

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, DECEMBER 5, 1984

A regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m. on Wednesday, December 5, 1984 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Hinchman, Olson, Pinkerton
(Arrived 7:35 p.m.) Reid, and Snider (Mayor)

Absent: Council Members - None

Also Present: City Manager Glaves, 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 Pastor Eugene Kreutz, Redeemer Lutheran Church

PLEDGE The Pledge of Allegiance was led by Mayor Snider

PRESENTATIONS There were no presentations or awards made at this Council meeting

REPORTS OF THE CITY MANAGER In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Hinchman second, approved the following actions hereinafter set forth.

CONSENT CALENDAR

22/12
CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$816,873.63

MINUTES THE MINUTES OF NOVEMBER 20, 1984 WERE APPROVED AS WRITTEN.

AWARD - 15 KV XLP CABLE City Manager Glaves presented the following bids which had been received for 28,000 feet of #2 Aluminum 15-kv XLP concentric neutral cable:

03122
3247

SUPPLIER	BID	DELIVERY (Weeks)
Westinghouse Elec.	\$17,036.32	8
Maydwell & Hartzell	\$18,757.76	10-12
Electrorep, Inc.	\$18,995.20	12
G. E. Supply Co.	\$20,449.52	10
Pirelli Cable	\$21,814.80	8-10

RES. NO. 84-184 FOLLOWING RECOMMENDATION OF THE CITY MANAGER, COUNCIL ADOPTED RESOLUTION NO. 84-184 AWARDED THE BID FOR 28,000 FEET OF #2 ALUMINUM 15-KV XLP CONCENTRIC NEUTRAL CABLE TO THE LOW BIDDER, WESTINGHOUSE ELECTRIC SUPPLY CO., IN THE AMOUNT OF \$17,036.32.

RES. NO. 84-188 COUNCIL ADOPTED RESOLUTION NO. 84-188 AUTHORIZING RENEWAL OF THE CITY'S WATER PERMIT FOR THE DEPARTMENT OF HEALTH, STATE CALIFORNIA.

RENEWAL OF STATE WATER PERMIT AUTHORIZED

037
036
03512

Council was apprised that Rivergate Commons, Ltd., the developer of Rivergate Commons, has furnished the City with the final maps and the subdivision improvement plans as well as the necessary improvement security, insurance certificate and development fees for this subdivision. Most of the improvements were installed by the previous owner under subdivision agreement for Rivergate Unit No. 1. These two subdivisions will be developed into a 22-unit condominium

cc 46

APPROVAL OF FINAL COUNCIL APPROVED THE SUBDIVISION MAPS FOR TRACT NO. 1932, SUBDIVISION MAPS RIVERGATE COMMONS UNIT NO. 1 AND TRACT NO. 1933, RIVERGATE FOR RIVERGATE COMMONS, UNIT NO. 2, AND AUTHORIZED THE CITY CLERK TO EXECUTE COMMONS #1 AND THE MAPS ON BEHALF OF THE CITY. #2

cc 24 cc 38

UPGRADING OF COUNCIL APPROVED THE UPGRADING OF THE FOLLOWING TWO CITY TWO CITY POSITIONS APPROVED

- I. Telephone Operator Receptionist to Account Clerk.
- II. Building Maintenance Worker "Y" to Park Maintenance Worker III.

PUBLIC HEARINGS Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Snider called for the Public Hearing to receive testimony concerning Unmet Transit Needs within the City of Lodi.

cc 50

UNMET TRANSIT NEEDS HEARING Mayor Snider apprised the Council that an earlier like Public Hearing had been held this date at 1:00 p.m., at the Loel Center. The Mayor explained that approximately 35 persons were present and gave a brief overview of the testimony received at that hearing.

There were no persons in the audience wishing to address the Council on the matter. Mayor Snider closed the Public Hearing. No formal action was taken by the Council on the subject.

cc 45 cc 38

HAM LANE IMPROVEMENT PROJECT, LODI AVENUE TO ELM STREET Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Snider called for the Public Hearing to consider the Final Environmental Impact Report for the Ham Lane Improvement Project, Lodi Avenue to Elm Street.

