi Animal Shelter. Mrs. Olson questioned whether or not an attempt could be made to notify the owners of these animals even if the animals were not licensed. Following discussion, City Manager Peterson indicated that he would look into the matter and report back to the Council at the April 1, 1987 Regular Council Meeting.

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COUNCIL TO
REVIEW AB 229
(LEONARD)

CC-28

Following introduction of the matter by Council Member Snider, Council directed that a review of AB 229 (Leonard) which bill redefines "doing business in the State" to include out of state retailers who are advertising or soliciting by mail or electronic media to consumers located in the State of California be placed on the agenda for the Regular Council Meeting of April 1, 1987. Further, it was suggested that the League of California Cities, Central Valley Division, also review the subject bill and take a strong position of support.

MAYOR ANNOUNCED
CLOSING DATE FOR
RECEIVING
APPLICATIONS FOR
PLANNING
COMMISSION

CC-2(g)

Mayor Reid announced that the closing date for receiving Planning Commission Applications would be Friday, March 20, 1987. The applications are to be filed with the City Clerk.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons in the audience wishing to speak under this segment of the agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

APPROPRIATIONS SPENDING
LIMIT FOR 1986-87
ADOPTED

RES. NO. 87-35

CC-21(a)

Council was apprised that Article XIII B of the California State Constitution specifies that an annual appropriation Spending Limit shall be established. The Spending Limit shall be adjusted each year by the changes in population (+5.38%) and Consumer Price Index (2.30%).

The revised 1985-86 Limit of \$21,015,572, increased by population and Consumer Price Index, yields a 1986-87 Spending Limit of \$22,654,787.

$(\$21,015,572) (1.0538) (1.0230) = \$22,654,787$

Finance Director Robert Holm addressed the Council regarding the matter and responded to questions as were posed by members of the Council.

Following discussion, on motion of Council Member Snider, Olson second, Council adopted Resolution No. 87-35 - Resolution Adopting An Appropriations Spending Limit for 1986-87 in Compliance With Proposition 4, Article XIII B, Of The State Constitution.

AMENDED CONSULTANT
AGREEMENT FOR
PREPARATION OF
ENVIRONMENTAL IMPACT
REPORT FOR CITY'S
WASTEWATER TREATMENT
PLANT EXPANSION
APPROVED

CC-6

Council was apprised that in the 1986-87 Capital Improvement Program, \$50,000 was budgeted for the preparation of an Environmental Impact Report (EIR) for the

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White Slough Water Pollution Control Facility expansion. A copy of the subject agreement between the City of Lodi and Jones and Stokes Associates including contract, scope of work, schedule and compensation was presented for Council's review. Under the subject contract the City will pay the consultant an amount not to exceed a sum of \$46,064 which will be billed on a time and material basis. It is estimated that it will take approximately ten months to complete the EIR work.

Mayor Fred Reid expressed a concern he had shared with the City Attorney earlier regarding section 8 of the agreement entitled, "Independent Judgement". City Attorney Stein indicated that he contacted Jones and Stokes Associates regarding the matter and they were amenable to the requested amendments to the agreement.

Following discussion, with questions being directed to the City Manager and the City Attorney, Council, on motion of Mayor Reid, Hinchman second, authorized the City Manager and City Clerk to execute the amended agreement between the City of Lodi and Jones and Stokes Associates for the preparation of the Environmental Impact Report for the City's Wastewater Treatment Plant Expansion.

RESOLUTION ADOPTED
SUPPORTING THE
CALIFORNIA MAIN
STREET PROGRAM

RES. NO. 87-38

CC-6
CC-10(f)
CC-58

Following introduction of the subject by City Manager Peterson, Associate Planner Rick Barnum addressed the Council regarding the California Main Street Program and the submittal of an application to the California Department of Commerce for Lodi to be selected a Main Street city.

Mr. Barnum advised the Council that the California Main Street Program is designed to provide technical assistance to Main Street Cities to preserve and revitalize their downtown. The Lodi Downtown Business Association (LDBA) has been diligently working to prepare an application for selection as a Main Street city.

One of the requirements for selection is an assurance that the revitalization program will be an ongoing one. In order to provide start-up costs, staff has recommended that \$50,000 of CDBG funds be pledged toward the funding of the program.

Mr. Stan Bauer, representing the 57 members of the Lodi Downtown Business Association, addressed the Council regarding the matter advising that LDBA is committed toward establishing a Business Improvement District which will assure a funding source for the continuation of the program. Further, Mr. Bauer responded to questions regarding the matter as were posed by the Council.

On motion of Council Member Pinkerton, Olson second, Council adopted Resolution No. 87-38 - Resolution Authorizing Participation in the "Main Street" Program And Designating the City Manager to Coordinate all Program Activities.

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REQUEST FROM SALEM
UNITED METHODIST
CHURCH TO REMOVE
LANDSCAPED STREET
MEDIANS ON CENTRAL
AVENUE BETWEEN ELM
AND LOCUST STREET
TO ALLOW FOR
DIAGONAL PARKING

CC-6
CC-45(a)

Following receipt of a request from the Salem United Methodist Church, 345 East Elm Street, Lodi, to remove two landscaped street medians on Central Avenue between Elm and Locust Street to allow for diagonal parking, Council, on motion of Mayor Pro Tempore Olson, Reid second, referred the matter to Staff and asked that it be placed on a future agenda for Council consideration.

