

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, OCTOBER 19, 1983

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, October 19, 1983 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Pinkerton, Reid, Snider, & Olson (Mayor)  
Absent: Council Members - Murphy  
Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Darrell Thomas, First United Methodist Church

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS

PETER W. WALSH AWARD PRESENTED TO STREET SUPERVISOR GLEN BALTZER The Peter W. Walsh Award for outstanding service was presented to Street Supervisor Glen Baltzer by Kenneth A. Haukom, State President of the Maintenance Superintendents Association of California.

Ms. Vickie Ortiz, Aide to Senator Garamendi, presented a Resolution to Mr. Baltzer from the Senator in honor of his receiving the Peter W. Walsh Award.

CONSENT CALENDAR

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

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CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,707,190.12

MINUTES THE MINUTES OF AUGUST 9, 1983, SEPTEMBER 7, 1983, SEPTEMBER 21, 1983 (amended on page 5, paragraph 2, line 6, to read as follows: ----- positions, and authorized the hiring of an Assistant Accounts Collector in the Finance Office., AUGUST 17, 1983, SEPTEMBER 19, 1983, OCTOBER 6, 1983 WERE APPROVED AS WRITTEN.

LOT LINE ADJUSTMENT 601 AND 613 NORTH PLEASANT AVENUE (EDGAR BOESHANZ) COUNCIL ADOPTED RESOLUTION NO. 83-114 APPROVING A LOT-LINE ADJUSTMENT AT 601 AND 613 NORTH PLEASANT AVENUE, LODI, (EDGAR BOESHANZ) (i.e. Assessor Parcel Nos. 041-050-32 and 33) IN AN AREA ZONED R-GA, GARDEN APARTMENT RESIDENTIAL WITH THE CONDITION THAT A 3 FOOT PUBLIC UTILITY EASEMENT BE DEDICATED ALONG THE WEST SIDE OF 613 NORTH PLEASANT AVENUE, LODI.  
RES. NO. 83-114

SHADY ACRES PUMP STATION RECONSTRUCTION City Manager Graves presented the following bids which had been received for "Shady Acres Pump Station Reconstruction" as follows:

Council was apprised that this project includes the construction of a reinforced concrete pump structure, installation of new pumps and controls and reconstruction of a flow metering structure and headwall on the WID canal.

Continued October 19, 1983

SHADY ACRES  
PUMP STATION  
RECONSTRUCTION  
(CONT'D)

The pump station will replace the existing two small stations which will remain in service during construction. The new station will help relieve flooding in the Cabrillo Circle and Charleston Way areas.

The Woodbridge Irrigation District approved the plans and specifications at its October 4, 1983 meeting.

BIDDERBID

R. Goold	\$248,692.00
Claude C. Wood Co.	\$306,930.00
Monterey Peninsula Engr. Co.	\$310,633.00
Kaweah Construction Co.	\$323,240.00
Howk Well & Equipment Co.	\$315,430.00
Wayne Fregien	\$335,564.00
Granite Construction Co.	\$386,847.00

RES. NO. 83-115

COUNCIL ADOPTED RESOLUTION NO. 83-115 AWARDED THE CONTRACT FOR "SHADY ACRES PUMP STATION RECONSTRUCTION" TO R. GOOLD AND SON IN THE AMOUNT OF \$248,692.00.

ACCEPTANCE OF  
TURNER ROAD  
OVERLAY

COUNCIL ACCEPTED THE IMPROVEMENTS IN TURNER ROAD OVERLAY, 200' W/STOCKTON - 630' E/WINTUN AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

HUTCHINS ST.  
SQUARE UTILITY  
UNDERGROUNDING  
SPECS APPROVED

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR THE "HUTCHINS STREET SQUARE UTILITY UNDERGROUNDING" AND AUTHORIZED THE ADVERTISEMENT FOR BIDS THEREON.

This project includes the installation of conduit for existing telephone lines on Oak Street between Hutchins and California. During the project Lodi Cable TV will be installing conduit and removing aerial cable at their expense. Pacific Telephone will remove the existing aerial cable and install wire at their expense. Additional conduit, not in the original estimate, is being placed for future electric service.