A verbatim transcript of these proceedings was made by a certified Court Reporter. A copy of the subject transcript, identified as Exhibit "A" is attached to the Official copy of these minutes filed in the City Clerk's office, and thereby made a part hereof.

The Lodi City Council took the following actions pertaining to the matter:

- I. On motion of Mayor Pro Tempore Hinchman, Olson second, Council certified the subject Final Environmental Impact Report as adequate environmental documentation.
- II. On motion of Council Member Reid, Pinkerton second, Council continued to the Regular Meeting of December 19, 1984, a decision on the Project Alternate, requesting that Staff bring back to the Council at that meeting information on the possible extension of Pacific Avenue, the possibility of providing additional parking under Project Alternate B-1; and the possibility of designating Walnut and Oak Streets as one-way streets in the subject area. The motion carried by the following vote:

- Ayes: Council Members - Olson, Pinkerton and Reid
- Noes: Council Members - Hinchman and Snider (Mayor)
- Absent: Council Members - None

RECESS

Mayor Snider called for a 5 minute recess during the process of the hearing and the Council reconvened at 9:10 p.m. Further, at the conclusion of the hearing, Mayor Snider declared a 5 minute recess and the meeting reconvened at 11:30 p.m.

11/25
PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of November 26, 1984:

The Planning Commission -

- 1. Recommended the adoption of a Specific Plan for the future development of West Tokay Street from Lower Sacramento Road, west to the General Plan limits.

ITEMS SET FOR HEARING

ITEMS OF INTEREST

On motion of Council Member Reid, Olson second, Council set the heretofore listed item for Public Hearing at its Regular Meeting to be held January 2, 1985 at 7:30 p.m.:

The Planning Commission also -

- 1. Conditionally approved the request of Carolyn Kappmeyer for a Use Permit for a Home Daycare Center for 7 to 12 children at 429 Cedar Court in an area zoned P-D (10), Planned Development District No. 10.
- 2. Tabled consideration of recommending a Landscape Maintenance Ordinance pending a review of the Site Plan and Architectural Review process.

COMMUNICATIONS CITY CLERK

11/25
CLAIMS

On recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Mayor Snider, Olson second, denied the following claims and referred them back to L. J. Russo Insurance Services, Inc.:

- a) Hajek (Home Insurance Co. vs City of Lodi DOL 7/18/84
- b) Irvin Borg vs City of Lodi DOL 9/12/84
- c) Hemminger vs City of Lodi DOL 7/12/84
- d) Bonderer vs City of Lodi DOL 7/31/84

11/25
cancel
COMPLAINT REC'D WASTE WHEELER PROGRAM PROCEDURES

City Clerk Reimche presented the following letter which had been received from Mr. Robert H. Organ:

"Dear Sirs:

All is not well after receiving the enclosed letter and after talking to someone who attended the meeting of the city council on this subject.

I live in the "pilot" area where the waste wheeler was placed. They were said to be on a trial basis and, if we liked the units, they would install them on a permanent basis. I do not recall the waste disposal people mentioning any charge if we decided to try it. It turns out that at about the same time, the city decided to raise the cost of picking up the garbage from \$6.60 to \$7.22. No notice - just did it and that is it. Really no complaint about that but now I feel it ties in with the rest of my letter.

I admit the waste wheelers are much better than the cans. However we did not have to take our cans from the back yard to the curb in order to get them picked up. I do feel we have been sucked in because there is now an exorbitant price in the lease fee being charged by the California Waste Removal Systems. \$2.50 per month for the waste wheeler only and then the new price for the pick-up.

It looks like only two men can do the job instead of three or four on each truck. And the customers will be helping this pick-up procedure as they will be placing the wheeler next to the curb.

As I understand it, the people were all for the wheeler and garbage pick up to come to a total of \$8.00 per month. But the City Council vetoed the price. I have talked to some 40 people about this and not one liked the cost. The basic idea is a great one. It has spoiled us and we are going to have the wheeler stay at our house. When I am gone, it is easier on my wife to wheel the unit out. But I have the feeling I have been conned. I was suspicious when they came to the door to have us participate in the "pilot" program. I asked then about charges and was reassured there would be none. And there were no charges during the "pilot" period. Didn't realize the City of Lodi would raise the price. HOW SNEAKY CAN YOU GET?

Sincerely,

s/Robert H. Organ"

Mayor Snider directed Staff to respond to Mr. Organ regarding the matter.

PUC LETTER RE
GRADE SEPARATION
PROJECTS

City Clerk Reimche presented a letter from the Public Utilities Commission as follows:

"Gentlemen:

Recent legislation has added Section 2460.7 to the Streets and Highways Code relating to grade separation projects. Section 2460.7 authorizes a local agency to construct a project on the priority list prior to the time that it reaches a high enough priority for funding. However, the following conditions must be applied to prioritization of grade separation projects on which construction has commenced.

1. The project must have been nominated for the fiscal year during which construction commenced.
2. The project must be renominated for the fiscal year during which funding consideration is desired.
3. The nomination must include the same data as included in the nomination for the fiscal year during which construction commenced with the exception of construction cost data.
4. Cost data included in the nomination shall be:
 - a) Final costs for completed projects.
 - b) Currently anticipated final costs for projects still under construction.
5. Evidence must be provided that the project has received the prior approval of the California Transportation Commission.

By copy of this letter, all public agencies planning to nominate grade separation projects under the provisions of Streets and Highways Code Section 2460.7 for the fiscal year 1985-86 Grade Separation Priority List are hereby notified that such nominations shall be received by the Public Utilities Commission no later than 4:00 p.m. on January 14, 1985. With the exceptions noted above, nominations shall be in compliance with the requirements set forth in OII 84-10-011, dated October 3, 1984, which initiated the investigation for the purpose of establishing the 1985-86 Grade Separation Priority List. Copies of this letter are being sent to all parties on the Commission mailing list for OII 84-10-011.

Very truly yours,

s/Robert W. Stich, P.E."

67 11/24
ASSISTANT CITY
MANAGER NAMED
AS VICE CHAIR
OF LEAGUE POLICY
COMMITTEE

City Clerk Reimche apprised the Council that a letter had been received from William J. Carroll, President, League of California Cities advising that Assistant City Manager Jerry Glenn had been appointed by him as Vice Chair of the League Committee on Employee Relations for 1985.

OFFICIAL CANVASS
OF 11/6/84 LODI
MEASURES REPORTED

City Clerk Reimche presented the following information pertaining to the City of Lodi Special Election of November 6, 1984 (Measure B and Measure C):

November 29, 1984

CERTIFICATE OF RESULTS

CITY OF LODI SPECIAL ELECTION

CITY OF LODI - MEASURE B AND MEASURE C

TO THE COUNCIL OF THE CITY OF LODI:

I hereby certify that I have completed the OFFICIAL CANVASS of the returns of the CITY OF LODI SPECIAL ELECTION held on November 6, 1984, and the following are the results:

CITY OF LODI - MEASURE B

YES 7,308

NO 7,336

CITY OF LODI - MEASURE C

YES 7,052

NO 7,570

Dated: November 29, 1984

s/RALPH W. EPPERSON, COUNTY CLERK

NEW YEARS EVE
GET HOME SAFE
PROGRAM OFFERED

City Clerk Reimche presented the following letter which had been received from Mr. Ed Gonzalez of the Gonzalez Limousine Service:

11/24

"In behalf of myself and my family, I would like to thank the city of Lodi and the City Council for granting me a permit to operate my limousine service in the city.

In order to show my appreciation I am implementing a "NEW YEARS EVE GET HOME SAFE" program.