F.Y. 1987-88
COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG)
PROJECTS ADOPTED

RES. NO. 87-39

CC-55

Mr. Rick Barnum, Associate Planner, addressed the Council proposing that the City Council adopt the following Community Development Block Grant (CDBG) Projects and their respective allocations for fiscal year 1987-88:

1. Administration - Grants Coordinator	\$ 42,515.84
2. Code Enforcement Officer	
Administration	\$ 8,211.97
Code Enforcement	\$ 24,635.92
3. Downtown Revitalization and Economic Development (Calif. Main Street Program)	\$ 50,000.00
4. F.Y. 86-87 Project Supplement Funds	\$ 92,000.00
5. Housing Rehabilitation Program	\$155,057.17
	<u>\$372,420.90</u>

Mr. Barnum apprised the Council that, as last year, the CDBG program may be faced with an Office of Management and Budget (OMB) rescission of 12.4%. Should such a rescission occur, Congress has forty-five days in which to override the rescission and restore CDBG allocations to levels originally established by Congress. Therefore, CDBG funding for F.Y. 87-88 may occur at one of two possible levels: \$372,420.90 or \$326,790.10 (-12% rescission). For preparation of the CDBG Entitlement Statement, the highest funding level was used and projects were listed by priority.

A lengthy discussion followed with questions regarding the matter being posed by the Council to Mr. Barnum and other members of the Staff.

On motion of Council Member Snider, Olson second, Council adopted Resolution No. 87-39 - Resolution Of The City Council Of The City of Lodi, California, Approving And Authorizing The City Manager To Submit To San Joaquin County The Final Statement of Projects And Use Of Funds For Inclusion In The San Joaquin County Community Development Block Grant Entitlement Statement For Fiscal Year 1987-88.

Further, it was requested that a status report regarding the City of Lodi's application for selection as a Main Street City under the California Main Street Program be

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placed on the agenda for the first or second Council meeting in June.

RECESS Mayor Reid declared a five-minute recess, and the Council reconvened at approximately 9:05 p.m.

SAN JOAQUIN COUNTY
VEHICLE TARPING
PROGRAM ENDORSED

RES. NO. 87-33 Council was apprised that the San Joaquin County Board of Supervisors, on February 10, 1987, adopted a Vehicle tarping Program for San Joaquin County which will be effective April 1, 1987.

CC-7(b)
CC-24(b)

The goals of the Program is two fold: First, to reduce litter along County roadways, city streets and highways; and second, to make the public aware of the problems caused by uncovered loads. Basically the Program establishes that:

1. Users of County disposal sites who haul waste in vehicles which are uncovered so that litter is susceptible to being blown from the vehicle while in motion shall be charged double the total disposal fee which would otherwise be charged; and
2. In lieu of being charged the double fee, users of County disposal sites who bring waste in uncovered pick-up trucks and utility trailers of less than eight feet in length will be given the option of purchasing a tarp at the disposal sites.

The Program will be in effect at the Harney Lane and Foothill Sanitary Landfills and the Lovelace Transfer Station. Notices outlining the Program will be distributed to users of these disposal sites prior to April 1, 1987. In addition, display ads explaining the Program will be placed in newspapers of general circulation in the cities of Lodi, Manteca, Stockton and Tracy prior to Program implementation.

Following discussion, on motion of Council Member Hinchman, Olson second, Council adopted Resolution No. 87-33 endorsing the implementation of the County of San Joaquin vehicle tarping program for vehicles traveling to disposal sites.

Further, it was requested that a draft ordinance relating to solid waste transportation within the City of Lodi be placed on the agenda for the April 1, 1987 Council Meeting.

PURCHASE OF FIVE
POLICE VEHICLES
APPROVED

CC-20
CC-47

Following introduction of the matter by City Manager Peterson, Assistant City Manager Glenn addressed the Council requesting authorization to purchase five 1987 Dodge Police vehicles at a unit cost of \$10,656.89, including tax, from Swift Dodge.

Council was apprised that the last year the City purchased Police vehicles was in 1983. The City has placed these vehicles in service as the need becomes apparent. The last of these vehicles will be placed into service this year. Further, the City has been rebuilding vehicles since that time and has extended life expectancy to over 150,000 miles.

On March 3, 1987, the City received word that Swift Dodge was making 1987 Dodge Police vehicles available at a cost of \$560 less than Police units available from the State of California.

Council discussion followed with questions being posed as to whether or not this should have gone through the regular bidding procedure. Following additional discussion, with questions being directed to the City Attorney and other members of the Staff, Council, on motion of Council Member Snider, Hinchman second, authorized the purchase of five 1987 Dodge Police vehicles at a unit cost of \$10,656.89, including tax, from an authorized Dodge Agency.

Further, Council requested the City Attorney to provide the Council with a report at the April 1, 1987 Council meeting regarding bidding procedure requirements as set forth in the Lodi Municipal Code.

PUBLIC INFORMATION
PLAN FOR CITY'S
FIVE-YEAR CAPITAL
IMPROVEMENT
PROGRAM

CC-6
CC-15

City Manager Peterson reminded the Council that it had reviewed the City's Five-Year Capital Improvement Program, along with recommended funding alternatives. The goal is to have this program in place shortly after the start of fiscal year 1987-88.

As discussed by the City Council earlier, it is important that this program be given wide public exposure. With this in mind, it is recommended that the staff schedule a series of meetings with groups such as key Chamber of Commerce committees, service clubs, the Board of Realtors, and also be available to any and all other organizations which might be interested in hearing the story.

In addition, City Manager Peterson recommended that at least two general public meetings be held in locations other than City Hall to provide ample opportunity for public input. This public participation will be of value in the final assessment of the Capital Improvement Program as well as consideration of the various funding alternatives.

Following discussion, Council concurred with the public information plan heretofore set forth, further suggesting however that programs regarding the matter also be planned for airing on the Lodi Community Television Channel and that there be at least one afternoon program planned for Loel Center.

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 9:30 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk