

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JULY 16, 1986

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

INVOCATION The invocation was given by Pastor David Hill, Grace Presbyterian Church.

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

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

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 exception of Consent Calendar item No. e-1-G, "Award - Lodi Grape Bowl Seat Replacement", which was removed from the Consent Calendar and placed on the Regular Calendar.

Council Member Snider asked to abstain from discussion and voting on Agenda Item e-1-L, "Approve Subdivision Agreement and Final Map for Sunwest IV Subdivision" because of a possible conflict of interest.

CLAIMS CC-21(a) Claims were approved in the amount of \$1,960,590.03.

VARIOUS PLANS AND SPECIFICATIONS APPROVED

Council approved the following plans and specifications and authorized the advertising for bids thereon:

CC-12.1 (c)

- I. Pine Street and Elm Street at Southern Pacific Railroad, curb, gutter and sidewalk
- II. Asphalt overlays - Victor Road, Pine Street and Lodi Avenue

AWARD - BID FOR WATTHOUR METERS

RES. NO. 86-103

City Manager Peterson presented a bid tabulation on bids which had been received for the purchase of wathhour electric meters. Following recommendation of Staff, Council adopted Resolution No. 86-103 awarding the bid for wathhour electric meters to Ace Supply Co., in the amount of \$20,215.64.

CC-12 (d)
CC-47
cc 300

AWARD - BID FOR PADMOUNT TRANSFORMERS

RES. NO. 86-104

A bid tabulation was presented by City Manager Peterson on

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(CJPIA). Council was apprised that Article XXV of the CJPIA Agreement requires a two-thirds vote of the membership to amend the agreement. In order to protect the status of the charter members, the Board of Directors has approved a proposal to amend Article XXV to require a 90% vote to amend the agreement.

ARCHITECTURAL
AGREEMENT FOR LODI
LAKE MASTER PLAN
APPROVED

CC-6
CC-27(c)

Council approved an Agreement with Richard Bigler Associates, Landscape Architect, for development of the Lodi Lake Park Masterplan and authorized the Mayor and the City Clerk to execute the subject Agreement on behalf of the City.

SUBDIVISION AGREEMENT
AND FINAL MAP FOR
SUNWEST IV
SUBDIVISION
APPROVED

CC-46

COUNCIL MEMBER SNIDER ABSTAINED FROM DISCUSSION AND VOTING ON THIS ITEM.

Council was advised that Chris R., LaVeta Keszler and Sunwest Investors, a partnership, the developer of this subdivision, has furnished the City with the final map and the improvement plans as well as the necessary agreements, guarantees and insurance certificates for this proposed subdivision. In addition to the normal requirements the Subdivision Agreement restricts the occupancy of buildings in this subdivision until the storm drain facilities are completed.

Sunwest, Unit No. 4, is a 27-lot, 10.33-acre single family subdivision located east of Lower Sacramento Road and west of Vine Street.

The Lodi City Council approved the final map for Sunwest, Unit No. 4, Tract No. 1733, and directed the City Manager and City Clerk to execute the Subdivision Agreement on behalf of the City.

SUBDIVISION AGREEMENT
AND FINAL MAP FOR
WHISPERING OAKS II
APPROVED

CC-46

Council was apprised that Dunmore Construction, Inc., the developer of Whispering Oaks Subdivision, has furnished the City with the final map and the improvement plans as well as the necessary agreements, guarantees and insurance certificates for this proposed subdivision.

Whispering Oaks II is located north of Century Boulevard just east of Mills Avenue. It contains 94 single-family lots.

Council approved the final map for Whispering Oaks II, Tract No. 2044, and directed the City Manager and City Clerk to execute the Subdivision Agreement on behalf of the City.

RESOLUTION APPROVING
SALARY INCREASES FOR
VARIOUS CITY OF LODI
BARGAINING UNITS

RES. NO. 86-109

Council adopted Resolution No. 86-109 rescinding Resolution No. 86-99 and approving salary increases for various City

Continued July 16, 1986

CC-34 of Lodi bargaining units effective the pay period beginning
 CC-6 June 30, 1986.
 CC 300

AWARD BID - LODI
 GRAPE BOWL SEAT
 REPLACEMENT

RES. NO. 86-105 A breakdown of the bids that had been received for "Lodi
 Grape Bowl Seat Replacement" was presented by Public Works
 CC-12(a) Director Ronsko who reported that the Parks and Recreations
 CC 300 Commission had met following the opening of the bids and
 Mr. Ronsko reported on the Commissions recommendations as
 they pertained to the subject bids. The Parks and
 Recreation Commission recommended that any funds not
 expended at this time in awarding this bid be earmarked for
 future seat replacement at the Lodi Grape Bowl.

Following discussion, with questions being directed to Mr.
 Ronsko, Council, on motion of Council Member Pinkerton,
 Hinchman second, adopted Resolution No. 86-105 awarding the
 bid for Lodi Grape Bowl Seat Replacement to Stadiums
 Unlimited, in the amount of \$29,586.50, which project as
 awarded will include removal and replacement of seats in
 sections A, I and J and removal of seats and supports in
 sections K, L and N.

PUBLIC HEARINGS

ORD. AMENDING P-D
 (26) BY CHANGING
 LOT 87, NOMA RANCH
 AT THE N/E CORNER
 OF ALMOND DRIVE AND
 COVENTRY WAY FROM 37
 CONDOMINIUMS TO 12
 DUPLEX (24 UNITS)
 LOTS

Notice thereof having been published, according to law and
 an affidavit of publication being on file in the office of
 the City Clerk, Mayor Reid called for the Public Hearing to
 consider the Planning Commission's recommendation for the
 approval of the request of Bennett and Compton, Inc., to
 amend P-D (26) by changing lot 87, Noma Ranch, at the
 northeast corner of Almond Drive and Coventry Way from 37
 condominiums to 12 duplex (24 units) lots.

The matter was introduced by City Manager Peterson and by
 Community Development Director Schroeder who presented
 background information regarding the matter, including a
 diagram of the subject area.

Mr. Glen Baumbach, 327 W. Elm Street, Lodi, representing
 Dennis Bennett addressed the Council on behalf of the
 recommended action.

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

ORD. NO. 1386
 INTRODUCED

CC-53 (a)
 LC 149

On motion of Council Member Olson, Hinchman second, Council
 introduced Ordinance No. 1386 amending P-D (26), Planned
 Development District No. 26 by changing lot 87, Noma Ranch,
 at the northeast corner of Almond Drive and Coventry Way
 from 37 condominiums to 12 duplex (24 units) lots. The
 motion carried by unanimous vote.

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ORD. DECLARING A
ONE YEAR MORATORIUM
ON THE ISSUANCE OF
BUILDING PERMITS FOR
OFF-PREMISE SIGNS
INTRODUCED

ORD. NO. 1387
INTRODUCED

CC-53(a)
CC 149

Notice thereof having been published according to law, Mayor Reid called for the Public Hearing to consider the Planning Commission's recommendation that the City Council declare a one year moratorium on the issuance of building permits for off-premise signs so that the present sign requirements can be reviewed and improved.

The matter was introduced by City Manager Peterson and Community Development Director Schroeder who responded to questions as were directed by Staff.

Mr. Jack Ronsko, 1242 Devine Drive, Lodi, addressed the Council urging the implementation of the subject moratorium. Mr. Ronsko presented a slide presentation depicting off-premise signing presently in place in various locations throughout the City.

Also supporting the moratorium and addressing the Council regarding the matter were:

- a) Mr. Robert Morris, 301 W. Locust Street, Lodi
- b) Mr. John Borelli, President, Lodi District Chamber of Commerce

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

On motion of Council Member Hinchman, Olson second, Council introduced Ordinance No. 1387 declaring a one year moratorium on the issuance of building permits for off-premise signs so that the present sign requirements can be reviewed.

REDESIGNATION AND
REZONING OF ASSESSOR
PARCEL NO. 049-070-11,
42, 43 and 56 FROM
LIGHT OR MEDIUM
INDUSTRIAL TO HEAVY
INDUSTRIAL

ORD. NO. 1388
AND 1389
INTRODUCED

CC-53(a)
CC 149

Notices thereof having been published according to law and affidavits of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider:

- a) The Planning Commission's recommendation that the Land Use Element of the General Plan be amended by redesignating Assessor Parcel No. 049-070-11, 42, 43 and 56 from Light or Medium Industrial to Heavy Industrial.
- b) The Planning Commission's recommendation that Assessor Parcel No. 049-070-11, 42, 43 and 56 be rezoned from R-1, Single-Family Residential or M-1, Light Industrial to M-2, Heavy Industrial.

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The matter was introduced by City Manager Peterson and by Community Development Director Schroeder who presented diagrams of the subject area and responded to questions regarding the matters.

There were no persons in the audience wishing to speak on the matters, and the public portion of the hearing was closed.

Following discussion, Council took the following actions:

- a) On motion of Council Member Pinkerton, Hinchman second, Council introduced Ordinance No. 1388 - An Ordinance Amending the Land Use Element of the General Plan by redesignating Assessor Parcel No. 049-070-11, 42, 43 and 56 from Light or Medium Industrial to Heavy Industrial. The motion carried by unanimous vote.
- b) On motion of Mayor Pro Tempore Olson, Snider second, Council introduced Ordinance No. 1389 - An Ordinance of the Lodi City Council rezoning Assessor Parcel No. 049-070-11, 42, 43, and 56 from R-1, Single-Family Residential or M-1, Light Industrial to M-2, Heavy Industrial. The motion carried by unanimous vote.

COMMUNICATIONS
(CITY CLERK)

ABC LICENSE

City Clerk Reimche presented the following ABC License Application which had been received:

CC-7(f)

Henry/William Poon
King Yin Cafe
10 South Main Street
Lodi
On Sale Beer
Person to Person transfer

REQUIRED MINIMUM
LIABILITY INSURANCE
LIMITS REDUCED FOR
LODI AMBULANCE
SERVICE

City Clerk Reimche presented the following telegram which had been received regarding the Lodi Ambulance Service:

RES. 86-110

"Dear Certificate Holder,

CC-22(a)
CC-21.1(a)
CC-6
CC 300

The above named corporation has a contractual relationship with you which requires evidence of insurance. Due to reinsurance problems, we must at this time reduce the liability limits provided by Tri-star Insurance to \$300,000.00 to be effective as of this date. Every effort is being made to resolve what we consider to be a temporary problem.

Thank you,

Glenn E. Miller, President
Tri-star Insurance Company
Gregg-Miller and Associates"

Mr. Michael N. Nilssen, owner of the Lodi Ambulance Service was in the audience and addressed the Council advising that "Tri-Star is a newly developed insurance company, produced by private ambulance providers in California on June 30, 1986. A total of 3.6 million dollars was generated during the first stock release. With the California law of

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capitol surplus, in relationship to insurance companies, Tri-Star could only provide a primary coverage of \$300,000.00 per company insurance, which is 10% of the total assets.

The reinsurance was to be provided by two separate companies, thus treaties were negotiated prior to the June 30, 1986 implementation date. Those insurance companies are: The Florida Exchange and General Reinsurance. The Florida Exchange was to reinsure for \$200,000.00 and General Reinsurance was to cover an excess reinsurance of \$500,000.00 to provide a total of \$1,000,000.00 of general liability, malpractice and auto insurance.

After the binders were written by Tri-Star Insurance Company, which is managed by Gregg/Miller Insurance Brokers, the Florida Exchange withdrew from the agreement and did not sign the treaty with Tri-Star for the \$200,000.00 reinsurance. From that point, General Reinsurance also withdrew from the treaty agreement because we did not have the primary layer of \$500,000.00. The \$500,000.00 primary layer was the agreement with General Reinsurance to obtain an excess of \$500,000.00 reinsurance to equal a total of \$1,000,000.00, thus we are back to square one with \$300,000.00 maximum insurance currently today.

Mr. Glen Miller, President of Tri-Star, has reasonable confidence that we will obtain \$1,000,000.00 insurance by August 1, 1986. Currently, he has four broker intermediaries searching for reinsurance. Those intermediaries are: Guy Carpenter, Inc., Intere, Inc., E. W. Blonc and Andrew Edwards. It is my understanding that these broker intermediary companies are very large companies with tremendous negotiating powers.

I request the City Council to bear with Lodi Ambulance Service, during this crisis, and allow us to continue with Tri-Star until the beginning of the month of August, as I feel confident we will seek and obtain a maximum of \$1,000,000.00 medical liability, general liability and auto insurance. Should we not obtain this by August 15th, I will then proceed to obtain insurance through the assigned risk market to \$500,000.00, as was requested at our last Council meeting."

Following discussion with questions being directed to Mr. Nilssen and to Staff, Council, on motion of Council Member Pinkerton, Snider second, adopted Resolution No. 86-110 amending Resolution No. 86-87 and thereby reducing the minimum limits of the permittees liability insurance to \$300,000 until August 15, 1986. The motion carried by unanimous vote.

COMMENTS BY CITY
COUNCIL MEMBERS

BOYS AND GIRLS CLUB
CONCERT REMINDER

Council Member Snider reminded the community of the upcoming Lodi Boys and Girls Club 1986 Summer Concert Series and urged all citizens of this community to attend.

GRAND JURY REPORT

Following introduction of the matter by Council Member Pinkerton and Council discussion, Council tacitly concurred that the Grand Jury Report should be scheduled as an agenda item for the last Council meeting in August to allow time for receipt of comments and Council response as required by law.

CC-6
CC-7 (b)

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COMMENTS BY THE
PUBLIC ON NON AGENDA
ITEMS

COMPLAINTS REGARDING
PERMIT PARKING IN
AREA OF PCP

CC-48(1)

Mr. Richard C. Knoernschild, 228 East Tokay Street, Lodi, Apt. 1, addressed the Council presenting a petition bearing approximately 52 signatures stating, "We have signed this petition to say we would like to have visitor parking for our guests. This has become a real problem. The City Council had a proposed plan with visitor parking allowed. We would like to see it put into effect with the current plan in effect".

Discussion followed with Council directing questions to Mr. Knoernschild and to Staff concerning the matter.

Also addressing the Council regarding the matter was Mr. Andrew Hagele, 735 S. Washington Street, Lodi, Unit No. 1. Mr. Hagele shared with the Council the fact that his fourplex complex does not have off-street parking for its tenants, which creates a very difficult situation for visitors to the complex.

Discussion followed with questions being directed to Staff and to Mr. Hagele. Council referred the matter to Staff and asked that a report and recommendation be presented to Council concerning the matter at the Regular Council Meeting of August 6, 1986.

RECESS

Mayor Reid declared a five-minute recess and the meeting reconvened at approximately 9:25 pm.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

ORDINANCE RE DISPLAY
OF VEHICLES AND
VESSELS FOR SALE

ORDINANCE NO. 1381
INTRODUCED

CC-48(a)

Council was reminded that at the March 19, 1986 Council meeting, Ordinance No. 1381 was introduced which amended Section 10.20.070 of the Lodi Municipal Code relating to the parking of vehicles for display or repair, and specifically substituting the word "street" for the word "roadway", and other minor modifications to the code section. Council had asked that another draft be prepared that would cover additional concerns that the Council expressed.

In this regard, on July 8, 1986, the Chief of Police, the Community Development Director, the City Attorney and Lodi automobile dealer Dennis Plummer met at City Hall to review and discuss the second draft of Ordinance No. 1381, and it was felt that it did address prior concerns.

This new draft was reviewed by City Attorney Stein for the benefit of the Council advising that it represented a major change in the original draft ordinance by now prohibiting vehicles and vessels from parking on public or private property for the purpose of selling same. There is an exception to this prohibition for vehicles and vessels

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parked in front of the owner's residence for the purpose of sale.

Following discussion with questions being directed to Staff, Council, on motion of Council Member Pinkerton, Hinchman second, introduced Ordinance No. 1381 - An Ordinance of the Lodi City Council Amending Section 10.20.070 of the Lodi Municipal Code Relating to Display of Vehicles and Vessels for Sale. The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton

Noes: Council Members - Snider and Reid

Absent: Council Members - None

HUD-HOUSING
DEVELOPMENT GRANT
PROGRAM

HOTEL LODI RENOVATION
PROJECT

RES. NO. 86-108

CC-6
CC-55
CC 380

Following introduction of the matter by City Manager Peterson, Community Development Director Schroeder advised the Council that the renovation of the Hotel Lodi is a \$3,555,000 public-private partnership project, utilizing \$110,000 of Lodi's CDBG funds allocated for F.Y. 1986-87. Other funding sources include State HCD and conventional loans, as well as limited partnership investment.

However, proposed changes in tax law particularly investment tax credits (ITC), may reduce the attractiveness of the syndication to prospective investors.

Further, Mr. Schroeder provided the following information pertaining to the Housing Development Grant Program:

1. Additional loans from the federal government are available which will serve to maintain the desired return on the limited partners investment.
2. HUD is presently accepting applications for grants under HUD's Housing Development Grant Programs. This grant application must be initiated through the local unit of government (City of Lodi).
3. Grant funds awarded under the program are to be used to support the construction of substantial rehabilitation of residential rental, cooperative, or mutual housing in which at least 20 percent of the units will be occupied by lower income families.
4. HUD indicated the program's current funding level is 79 million, and will not be affected by congressional budget reductions.
5. Application selections will be made and funds are to be obligated by September 30, 1986. The application deadline is July 21, 1986. The proposed grant amount to be requested by the City of Lodi is \$715,000.

A lengthy discussion followed with questions being directed to Staff.

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Mr. Larry Redman, 325 East Locust Street, Lodi, addressed the Council asking if any input regarding this proposed project had been received from the senior citizens of this community.

Mr. Charles Duncan, 1214 West Lodi Avenue, Lodi, also indicated that he felt that senior citizens of this community should have input in the matter. Mr. Duncan further stated that he felt the project was doomed for failure from the beginning and urged the Council not to act on the matter at this meeting.

Further, questions were directed by the Council to those who had addressed the Council on the matter and to Staff.

On motion of Council Member Pinkerton, Olson second, Council adopted Resolution No. 86-108 authorizing the City of Lodi to apply for a Housing Development Grant to be made available exclusively for the Hotel Lodi Renovation project. The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Snider,
and Reid (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

Further, on motion of Mayor Reid, Olson second, Council set a Public Hearing at 7:30 p.m., August 6, 1986, to receive public input regarding the proposed Hotel Lodi Renovation Project. The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Snider,
and Reid (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

UPDATE ON WORK
OF MEASURE A TASK
FORCE AND THE EAST
SIDE MORATORIUM
STUDY

CC-2(j)
CC-53(a)

An oral report was given by Community Development Director Schroeder regarding the work of the Measure A Task Force and the East Side Moratorium Study. Discussion followed with questions regarding the matters being directed to Mr. Schroeder by the Council.

ORDINANCES

ORD. AMENDING SPEED
LIMITS ON CERTAIN
STREETS WITHIN THE
CITY

ORD. NO. 1383
ADOPTED

CC-48(a)
cc 149

Ordinance No. 1383 - An Ordinance of the City of Lodi Amending Section 10.12.020 and 10.12.030 of the City Code of the City of Lodi thereby amending speed limits on certain streets within the City of Lodi, having been introduced at a Regular Meeting of the Council held July 2, 1986, was brought up for passage on motion of Council Member Pinkerton, Olson second. Second reading of the Ordinance was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

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Ayes: Council Members - Olson, Pinkerton, Snider,
and Reid (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

ORDINANCE RELATING
TO ON-SITE FIRE
PROTECTION OF BUILDINGS
AND CONSTRUCTION

ORD. NO. 1384
ADOPTED

CC-24(b)
cc 149

Ordinance No. 1384 - An Ordinance of the Lodi City Council Amending Title 15 of the Lodi Municipal Code Relating to On-site Fire Protection of Buildings and Construction having been introduced at a Regular Meeting of the Council held July 2, 1986 was brought up for passage on motion of Mayor Pro Tempore Olson, Hinchman second. Second reading of the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider,
Pinkerton, & Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 10:20 p.m. to a Closed Session pertaining to personnel matters. The City Manager, City Attorney, and City Clerk were excused from attending the Closed Session

Attest:

Alice M. Reinche
Alice M. Reinche
City Clerk