This program is specifically for those people who have celebrated a little too much on New Years Eve and do not or cannot drive home. All they have to do is to call GONZALEZ LIMOUSINE SERVICE Tel: 334-3939 and request our service within the city limits. There is no charge for this service. This service will be available from 10:00 p.m. New Years Eve to 3:00 a.m. January the first.

If this program can prevent someone from being involved in an auto accident or being picked up for driving under the influence, I feel that the program has accomplished what we set out to do.

Again I would like to thank the Council and in particularly Alice Reimche for all her help and support.

HAVE A HAPPY AND "SAFE NEW YEAR".

SINCERELY,

s/Ed Gonzalez"

COMMENTS BY
CITY COUNCIL
MEMBERS

157
159
NIGHT IN THE
GIRLS' GYM
APPLAUDED AS
OUTSTANDING
EVENT

Council Member Reid commented on the "Night in the Girls' Gym" which had been held November 30, 1984 reporting what an outstanding party it was and the great time that was had by all who attended.

153
COMMENTS RE
CIDFAC APPROVAL
OF DART CONTAIN-
ER CORPORATION
IDA APPLICATION
AND TEAM EFFORT
THAT WENT INTO
PROJECT

Mayor Pro Tempore Hinchman commented about the members of the Council and Staff who had recently attended the CIDFAC Hearing in Sacramento regarding the IDA Application for Dart Container Corporation the team effort that went into the application and the approval of the application.

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

151
152
ASPHALT MATERIAL
SPECS APPROVED

Following introduction of the matter, on motion of Mayor Pro Tempore Hinchman, Olson second, Council approved the Asphalt Material Specifications for the last half of fiscal year 1984-85 and authorized the advertising for bids thereon.

Following introduction of the matters by City Manager Graves, discussion, and questions posed by Council, Council took the following actions pertaining to NCPA (Northern California Power Agency):

150
151
APPROVAL OF NCPA
SUPPLEMENT NO. 1
TO JPA

I. On motion of Council Member Reid, Hinchman second, Council adopted Resolution No. 84-185 - Resolution approving NCPA Supplement No. 1 to the Joint Powers Agreement, which authorizes Turlock Irrigation District membership in NCPA and authorizing the Mayor and City Clerk to execute the document on behalf of the City.

RES. NO. 84-185

150
151
APPROVAL OF NCPA
AGREEMENT FOR
TRANSFER OR
RIGHTS TO

II. On motion of Council Member Olson, Reid second, Council adopted Resolution No. 84-186 approving NCPA Agreement for the Transfer of Rights to Capacity and Energy of Geothermal Generating Project Number 3. This motion

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

Noes: Council Members - Pinkerton

Absent: Council Members - None

Handwritten initials

HENRY RICE
UTILITY DIRECTOR
OF THE CITY OF
LODI INTRODUCED

City Manager Henry Graves introduced to the Council and the Community, Mr. Henry Rice, who has accepted the position of Utility Director of the City of Lodi.

Handwritten initials

DOWNTOWN
BEAUTIFICATION
IMPROVEMENTS
ACCEPTED

Following introduction of the matter by Staff, Council, on motion of Mayor Pro Tempore Hinchman, Reid second, accepted the improvements in "Lodi Downtown Beautification Project, United Downtown Improvement District", and directed the Public Works Director to file a Notice of Completion thereon with the County Recorder's Office.

Handwritten initials

RES. NO. 84-187

Following introduction of the matter by Staff, Council, on motion of Mayor Snider, Hinchman second, adopted Resolution No. 84-187 - Resolution acknowledging Administrative Public Hearing re Proposed Issuance by Industrial Development Authority of Industrial Revenue Bonds for purpose of assisting in Financing of Dart Container Corporation Facility by a unanimous vote.

LODI IDA MEETING
CALLED BY MAYOR

Mayor Snider called a meeting of the City of Lodi Industrial Development Authority following the Regular Council Meeting of December 19, 1984.

ADJOURNMENT

There being no further business to come before the Council Mayor Snider adjourned the meeting at approximately 11:45 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk