

CITY COUNCIL, CITY OF LODI
 CITY HALL, CITY OF LODI
 WEDNESDAY, JULY 2, 1980
 5:00 p.m.

A Special Meeting of the City Council of the City of Lodi was held pursuant to written notice being mailed or hand delivered to each member of the City Council, KQVR, Lodi News Sentinel, KCRA-TV News, Lodi Cable TV, Stockton Record, and Lodi Life and Times.

The meeting was called to order at 5:00 p.m. by Mayor Walter Katnich at which time the Council met in Executive Session.

The heretofore mentioned notice advised that the business to be transacted at this special meeting shall be in Executive Session and shall consist of personnel matters.

A brief report regarding the Executive Session was made by Mayor Katnich. Mayor Katnich further reported that department head salary increases when granted will be retroactive to July 1, 1980.

A regular meeting of the City Council of the City of Lodi was then held commencing at 8:10 p.m., in the City Hall Council Chambers.

Roll Call was recorded by the City Clerk as follows:

ROLL CALL

Present: Councilmen Hughes, McCarty, Murphy, Pinkerton and Katnich(Mayor)

Absent: Councilmen - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

INVOCATION

The invocation was given by Chaplain Wayne Kildall, Director, Center of Hope.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Pinkerton, Murphy second, the Minutes of June 4, 1980 and June 18, 1980 were approved.

AWARDS OF COMMENDATION
 PRESENTED TO OFFICER
 CANNON AND CAPTAIN
 MAUCH

Mayor Katnich presented plaques of commendation to Officer Lee Cannon and Captain Norman Mauch.

CONSIDERATION OF
 ABANDONMENT OF COMMUNITY
 DRIVE FROM VINE STREET
 TO COCHRAN ROAD
 CONTINUED TO 7/16/80

Following introduction of the matter and recommendation by Public Works Director Ronsko, Council, on motion of Councilman McCarty, Murphy second, continued to July 16, 1980 the Public Hearing to consider abandoning Community Drive from Vine Street to Cochran Road. The motion carried by unanimous vote.

PLANNING
 COMMISSION

City Manager Glaves gave the following report of the Planning Commission Meeting of June 23, 1980:

Continued July 2, 1980

1. Certified the filing by the Community Development Director of Negative Declaration ND-80-7 for the Safety/Seismic Safety Element of the General Plan for the City of Lodi.

2. Recommended the adoption of the Safety/Seismic Safety Element of the General Plan for the City of Lodi.

SAFETY/SEISMIC
SAFETY ELEMENT OF THE
GENERAL PLAN FOR THE
CITY OF LODI

On motion of Councilman Pinkerton, Murphy second, the heretofore listed items were set for Public Hearing at 8:00 p.m., August 6, 1980.

The Planning Commission further -

RECOMMENDATION RE
ABANDONMENT OF COMMUNITY
DRIVE BETWEEN COCHRAN
ROAD AND WEST VINE ST.

Determine that no public need existed if appropriate easements were retained by the City of Lodi and recommended the abandonment of Community Drive between Cochran Road and West Vine Street.

ITEMS OF INTEREST

The Planning Commission further -

1. Denied the request of Mr. Fred Heagarty on behalf of Heagarty-Fosen Furniture for a Variance to reduce the required off-street parking for an existing structure from 12 to 0, and for a proposed store addition from 19 to 0 at the southwest corner of South Church Street and West Pine Street in an area zoned C-2, General Commercial.

2. Approved the request of Mr. Victor Schwedhelm on behalf of Holz Rubber Company for a Use Permit for a temporary, portable office building for 1 year at 1129 South Sacramento Street in an area zoned M-2, Heavy Industrial.

3. Determined that a beauty college was not an appropriate use for the C-1, Neighborhood Commercial District, and thereby denied the request of Mr. Lloyd Helwig to convert a portion of an existing restaurant at 1030 South Hutchins Street to that use.

4. Directed the Public Works and Community Development Departments to prepare a revised Circulation Element of the General Plan for the City of Lodi.

COMMUNICATIONS

AB 8
NEGOTIATIONS

City Clerk Reimche advised Council that notification has been received that the Local Agency Formation Commission, due to delays in completing AB 8 negotiations for distribution of tax dollars, has granted a one-year extension of time to complete proceedings on the Reuscher Reorganization.

The City Clerk presented a letter which had been received from Mark Stebbins, Community Garden Coordinator indicating they have solicited a site in back of the Tokay Bowl and requesting the City to install a water connection on Cherokee Lane, and asking that the City provide a ditcher and the pipe for this

Continued July 2, 1980

COMMUNITY GARDEN
REQUEST CONDITIONALLY
APPROVED

group to run a line back to the site. They also requested that the City again provide fencing for the garden. Mr. Stebbins indicated that they would be willing to provide any necessary labor so that this work could be done most economically. Mr. Stebbins was in the audience and addressed the Council regarding the request. Following an inquiry by the Council, Public Works Director Ronsko provided a cost estimate for the requested pipe and water connection and for fence rental.

Council discussion followed with questions being directed to Staff and to Mr. Stebbins. On motion of Councilman Pinkerton, Murphy second, Council approved the request of Mr. Stebbins with the condition that his group attempt to obtain a ditcher for work at the site from within the community. If they are not successful in obtaining the use of such a piece of equipment from within the Community, the City will attempt to assist them.

ABC
LICENSES

City Clerk Reimche presented the following Applications for Alcoholic Beverage Licenses which had been received:

- a) Del Castillo, 603 S. Central Ave., Off Sale Beer and Wine - New License.
- b) Carrows Beverages, Inc. - Carrows Hickory Chip Restaurant, 813 E. Kettleman Lane, Person to Person - on sale beer and wine license.
- c) Cherokee Service Center, 303 S. Cherokee Lane - Off Sale Beer and Wine - New License.

APPLICATION FOR
LEAVE TO PRESENT
LATE CLAIM

The City Clerk advised that a request had been received asking for approval of application for leave to present late claim as filed by Candace Jaeger. It is the recommendation of R. L. Kautz and Company, and the City Attorney that Council deny the Claimant's application for leave to present late claim.

On motion of Councilman Hughes, Pinkerton second, Council denied the heretofore listed Claimant's application for leave to present late claim.

On motion of Councilman Hughes, Pinkerton second, Council denied the heretofore list Claimant's application for leave to present late claim.

ANNEXATION PROCESSING
QUESTIONED

Council received for its perusal a copy of a letter from Gerald F. Scott, Executive Officer of LAFCO addressed to Mr. Gerald Sperry, Stockton City Attorney advising that in reply to Mr. Sperry's letter they feel that their current processing of annexations is legal and necessary to assure a smooth transition from county and special district services to city jurisdiction and therefore, LAFCO does not plan to take any further action on Mr. Sperry's request.

APPEAL LLOYD HELWIG
1030 S. HUTCHINS STR.
RE PLANNING COMMISSION'S
DETERMINATION THAT A
BEAUTY COLLEGE AT THAT
SITE WAS NOT AN APPROPRIATE
USE FOR C-1

City Clerk Reimche presented an appeal received from Mr. Lloyd Helwig, % Helwig's Restaurant, 1030 S. Hutchins Street, Lodi of the Planning Commission's determination that a beauty college was not an appropriate use for the C-1, Neighborhood Commercial District. Mr. Helwig requested that this matter be heard July 16, 1980.

Continued July 2, 1980

Following discussion, on motion of Councilman Pinkerton, McCarty second, Council set for herefore listed appeal for Public Hearing at 8:00 p.m. on August 6, 1980.

City Clerk Reimche presented a letter which had been received from Ernst and Whinney summarizing the scope of their services and a fee estimate regarding their engagement to examine the financial statements of the City of Lod for the year ended June 30, 1980, which amount they estimate not to exceed \$10,200. Following discussion, on motion of Councilman Hughes, Murphy second, Council authorized retaining the firm of Ernst and Whinney to prepare the audit for fiscal year ending June 30, 1980 at a cost not to exceed \$10,200.

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

CLAIMS WERE APPROVED IN THE AMOUNT OF \$622,166.56.

AWARD - ASPHALT MATERIAL City Manager Graves presented the following bids 1st QUARTER F. Y. 1980-81 for the first quarter of fiscal year 1980-81:

RES. NO. 80-82

Dense Grade Asphalt Concrete, Type 3 3/8". Asphalt Binder shall be Viscosity Grade AR-4000 Paving Asphalt.

SUPPLIERS

	A	B	C
F.O.B. Plant	(300 Tons)	(100 Tons)	(1500 Tons)
Stockpile	City Limits	Off Paver	Hopper

Claude C. Wood Co. Clements	\$20.67	\$23.532	\$24.91
Plus: City cost for mileage	3.32		
TOTAL	\$23.99	\$23.532	\$24.91
Granite Construction Co.,			
Stockton	\$20.35	\$23.69	
Plus: City cost for mileage	4.55		
TOTAL	\$24.91	\$23.69	
Industrial Asphalt, Linden	\$21.20	\$24.69	\$25.44
Plus: City cost for mileage	6.54		
TOTAL	\$27.74	\$24.69	\$25.44

* Standby time at P.U.C. rate after 30 minutes (not in accordance with Item 11, of bid requirements).

Continued July 2, 1980

ITEM NO. 2

Dense Grade Asphalt Concrete, Type B, 1/2".
Asphalt Binder shall be Viscosity Grade AR-4000
Paving Asphalt.

	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (100 Tons)
Claude C. Wood Co., Clements			
Cost per ton including tax	\$20.405	\$23.267	\$24.645
Plus: City cost for mileage	<u>3.32</u>		
TOTAL	\$23.725	\$23.267	\$24.645
Granite Construction Co., Stockton			
Cost per ton including tax	\$19.82	\$23.16	
Plus: City cost for mileage	<u>4.56</u>		NO BID
TOTAL	\$24.38	\$23.16	
Industrial Asphalt, Linden			
Cost per ton including tax	\$20.14	\$23.64	\$24.38
Plus: City cost for mileage	<u>6.64</u>		
TOTAL	\$26.78	\$23.64	\$24.38

*Standby time at P.U.C. rate after 30 minutes (not in accordance with Item 11, of bid requirements).

On recommendation of City Manager Glaves,
Council adopted the following resolution:

RESOLUTION NO. 80-82

RESOLUTION AWARDING THE CONTRACT FOR ASPHALT
MATERIALS FOR THE FIRST QUARTER OF FISCAL YEAR
1980-81 AS FOLLOWS:

CLAUDE C. WOOD COMPANY, CLEMENTS	Item No. 1A, B & C
GRANITE CONSTRUCTION COMPANY, STOCKTON	Item No. 2A & C Item No. 2B

City Manager Glaves presented the following
bids which had been received for Rock and
Sand Material for Fiscal Year 1980-81 as follows:

ITEM NO. 1

3/4" Class 2 Aggregate Base

SUPPLIER	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (500 Tons)
Claude C. Wood Co., Clements		
Cost per ton including tax	\$ 3.551	\$ 5.936
Plus: City cost for mileage	<u>3.32</u>	
TOTAL	\$ 6.871	\$ 5.936

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SUPPLIER	ITEM NO. 2		ITEM NO. 3	
	Concrete Sand		¾" x#10 Crushed Rock Screening	
	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (400 Tons)	A F.O.B. Plant (100 Tons)	B Stockpile City Limit. (400 Tons)
Claude C. Wood Co., Clements				
Cost per ton including Tax	\$ 4.134	\$ 6.519	\$6.784	\$ 9.169
Plus: City cost for mileage	3.32		3.32	
TOTAL	\$ 7.454	\$6.519	\$10.104	\$ 9.169

ITEM NO. 4

SUPPLIER	4" x 8" Cobbles	
	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (300 Tons)
	Claude C. Wood Co., Clements	
Cost per ton including tax	\$5.724	\$8.109
Plus: City cost for mileage	3.32	
TOTAL	\$9.044	\$8.109

On recommendation of City Manager Glaves, Council adopted the following resolution:

RESOLUTION NO. 80-83

RES. AWARDING THE CONTRACT FOR ROCK AND SAND MATERIAL F. Y. 1980-81

RESOLUTION AWARDING THE CONTRACT FOR ROCK AND SAND MATERIAL - FISCAL YEAR 1980-81 AS FOLLOWS:

RES. NO. 80-83

CLAUDE C. WOOD COMPANY, CLEMENTS
 Item No. 1 A & B
 Item No. 2 A & B
 Item No. 3 A & B
 Item No. 4 A & B

ITEM REMOVED FROM AGENDA

With the tacit concurrence of the City Council, Agenda item "d" - "Accept Improvements - Temple Baptist Church" was removed from the Agenda.

Council was apprised that Mr. Vernon Ekstrom, owner of a parcel located at 488 E. Kettleman Lane, Lodi has requested that a portion of the easement running north-south through the parcel be abandoned. Mr. Ekstrom has plans to construct a warehouse addition and the easement is within the proposed building area. He has also paid the City of Lodi \$2,082 and granted other easements to relocate power poles that are located within the easement to be abandoned.

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RESOLUTION OF INTENTION TO ABANDON AN EASEMENT AT 488 E. KETTLEMAN LANE Staff indicates that there does not appear to be any reason to retain the easement.

RES. NO. 80-84

On recommendation of City Manager Glaves, Council adopted the following resolution:

RESOLUTION NO. 80-84

RESOLUTION OF INTENTION TO ABANDON A PORTION OF THE 5-FOOT PUBLIC UTILITY EASEMENT RUNNING NORTH-SOUTH THROUGH THE PARCEL AT 488 E. KETTLEMAN LANE, SETTING THE MATTER FOR PUBLIC HEARING ON AUGUST 6, 1980, AND REFERRING THE MATTER TO THE PLANNING COMMISSION FOR ITS MEETING OF JULY 28, 1980.

RES. ESTABLISHING A "NO PARKING" ZONE ON A PORTION OF LAUREL AVENUE NORTH OF TURNER ROAD, LODI

RES. NO. 80-85

Council was apprised that in 1973, the City installed curb, gutter and sidewalk along that portion of the street lying adjacent to Lodi Lake Park. A one-half diameter cul-de-sac was also constructed at the north end of Laurel Avenue. Recently, residents of the area have complained that vehicles have been parking within the cul-de-sac, thereby not providing sufficient street area for turning vehicles. The result of this is that turning vehicles are being driven across sidewalk areas, lawns, or into private driveways. The turning diameter for an average vehicle is approximately 42' and by prohibiting parking as proposed by Staff, this distance would be provided. On recommendation of the City Manager, Council adopted the following resolution.

RESOLUTION NO. 80-85

RESOLUTION ESTABLISHING A "NO PARKING" ZONE ON A PORTION OF LAUREL AVENUE NORTH OF TURNER ROAD, LODI

Agenda item "G", - "Request of Sanitary City for rate increase" was introduced by Assistant City Manager Glenn who advised that he, Councilmen Pinkerton and Murphy had this afternoon met with representatives of Sanitary City Disposal Company, Inc. to discuss and finalize recommended rates for the ensuring fiscal year. Mr. Glenn gave highlights of the meeting and gave the following recommendation:

Commercial rates be increased 15.0% over present rates

RATE INCREASE APPROVED FOR SERVICES RENDERED BY SANITARY CITY DISPOSAL CO., INC. FOR REFUSE PICKUP

Residential Rates be established as follows:

1st can	\$3.50
Additional can	\$1.62

RES. NO. 80-86

Council discussion followed with questions being directed to Staff.

Mr. James John, 2321 Alpine Drive, Lodi addressed the Council stating that citizens should be given the opportunity to refuse or to opt for curbside service. Mr. John further stated that garbage trucks should not be left unattended with motors running. Further comments regarding curbside service were made by Mr. John.

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Following discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted a Resolution No. 80-86 approving the following new rates for refuse pickup service rendered by Sanitary City Disposal Company, Inc. for services rendered after July 1, 1980:

Commercial	- 15.0% increase over present rates
1st can	\$3.50
Additional Can	\$1.62

PLANS & SPECS FOR
FIREHOUSE #2

APPROVED

The plans and specifications for Fire House #2 were presented for Council's approval. In general the work consists of constructing a 6200 square foot metal building, with hose and training tower and all site work including landscaping on the City's existing lot at 705 East Lodi Ave. The architect has allocated 120 calendar days for this construction and the architect's contract estimate is \$282,000.

On motion of Councilman Pinkerton, Murphy second, Council approved the plans and specifications for Fire House No. 2 and authorized the City Clerk to advertise for bids thereon.

AGENDA ITEM
CONTINUED TO JULY 16,
1980 MEETING

With the tacit concurrence of the City Council, agenda item "i" - "Approve Lodi Lake Shade Structure plans and specifications" was continued to the regular meeting of July 16, 1980 with the request that Parks and Recreation Director Ed DeBenedetti be present to respond to questions regarding this matter.

ORD. AMENDING CITY CODE
RELATING TO OFF-SITE
IMPROVEMENTS AND
DEDICATIONS INTRO.

ORD. NO. 1205
INTRO.

Following introduction of the matter by City Attorney Stein, with questions being directed to Staff and to Mr. Stein, Council on motion of Mayor Pro Tempore McCarty, Murphy second, introduced Ordinance No. 1205, entitled, "An Ordinance Amending Chapter 5, Article V, Section 5-22 of the Lodi Municipal Code Relating to Off-Site Improvements". The motion carried by unanimous vote.

ACTION DEFERRED ON
AGENDA ITEM TO ALLOW
TIME FOR SUPERVISOR
BARBER TO ADDRESS THE
COUNCIL ON THE MATTER

Following introduction of the matter by City Manager Graves, and discussion, Council, on motion of Councilman Pinkerton, Murphy second, deferred action on Agenda item "K" - "City of Stockton Department of Recreation and Parks request for County Funds for certain recreational programs" to allow time for Supervisor George Barber to address the Council on this matter.

City Manager Graves was directed to contact Supervisor Barber to ascertain if it would be possible for him to be present at the July 16, 1980 Council meeting.

AMENDED & RESTATED
MEMBER AGREEMENT FOR
CONSTRUCTION, OPERATION,
AND FINANCING OF NCPA
GEOTHERMAL GENERATING
UNIT NO. 2 PROJECT

An "Amended and Restated Member Agreement for Construction, Operation, and Financing of NCPA Geothermal Generating Unit No. 2 Project" was presented by City Manager Graves for Council approval. Background information regarding the document was provided by the City Manager who responded to questions regarding the subject as were directed by Council. Following discussion on the matter, Council directed City Manager Graves to contact NCPA to see if Lodi

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could obtain a portion of the City of Biggs rights to the Shell Project, which the City of Biggs has elected to relinquish. Council further asked that the City Manager report his findings at the next Council meeting at which time approval of the proposed amended agreement will be considered by the City Council.

RECESS

Mayor Katnich declared a 5 minute recess, and the Council reconvened at approximately 10:00 p.m.

Assistant City Manager Jerry Glenn concluded his presentation of the proposed 1980-81 Budget, outlining the changes that had been indicated by the City Council in previous meetings concerning this budget document.

Following additional discussion, Councilman Pinkerton moved that Ordinance No. 1206 be adopted as an urgency measure, which ordinance adopts an operating budget for the support of various departments of the City of Lodi and a Utility Outlay Budget for the Fiscal Year beginning July 1, 1980 and ending June 30, 1981 as follows:

	Council-Clerk	\$ 43,260
	General Charges	1,415,628
	Contingencies	250,000
	Pension	958,370
	Debt Service	174,890
	City Attorney	23,181
	City Manager	103,461
	Community Development	244,295
	Finance	214,555
	Police	1,604,500
1980-81 BUDGET	Fire	1,143,165
ADOPTED	Public Works	1,459,515
	Recreation	354,770
ORD. NO. 1206	Parks	487,605
ADOPTED		
	Total General Fund	\$ 8,482,195
	Electric Fund	11,452,185
	Sewer Fund	1,191,055
	Water Fund	480,145
	Library Fund	389,195
	Parking Fund	54,720
	TOTAL OPERATING BUDGET	\$22,049,495
	UTILITY OUTLAY BUDGET	479,035

The motion was seconded by Councilman Hughes. The Ordinance was then passed as an urgency measure, adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

Continued July 2, 1980

On motion of Councilman Pinkerton, McCarty second, the following appointments were made by Mayor Katnich with the concurrence of the City Council:

APPOINTMENT TO VARIOUS
CITY BOARDS AND
COMMISSIONS

Mike Lapenta was appointed to a four-year term on the City Planning Commission, which term will expire June 30, 1984.

Fred Baker was appointed to a four-year term on the City Planning Commission, which term will expire June 30, 1984.

Mayor Katnich expressed on behalf of the City Council and the citizens of Lodi sincere appreciation to Avery Gassin for the many years he served this community as a member of the Lodi City Planning Commission. City Clerk Reimche was asked to write a letter of appreciation and to have an appropriate plaque prepared for Mr. Gassin.

On motion of Councilman Pinkerton, Murphy second, the following appointments were made by Mayor Katnich with the concurrence of the City Council:

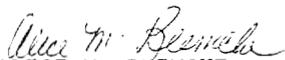
Darlene Avery was reappointed to a three year term as a trustee to the Library Board of Trustees, which term expires June 30, 1983.

Beverly Gabrielson was reappointed to a three year term as a trustee to the Library Board of Trustees, which term expires June 30, 1983.

ADJOURNMENT TO
EXECUTIVE SESSION
JULY 3, 1980

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at 10:45 p.m. to an Executive Session to be held Thursday, July 3, 1980 at 8:30 a.m.

Attest:


ALICE M. REIMCHE
CITY CLERK

SEE PAGE 247 FOR JULY 16, 1980 MINUTES