APPROVE  
AGREEMENT RE  
DEVELOPMENT  
EAST PINE  
STREET

An Improvement Deferral Agreement for 1301 East Pine Street, Lodi, was presented for Council's approval. Council was informed that the Anderson's are interested in developing a portion of the property they own on Pine Street east of Cluff Avenue. The City has a large deep Master Drain planned for installation in Pine Street, and if curb, gutter and sidewalk were constructed now, it would conflict with the storm drain installation.

The storm drain project is preliminarily being scheduled for 1986 in the new Capital Improvement Program being prepared for submittal to the Council. Drainage for the development will be piped to Mounce Street. All other requirements for development will be met and it is recommended that the agreement be approved.

COUNCIL APPROVED THE SUBJECT AGREEMENT BETWEEN THE ANDERSONS AND THE CITY OF LODI TO DEFER THE INSTALLATION OF OFFSITE IMPROVEMENTS ON EAST PINE STREET, LODI, AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE SAME ON BEHALF OF THE CITY.

ABANDONMENT OF  
BUS ZONE

COUNCIL ADOPTED RESOLUTION NO. 83-116 ABANDONING A BUS ZONE ON THE SOUTH SIDE OF OAK STREET NEAR CALIFORNIA STREET, LODI.

RES. NO. 83-116

VARIOUS SPECIAL  
ALLOCATIONS  
APPROVED

COUNCIL APPROVED THE FOLLOWING SPECIAL ALLOCATIONS:

1. Security Caging for Warehouse (\$3,550)

- VARIOUS ALLOCA- 2. Wall Addition to Covered Storage Building at MSC TIONS  
 APPROVED (\$4,500)  
 (CONT'D) 3. Concrete Work at English Oaks Commons Park (\$2,500)

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PUBLIC HEARINGS

LODI UNIFIED  
 SCHOOL DISTRICT  
 DECLARATION OF  
 IMPACTION

0348  
 1212  
 11/12/83

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider the 1983-84 Declaration of Impaction by the Lodi Unified School District Board of Trustees.

The matter was introduced by Ellerth E. Larson, Superintendent of Schools. Mary Joan Starr, Facility Planner for the Lodi Unified School District gave a report concerning the matter and responded to questions regarding the subject as were posed by members of the City Council. The following information regarding the subject was provided Council.

The projected Lodi Unified School District student enrollment for the 1983-84 school year is 16,433 students. This is a projected increase of approximately 400 students over last year and does not take into account any sudden influx of students which might occur as the result of significant residential construction within the District. In January, 1983, local agencies and developers reported probable summertime construction of approximately 710 residential units with an additional 5,000± units in the planning stages.

18%, or more importantly, 3,047 of the statistically projected number of students planned for arrival are considered "unhoused," meaning that there are insufficient regular classrooms available in the coming school year in the District, thereby necessitating the implementation of continued temporary student housing alternatives.

It is the District's plan to house regular, special education and pull-out program students in the following manner during the 1983-1984 school year.<sup>1</sup>

- 431 permanent classrooms.
- ???"other" in-school spaces, i.e., storage areas, work rooms, offices, etc. that are "unofficially" used as classroom space.
- 12 leased and District-owned trailers
- 14 mini-school rooms in temporarily converted duplexes
- 13 maxi-school rooms in temporarily converted duplexes
- 45 District-owned relocatable rooms
- 84 State-lease emergency portables

<sup>1</sup>The following facilities are used to house LUSD programs; however, Development Fees can not be applied at these locations:

- 1 leased house used for deaf-blind student education
- 6 rooms in leased quarters for the Career Center

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Continued October 19, 1983

LUSD DECLARATION OF IMPACTION (CONT'D) Enrollment projections and classroom loading are detailed by Attendance Area school in Exhibit A.

The number of "unhoused" students reported for the coming school year is reduced drastically from the number reported in 1982-83. This is due to a definitional change and not to a decrease in actual numbers of students. In past years, District-owned relocatable buildings were considered interim housing; however, they are now counted as permanent classrooms as a result of a re-evaluation of how these buildings are used over the short and long-term and clarified information on how they are viewed by State school building officials. The District will have 46 relocatable buildings, including eight at the new Stonewood School site. One of the buildings at Stonewood is planned for use in the coming year as a special program/multi-purpose room and is temporarily not available as a regular classroom. Inclusion of the 45 buildings as interim housing would result in an additional 1,350 "unhoused" students, bringing the total to 4,397, which is an approximate increase of 400 students over last year.

Based on the known extent of overcrowding, the anticipated increase in enrollment, and the known potential for all residential construction activity within the impacted attendance areas of the Lodi Unified School District, the Governing Board declared the following attendance areas impacted for the purposes of requesting the continued imposition and collection of development fees by local governments. A copy of Board Resolution 83-45 was also provided for Council's perusal.

Lodi Unified School District

IMPACTED SCHOOL ATTENDANCE AREAS

1983-84

Lodi High School Attendance Area
Tokay High School Attendance Area
Liberty High School Attendance Area

Morada Middle School Attendance Area
Needham Middle School Attendance Area
Woodbridge Middle School Attendance Area

Davis Elementary School Attendance Area
Elkhorn Elementary School Attendance Area
Henderson Elementary School Attendance Area
Heritage Elementary School Attendance Area
Lawrence Elementary School Attendance Area
Leroy Nichols Elementary School Attendance Area
Oakwood Elementary School Attendance Area
Otto Drive Elementary School Attendance Area
Parklane Elementary School Attendance Area
Stonewood Elementary School Attendance Area
Victor Elementary School Attendance Area
Vinewood Elementary School Attendance Area

1 Attendance Areas are determined each year by the Assistant Superintendent--Elementary Education in cooperation with the principals and the District Administration and Staff. A publication, reviewed by the Board is prepared each year. There may be more than one elementary school in an Attendance Area.

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

LUSD DECLARATION OF IMPACTION (CONT'D)  
 RES. NO. 83-117

A lengthy discussion followed. On motion of Mayor Pro Tempore Snider, Reid second, Council, by the following vote adopted Resolution No. 83-117 designating the following Lodi Unified School District Schools to be impacted:

- |                             |                                 |
|-----------------------------|---------------------------------|
| Lodi High School            | Heritage Elementary School      |
| Tokay High School           | Lawrence Elementary School      |
| Liberty High School         | Leroy Nichols Elementary School |
| Morada Middle School        | Oakwood Elementary School       |
| Needham Middle School       | Otto Drive Elementary School    |
| Woodbridge Middle School    | Parklane Elementary School      |
| Davis Elementary School     | Stonewood Elementary School     |
| Elkhorn Elementary School   | Victor Elementary School        |
| Henderson Elementary School | Vinewood Elementary School      |

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

On motion of Council Member Reid, Snider second, Council voted, by the following vote, to continue the collection of Development Fees at the present rate of \$200.00 per bedroom.

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

PLANNING COMMISSION

ITEMS OF INTEREST

City Manager Graves gave the following report of the Planning Commission Meeting of October 10, 1983:

The Planning Commission:

1. Conditionally approved the request of Wanda Higgins for a Use Permit to allow a home daycare center for between 7 and 12 children at 2102 Alpine Drive in an area zoned P-D (10), Planned Development District No. 10.
2. Conditionally approved the request of Louise Gabriel for a Use Permit to allow a home daycare center for between 7 and 12 children at 2113 Alpine Drive in an area zoned P-D (10), Planned Development District No. 10.
3. Instructed the Community Development Director to correspond with Senator John Garamendi and Assemblyman Phil Isenberg and register the Planning Commission's concern about State mandates, similar to the one which permits unlimited child daycare centers for 7 to 12 children in residential neighborhoods.
4. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Search Development for a Tentative Parcel Map to resubdivide two parcels at Beckman Center No. 3 (i.e. south side of Kettleman Lane between South Ham Lane and South Fairmont Avenue) with Parcel "A" increased from .48 acres to 1.12 acres, and Parcel "B" reduced from 5.40 acres to 4.77 acres in an area zoned P-D (15), Planned Development District No. 15.
5. Conditionally approved the request of Ronald S. Addington on behalf of Grupe Communities, Inc., for the Tentative Subdivision Map of Lakeshore Village, Unit No. 5, a 2.994 acre, 12-lot residential development on the north side of Lakeshore Boulevard, along both sides of

PLANNING  
COMMISSION  
(CONT'D)

Willow Point Court in an area zoned P-D (21), Planned Development District No. 21.

- 6. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Fred Baker and Chris Keszler for the Tentative Map of Sunwest IV, a 319 unit, 52.6 acre development proposed for the east side of Lower Sacramento Road, north of Kettleman Lane (State Route 12) and south of West Vine Street in an area rezoned P-D (25), Planned Development District No. 25.
- 7. Determined that a Zoning Hardship existed and approved the request of James R. Holland for a Zoning Variance to reduce the required 20 foot driveway length to 9 feet to permit the construction of a carport at 1326 West Turner Road in an area zoned R-2, Single-Family Residential.
- 8. Determined that a Zoning Hardship existed and approved the request of Robert H. Buchanan for a Zoning Variance to reduce the minimum lot width of 4,000 square feet to permit the division of the lot at 1000 South Central Avenue into two parts with Parcel "A" containing 4,980 square feet and Parcel "B" containing 2,754 square feet in an area zoned R-MD, Medium Density Multiple Family Residential.

COMMUNICATIONS

CITY CLERK

10/18

ABC LICENSES

Applications for the following Alcoholic Beverage License(s) were received and presented by the City Clerk:

- a) Cassella, Gene A./Juliat  
Slaton, Billie J./Floyd D.  
Two Stud  
107 North School St.  
Lodi, CA 95240  
On Sale Beer and Wine Public Premises
- b) Raley's, A California Corporation  
Raley's  
311 South Lower Sacramento Road  
Lodi, CA 95240  
Off Sale General
- c) Slaton, Billie J./Floyd D.  
Rainbow Club  
116 North Sacramento Street  
Lodi, CA 95240  
On Sale Beer and Wine Public Premises

CLAIMS

10/19

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

- a) Peggy Trausch DOL 9/22/83
- b) A & D Schnaible DOL 9/22/83
- c) Gerald Hughes DOL 10/4/83
- d) Russell Medina DOL 5/2/83
- e) Roland Hatterle DOL 6/20/83

*10/19/83*  
 PUC APPLICATIONS City Clerk Reimche presented a letter from Theodore W. Russell of Russell and Hancock, Attorneys for Trailways, Inc., and American Buslines, Inc., regarding their Application to increase one-way and round-trip intrastate passenger fares pursuant to Sections 454 and 491 of the Public Utilities Code. (Application No. 83-08-46)

*10/19/83*  
 COMMENTS BY CITY COUNCIL MEMBERS

Mayor Olson announced that October 16 - 22, 1983 was "National Business Womens Week" and commended all business women for their outstanding contributions to their particular vocations and to the business world in general.

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

*10/19/83*  
 HUTCHINS STREET MEDIAN WORK

Agenda item K-1 was introduced by Public Works Director Jack Ronsko. Mr. Albert Cross, representing the Lodi Lions Club addressed the Council indicating some of the difficulties they had encountered with their plans to have the labor for the foundation and brick work performed by members of the Union Apprenticeship Class. Following discussion, with questions being directed to the Staff and to Mr. Cross, Council, on motion of Council Member Pinkerton, Snider second, authorized going to bid for the foundation and brick work for the Hutchins Street Median Project and authorized the use of City funds for the subject work.

*10/19/83*  
 CC 300  
 GENERAL AGREEMENT OF INDEMNITY BILL GUARANTY BOND RELATING TO THE NCPA/PG&E INTERCONNECTION AGREEMENT

A general Agreement of Indemnity Bill Guaranty Bond Relating to the NCPA/PG&E Interconnection Agreement was presented for Council's approval. City Attorney Stein reported that this subject Agreement represents a result of Section 9.5 (Liability) of the Interconnection Agreement between NCPA Cities and PG&E wherein NCPA agreed to put up a \$25 million performance bond which PG&E could call upon, if an NCPA City failed to pay its share of the fees for power which was submitted pursuant to the Interconnection Agreement.

The Agreement is an Indemnity Agreement between this City and the Surety which would require this City to pay back any funds which the Surety put up for a non-payment by this City.

RES. NO. 83-118

Following discussion, on motion of Council Member Reid, Snider second, Council adopted Resolution No. 83-118 approving the General Agreement of Indemnity Bill Guaranty Bond relating to the NCPA/PG&E Interconnection Agreement and authorized the City Manager to execute the subject document on behalf of the City.

*10/19/83*  
 CC 300  
 MOU FOR FIRE UNIT AND CITY OF LODI

Agenda Item K-3 - "Receive for filing Memorandum of Understanding with Firefighters Unit" was introduced by Assistant City Manager Jerry Glenn. Mr. Glenn outlined with provisions of the Memorandum of Understanding and responded to questions as were posed by the Council.

Following discussion, Council, on motion of Council Member Reid, Olson second, received for filing the subject Memorandum of Understanding with the Firefighters Unit.

RES. NO. 83-119

Council, on motion of Mayor Pro Tempore Snider, Reid second, adopted Resolution No. 83-119 adopting a salary schedule as provided in the subject Memorandum of Understanding.

Continued October 19, 1983

RES. NO. 83-120 Further, Council, on motion of Mayor Pro Tempore Snider, Reid second, adopted Resolution No. 83-120 adopting premiums for medical and dental insurance.

RES. NO. 83-121 Further, Council adopted Resolution No. 83-121 amending the uniform allowance for members of the Firefighters Unit.

APPROVAL OF  
WHITE SLOUGH  
LEASE AGREEMENT Following introduction of the matter by Public Works Director Ronsko, Council, on motion of Council Member Pinkerton, Snider second, approved the proposed White Slough Lease Agreement with Al Bechthold and authorized the City Manager and City Clerk to execute the subject agreement on behalf of the City.

F.Y. 1982-83  
FINANCIAL  
STATEMENTS  
RECEIVED FOR  
FILING Following introduction of the matter, and discussion with questions being directed to Finance Director/Treasurer Robert Holm, Council, on motion of Council Member Pinkerton, Reid second, received for filing the Financial Statements for F.Y. 1982-83 from Auditors Ernst and Whinney.

JOINT POWERS  
AGREEMENT  
ESTABLISHING  
SAN JOAQUIN  
COUNTY COG  
APPROVED A proposed Joint Powers Agreement establishing the San Joaquin County Council of Governments was presented for Council's perusal and approval.

Under this agreement, the San Joaquin County Council of Governments would be established as a public entity separate and distinct from its member entities as the agent to exercise the common powers provided for in the subject agreement and to administer or otherwise execute the agreement.

Under the subject agreement the San Joaquin County COG shall be governed by a Board comprised of:

- a) one (1) councilperson from each of the cities of Escalon, Lodi, Manteca, Ripon, and Tracy.
- b) two (2) councilpersons from the City of Stockton, and
- c) two (2) members of the Board of Supervisors of the County of San Joaquin.
- d) ex-officio non-voting members acting in an advisory capacity shall be 1) the District Engineer from the State Department of Transportation, District X; 2) a representative from the Stockton Metropolitan Transit District Board of Directors; and 3) a representative from the Port of Stockton Board of Directors.

Council was apprised that the Board of Supervisors and the Cities of Escalon, Manteca and Ripon have previously ratified the agreement.

RES. NO. 83-122 Following discussion, on motion of Council Member Pinkerton, Snider second, Council adopted Resolution No. 83-122 approving the subject Joint Powers Agreement establishing the San Joaquin County Council of Governments and authorizing the Mayor and City Clerk to execute the Agreement on behalf of the City.

PURCHASE OF  
VEHICLES APPRVD Following introduction of the matter by Assistant City Manager Glenn, Council, on motion of Council Member Reid, Pinkerton second, authorized the purchase of three additional city vehicles - one compact and two midsized.

