

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 15, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, September 15, 1982 in the City Hall Council Chambers.

ROLL CALL Present: Council Member - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)
Absent: Council Member - None
Also Present: Assistant City Manager Glenn, Associate Civil Engineer Prima, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reinche. Community Development Director Schroeder left the meeting at approximately 10:15 p.m.

INVOCATION The invocation was given by Reverend Ron Greilich, Salem United Methodist Church.

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

PRESENTATIONS No presentations were made at this meeting.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Reid second, were approved by Council.

cc 82-106 CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$2,173,396.12

cc 82-106
cc 82-106 DESTRUCTION OF CERTAIN CITY CLERK RECORDS

RES. NO. 82-106 COUNCIL ADOPTED RESOLUTION NO. 82-106 APPROVING THE DESTRUCTION OF CERTAIN RECORDS ON FILE IN THE OFFICE OF THE CITY CLERK INASMUCH AS THESE DOCUMENTS ARE MORE THAN TWO YEARS OLD AND THE CITY ATTORNEY HAS GIVEN HIS WRITTEN CONSENT FOR THEIR DESTRUCTION PURSUANT TO GOVERNMENT CODE SECTION 34090.

cc 82-106 PLANS AND SPECS FOR "WHITE SLOUGH TREATMENT FACILITY LABORATORY EXPANSION" APPROVED COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "WHITE SLOUGH TREATMENT FACILITY LABORATORY EXPANSION" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

cc 82-106 SPECS FOR FOUR TURF TRUCKSTERS FOR THE PARKS DEPARTMENT APPROVED COUNCIL APPROVED THE SPECIFICATIONS FOR FOUR TURF TRUCKSTERS FOR THE PARKS DEPARTMENT AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

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 REID CALLED FOR THE PUBLIC HEARING

cc 35(a)

a) To consider the recommended approval of the Planning Commission

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of General Plan-Land Use Element Amendment No. GPA-LU-82-2
Section 1 of two sections as follows:

- Section 1 - The request of Kenneth Glantz, Consulting Engineer, on behalf of J. W. Properties to designate portions of Lobaugh Meadows, a proposed 91.17 acre development on the south side of West Kettleman Lane easterly of Lower Sacramento Road, as Medium Density Residential and Office-Institutional.
- b) To consider the recommended approval of the Planning Commission of the certification of the Final Environmental Impact Report No. 82-1 for Lobaugh Meadows, a 91.17 acre mixed use development on the south side of West Kettleman Lane easterly of Lower Sacramento Road.
- c) To consider the recommended approval of the Planning Commission of the request of Kenneth Glantz, Consulting Engineer, on behalf of J. W. Properties to rezone the area encompassed by Lobaugh Meadows, a proposed 91.17 acre development on the south side of Kettleman Lane, easterly of Lower Sacramento Road, from U-H Unclassified Holding, to P-D (24), Planned Development District No. 24, with the proviso that the 72 acres presently lacking terminal storm drainage not be permitted to develop until such time as a City Council approved drainage system is constructed.

The matter was introduced by Community Development Director Schroeder who presented a diagram of the subject area. Mr. David Morimoto, Assistant Planner presented the Final Environmental Impact Report on the project and reviewed the findings.

Mr. Rich Prima, Associate Civil Engineer gave a presentation regarding the G South Basin.

The following persons spoke on behalf of the matter:

- | | |
|--|---|
| a) Mr. Kenneth Glantz,
1150 W. Robinhood Dr., Suite 1-C
Stockton, CA | b) Mr. Lindsay Marshall
Attorney at Law
404 W. Pine Street, Lodi
Representing the Lobaugh
children. |
| c) Mr. Laurence J. Peterson
533 E. Pine St., Lodi | |

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

On motion of Councilman Pinkerton, Murphy second, Council certified as adequate the Final Environmental Impact Report No. 82-1, for Lobaugh Meadows, a 91.17 acre mixed use development on the south side of West Kettleman Lane easterly of Lower Sacramento Road.

ORD. AMENDING
GENERAL PLAN
LAND USE ELEMENT
(SECTION 1)
DESIGNATING
PORTIONS OF
LOBAUGH
MEADOWS ON S.
SIDE OF WEST
KETTLEMAN LANE,
EASTERLY OF
LOWER SACRAMENTO
ROAD AS MEDIUM
DENSITY RES-
IDENTIAL AND
OFFICE
INSITUTIONAL
ORD. NO. 1270 INTRO.
FINAL EIR
CERTIFIED

Councilman Pinkerton then moved for introduction of Ordinance No. 1270 - Section 1 - amending the General Plan Land Use Element thereby designating portions of Lobaugh Meadows, a proposed 91.17 acre development on the south side of West Kettleman Lane easterly of Lower Sacramento Road, as Medium Density Residential and Office-Institutional with the following findings:

1. The adverse impact of the loss of agricultural land is overridden by the following considerations:
 - the area has been designated for urban development in the Lodi General Plan.
 - all urban growth areas around the City of Lodi are prime agricultural land.
 - there is sufficient need for this type of development to warrant the conversion of this agricultural land.

10-3-82

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2. That Kettleman Lane (Highway 12), Mills Avenue and the future Century Boulevard will adequately handle the additional traffic generated by this project;
3. That the impact of increased vehicle emissions will not significantly affect the overall air quality of the Lodi region;
4. That the impact of the additional school-aged children on the Lodi Unified School District will be mitigated by the developer through the payment of certain fees to the school district;
5. That a storm drainage solution acceptable to the City of Lodi will be designated to serve the project.

The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

ORDINANCE
REZONING AREA
ENCOMPASSED BY
LOBAUGH
MEADOWS FROM
U-H TO P-D 24

ORD. NO. 1271
INTRODUCED
CC 149

Councilman Pinkerton then moved for introduction of Ordinance No. 1271 rezoning the area encompassed by Lobaugh Meadows, a proposed 91.17 acre development on the south side of Kettleman Lane, easterly of Lower Sacramento Road, from U-H, Unclassified Holding, to P-D (24), Planned Development District No. 24 with the proviso that the 72 acres presently lacking terminal storm drainage not be permitted to develop until such time as a City Council approved drainage system is constructed. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

Council Member John (Randy) Snider asked to abstain from discussion and voting on the following matters because of a possible conflict of interest.

NOTICE THEREOF HAVING BEEN PUBLISHED IN ACCORDANCE WITH LAW AND AFFIDAVIT OF PUBLICATION BEING ON FILE IN THE OFFICE OF THE CITY CLERK, MAYOR REID CALLED FOR THE PUBLIC HEARING

- a) To consider the recommended approval of the Planning Commission of General Plan - Land Use Element Amendment No. GPA-82-2 Section 2 of two sections as follows:

Section 2 - Redesignating the 9.96 acre parcel at the southwest corner of West Lodi Avenue and South Ham Lane from Medium Density Residential to Office-Institutional.

- b) To consider the recommended approval of the Planning Commission of the certification of the Final Environmental Impact Report No. 82-2 for the Ham Lane Professional Complex, a proposed 9.96 acre, 11 building, 60,000 square foot complex to be located at the southwest corner of West Lodi Avenue and South Ham Lane, Lodi.
- c) To consider the recommended approval of the Planning Commission of the request of Charles Wentland on behalf of Consolidated Investors to rezone the 9.96 acre parcel at the southwest corner of West Lodi Avenue and South Ham Lane from R-GA, Garden Apartment Residential, to R-C-P, Residential-Commercial-Professional.

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area.

The Final Environmental Impact Report was reviewed by Assistant Planner David Morimoto.

The following person spoke in favor of the matter:

- a) Mr. Charles Wentland, 1601 West Lodi Avenue, Lodi

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The following person spoke in opposition to the matter:

a) Mr. Charles Duncan, 1214 West Lodi Avenue, Lodi

City Clerk Reimche presented the following letter that had been received from Richard S. Franza, Senior Project Officer, State Savings and Loan Association:

With reference to the above matter to be heard by you on this date, as owners of residential properties adjacent to this rezoning request on Huntington Drive, we are in accord with the requested rezoning. However, we request that you consider incorporating certain building conditions at this time or during your review of building plans:

1. That the proposed office complex is not to exceed one story as the rear property line is adjacent to residential property which we own.
2. That the developer provide a mature landscape buffer on the rear property line to maintain a privacy factor to the residential property, above the height of the existing wall.
3. That there be adequate security lighting in the rear and yet not over-done that it would interfere with the owner's privacy in the residential units.
4. Adequate security to be provided to protect the adjacent residential properties from undue intrusion.

If you have any questions pertaining to the above do not hesitate to call or contact the undersigned.

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

FINAL EIR
CERTIFIED AS
ADEQUATE

On motion of Mayor Reid, Olson second, Council then certified as adequate the Final Environmental Impact Report No. 82-2 for the Ham Lane Professional Complex, a proposed 9.96 acre, 11 building, 60,000 square foot complex to be located at the southwest corner of West Lodi Avenue and South Ham Lane. The motion carried by the following vote:

Ayes: Council Member - Murphy, Pinkerton, Olson, and Reid

Noes: Council Member - None

Absent: Council Member - None

Abstain: Council Member - Snider

Council Member Olson then moved for introduction of Section 2 of Ordinance No. 1270 amending the General Plan Land Use Element thereby redesignating the 9.96 acre parcel at the southwest corner of West Lodi Avenue and South Ham Lane from Medium Density Residential to Office-Institutional, with the following findings:

1. The adverse impact of the loss of agricultural land is overridden by the following considerations:
 - that the area has been designated for urban development in the Lodi General Plan.
 - that the property is totally surrounded by urban uses.
 - that the size of the parcel severely limits its agricultural potential.

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GENERAL PLAN LAND USE ELEMENT AMENDMENT SECTION 2 REDESIGNATING THE 9.96 ACRE PARCEL AT THE S/W CORNER OF WEST LODI AVENUE AND SOUTH HAM LANE FROM MEDIUM DENSITY RESIDENTIAL TO OFFICE INSTITUTIONAL

2. The increase in vehicular traffic generated by the project can be adequately handled by the Ham Lane, Lodi Avenue and Tokay Street.

The motion was seconded by Mayor Pro Tempore Murphy and carried by the following vote:

Ayes: Council Member - Murphy, Olson, Pinkerton, and Reid (Mayor)

Noes: Council Member - None

Absent: Council Member - None

Abstain: Council Member - Snider

ORD. NO. 1270 INTRODUCED

ORDINANCE REZONING THE 9.96 ACRE PARCEL AT THE S/W CORNER OF WEST LODI AVENUE AND SOUTH HAM LANE FROM R-GA TO R-C-P

On motion of Mayor Reid, Council introduced Ordinance No. 1272 Ordinance rezoning the 9.96 acre parcel at the southwest corner of West Lodi Avenue and South Ham Lane from R-GA, Garden Apartment Residential, to R-C-P, Residential-Commerical-Professional.

The motion was seconded by Mayor Pro Tempore Murphy and carried by the following vote:

Ayes: Council Member - Murphy, Olson, Pinkerton, and Reid

Noes: Council Member - None

Absent: Council Member - None

Abstain: Council Member - Snider

ORD. NO. 1272 INTRODUCED

RECESS The Mayor declared a five minute recess and the meeting reconvened at approximately 9:30 p.m.

PLANNING COMMISSION No Planning Commission Report had been received since the last meeting.

COMMUNICATIONS (CITY CLERK)

City Clerk Reimche presented a letter which had been received from Delores Dickey, Lifeline program coordinator, Lodi Memorial Hospital, scheduling September 9 - 10 as the installation dates for Lifeline, a personal emergency response program.

P G & E PUC APPLICATION

City Clerk Reimche presented a letter which had been received from Pacific Gas and Electric giving notice that in Application No. 82-08-51, it has requested authorization under its Gas Adjustment Clause (GAC) to revise its gas service tariff, effective October 1, 1982, to reflect gas costs and to amortize the Gas Cost Balance Account (GVBA) undercollection.

ABC LICENSE APPLICATION

City Clerk Reimche presented the following application for Alcoholic Beverage License which had been received:

Beacon Oil Company
35 N. Cherokee Lane
Lodi, CA - Off Sale Beer and Wine

ANSWER FROM GRAND JURY REGARDING REQUEST FOR INVESTIGATION

City Clerk Reimche presented a letter which had been received from Charles E. Bott, Foreman of the Grand Jury, County of San Joaquin relative to the investigation regarding the conduct of Lodi Police Officers which the Council had recently requested. Mr. Bott stated that the current Grand Jury will soon be dismissed

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and are heavily involved in concluding other matters. The new Grand Jury will be impanelled on September 17, 1982 and the Council's request will then be directed to the proper committee for perusal and possible action.

COMMENTS BY CITY COUNCIL MEMBERS

UPDATE ON LODI AVENUE

11-16
11-27

Council Member Snider reported to the Council that he had received a call from Mrs. Frank Grenko stating that she was "thrilled" with the effect of Council's recent action regarding Lodi Avenue. Mrs. Grenko had circulated the petition bringing the Lodi Avenue problem to Council's attention.

Mr. Charles Wentland, 1601 West Lodi Avenue, Lodi reported that he felt maybe the problem had moved, and reported on problems he had encountered at his residence recently.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

There were no comments by the Public on non-agenda items.

REGULAR CALENDAR

REPORTS OF THE CITY MANAGER

cc
45a
cc 300

CLOSING PORTION OF PLEASANT AVENUE NEAR NEEDHAM SCHOOL

Agenda item "1" - "Proposed closing of a portion of Pleasant Avenue at Needham School" was introduced by Staff. Mrs. Hilda Wentland, Principal of Needham School was in the audience and responded to questions as were posed by members of the Council.

RES. NO. 82-107

On motion of Council Member Snider, Olson second, Council adopted Resolution No. 82-107 - Closing a portion of Pleasant Avenue near Needham School (between Tokay Street and Chestnut Street) during school hours. The motion carried by the following vote:

Ayes: Council Member - Murphy, Olson, Snider, and Reid

Noes: Council Member - Pinkerton

Absent: Council Member - None

LIMITED PARKING ON PACIFIC AVENUE FRONT SIDE PROPERTY AT 1400 WEST ELM STREET

Council was apprised that in March 1976, the City Council established parking restrictions on Walnut Street and Oak Street between Ham Lane and Pacific Avenue on Wellington Way and on the east side of Pacific Avenue between Walnut Street and Elm Street. The only residence on Pacific Avenue not included in the resolution is along the east side of 1400 West Elm Street.

RES. NO. 82-108

Mr. and Mrs. Don Bettencourt, owners of the property have stated they have experienced the same problems (litter, blocked driveway, etc) which initiated restrictions elsewhere in the area, and have requested the zone be extended to include the street adjacent to the east of their home. Mrs. Bettencourt then addressed the Council concerning the problems they have encountered.

11-45 (2)
45a
cc 300

Following additional discussion, Council on motion of Mayor Pro Tempore Murphy, Olson second, adopted Resoluition No. 82-108 amending Resolution No. 4179 and extending the limited parking restrictions in the vicinity of Lodi High School to include front side property at 1400 West Elm Street, Lodi.

APPROVAL OF FINAL MAP FOR BECKMAN PARK VILLA

11-46

Council was apprised that Guarantee Savings, the developers of Beckman Park Villa, Unit #1, have furnished the City with the necessary agreements, improvement securities and fees for Beckman Park Villa, Unit #1. This is a one-lot condominium subdivision located at the northwest corner of Century Boulevard and Ham Lane. Unit No. 1, which is the first phase of a proposed 2-lot

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condominium development, will contain 29 residential units and a club house.

On motion of Councilman Pinkerton, Murphy second, Council approved the final map and subdivision documents for Tract No. 1824, Beckman Park Villa, Unit No. 1 and directed the City Manager and City Clerk to execute the subdivision agreements on behalf of the City.

As requested by Council at an earlier meeting, Staff presented a detailed costs estimate of the Hutchins Street Median Landscaping, Harney Lane to Vineyard Drive.

HUTCHINS STREET
MEDIAN LAND-
SCAPING

11-0002
11-0002

City Clerk Reimche then presented a letter which had been received from Doug Fritz, President, Lodi Lions Club stating that it has come to the attention of the Lodi Lions Club that our community is considering the beautification of the roadway divider on South Hutchins Street, from Kettleman to Harney Lane. The news media has noted a large expenditure of public funds for this project would be required.

Acknowledging the City of Lodi may have sufficient funds for such a project, we, the members of the Lodi Lions Club wish to inform you of our interest in possibly assisting other interested service clubs in performing the necessary tasks to install selected shrubs and other suggestions made by the Master Plan for this project.

The Lodi Lions Club has received supportive interest from the Lodi Tokay Rotary Club, and our committee believes there are many such groups within our community who would appreciate a request for participation. The Lodi Sunrise Lions Club has also requested their group be considered.

Our request is that we be allowed to receive the project information from the City of Lodi noting the various breakdowns for all requirements. With a given time frame in which to evaluate and respond to the Lodi City Council, we would be able to state which service clubs would participate, and what each group would provide in supportive time and material.

Your response to this request would be most appreciated.

A very lengthy discussion followed with questions being directed to Staff. On motion of Mayor Reid, Pinkerton second, Council directed Staff to proceed in preparing detailed cost information regarding this project. The City Clerk was directed to correspond with Mr. Fritz expressing Council's sincere appreciation for their interest in possibly assisting other interested service clubs in performing the necessary tasks to install selected shrubs and other suggestions made by the Master Plan for this project, suggesting that Mr. Fritz and other representatives of his group meet with Staff to go over the information being prepared by Staff to select what segments of the project they would be interested in participating in. This matter will be brought back to the City Council at the adjourned Regular Meeting of October 27, 1982.

DEFERMENT OF
OFF-SIDE
IMPROVEMENTS
ON COCHRAN
ROAD

Council received a Staff report concerning the deferment of off-site improvements on Cochran Road. This was an informational item only with no action being taken by the City Council.

NATIONAL
CONGRESS OF
CITIES VOTING
DELEGATE AND
ALTERNATE
SELECTED

On motion of Councilman Pinkerton, Snider second, Mayor Fred Reid was selected as the voting delegate and Mayor Pro Tempore Murphy as the voting alternate for the National Congress of Cities Conference to be held in Los Angeles November 27 to December 1, 1982.

Continued September 15, 1982

REVIEW OF PROPOSED 1982-83 CAPITAL IMPROVEMENT PROGRAM CONTINUED

With the tacit concurrence of the City Council, the proposed 1982-83 Capital Improvement Program was continued to a future Informal Informational Session (Shirtsleeve Session).

PARKING PROBLEMS IN AREA OF PCP

22-16
46 a
48 a
10300

City Attorney Stein gave the following report regarding his September 15, 1982 meeting with PCP officials regarding parking:

On September 15, 1982, Councilman Randy Snider and I met with Jim Schweickardt, Personnel Employee Relations Manager and Jose Rodriguez, Business Representative of Cannery Local 601 of Pacific Coast Producers to discuss the PCP parking problem.

During said meeting, I learned that at the present time, there is a three-year contract that was previously negotiated and at this time, it would not be possible to amend said contract to require cannery workers to park in the designated parking lot.

Both Mr. Schweickardt and Mr. Rodriguez had no problem with the City enforcing the State and local Codes regarding parking on the streets adjacent to the Cannery. Mr. Rodriguez said if the employees are obstructing driveways, their vehicles should be removed.

We also discussed the possibility of moving the time clock to the parking lot area and we were told by both the Union Representative and the Employee Relations Manager of PCP that this would not be feasible due to logistics problems at the Cannery.

It was determined that the Union and Management would join together in a communique to the Cannery workers and ask that they voluntarily park in the Cannery parking lot and further that they no longer litter the streets in and around the Cannery.

Further, it was suggested that the Police Department vigorously enforce the City and State Codes regarding obstruction of driveways, streets, and property.

Another suggestion was that if there is no resolution of the problem over the next couple of years, that at that time a request be made of the PCP Union and Management to adopt a compulsory parking requirement.

Other discussion at the meeting was the possibility, as a last resort, of going to permit parking as set forth under Lodi City Code Section 1484.1.

Neither the PCP Union or Management representative was opposed to the use of permit parking as a resolution of the problem.

Possible courses of action for resolution of the subject problem were outlined as follows by City Attorney Stein:

RES. NO. 82-109 ADOPTED ESTABLISHING RED ZONING IN AREA OF PCP

- 1) Vigorous enforcement of the State and local codes regarding parking and obstruction of driveways.
- 2) Inspection by Police Department one-half hour after each shift begins for violations (shifts begin at 11:00 p.m., 7:00 a.m., and 3:00 p.m.)
- 3) Consider preferential parking permits under the Lodi City Code Section 1484.1.
4. Contracts to be negotiated three years hence, the PCP Union and Management agree to compulsory parking requirements.

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5) Red curbing the ends of driveways.

A very lengthy discussion followed with questions being directed to Staff.

On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-109 directing that red curbing be established at the ends of driveways in an area earlier reviewed by Council.

FINANCES
AGREEMENT RE
CALAVERAS THIRD
CASE
D. NO. 1269
ADOPTED

Ordinance No. 1269 - An Ordinance of the City Council of the City of Lodi approving the terms and conditions of a Member Agreement (Calaveras Third Phase) between Northern California Power Agency and certain Participating Members, and authorizing the execution of and delivery of said Agreement by Officers of the City; namely, the Mayor and City Clerk having been introduced at a regular meeting of the Council held September 1, 1982 was brought up for passage on motion of Councilman Pinkerton, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

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

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 10:35 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk