

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 17, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p. m., Wednesday, January 17, 1979 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, McCarty and
Katzakian (Mayor Pro
Tempore)

Absent: Councilmen - Katnich and Pinkerton
(Mayor)

Also

Present: City Manager Glaves, Public Works
Director Ronsko, Community Develop-
ment Director Schroeder, Assistant
City Attorney Sullivan, and City Clerk
Reimche.

INVOCATION

The invocation was given by Reverend Vernon
Robertson, Grace Presbyterian Church.

PLEDGE

Mayor Pro Tempore Katzakian led the Pledge of
Allegiance to the flag.

PRESENTATIONS

Mayor Pro Tempore Katzakian presented the follow-
ing proclamations:

- a) "Energy Days" - February 1-6, 1979
- b) "International Clergy Appreciation
Week" - January 28-February 3, 1979

The City also received from Mr. John Amstetz a
presentation for the "Plant of the Year Award"
from the California Water Pollution Control
Association/N.S.J.S.. Mayor Pro Tempore
Katzakian commended Fran Forkas and Al Inman
for their efforts in the City receiving this award.

PUBLIC HEARINGS

ADOPTION OF COG
GENERAL PLAN
NOISE ELEMENT

RES. NO. 79-9

Notice thereof having been published in accordance
with law and affidavit of publication being on file in
the office of the City Clerk, Mayor Pro Tempore
Katzakian called for the Public Hearing to consider
the City Planning Commission's recommendation to
adopt the General Plan Noise Element as prepared
by the San Joaquin County Council of Governments.

NOISE ELEMENT
RES. NO. 79-9
(Cont'd.)

Following introduction of the matter by Community Development Director Schroeder, Assistant Planner Freitas presented a synopsis of the San Joaquin County Council of Governments 1978 Noise Element, setting forth deletions and corrections as the document would pertain to the City of Lodi and presenting exhibits pertaining to information contained within the document.

Mr. Freitas listed the goals of the Noise Element as follows:

- °To improve the overall environment by reducing physically harmful and annoying levels of noise.
- °To prevent creation of new noise problems in developed and developing areas.
- °To alleviate existing noise problems.
- °To provide acceptable exterior and interior noise environments for residential and other noise sensitive land uses.

Policies and implementation policies as specified in the subject document were explained in detail by Mr. Freitas.

It was emphasized that Section 65302 of the Government Code of the State of California specifies that a noise element is one of the elements required to be included in the General Plan.

The following persons who were in the audience addressed the Council concerning the matter:

- a) Edna Wilson, 325 Daisy, Lodi complained about noises caused by trains, motorcycles, loud cars, etc.
- b) Mr. L. D. Tonn, 349 Shady Acres, Lodi spoke in support of the noise element but wondered how it was going to be policed.

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

Following additional discussion with questions being directed to staff, Council, on motion of Councilman McCarty, Hughes second adopted Resolution No. 79-9 adopting the 1978 Noise Element as adopted by the San Joaquin County Council of Governments on November 28, 1978, which Noise Element is to be a part of the General Plan of the City of Lodi.

PLANNING
COMMISSION

The Planning Commission -

PLANNING
COMMISSION (Cont'd.)

MILLSWOOD
SUBDIVISION

1. Certified as adequate and recommended the Final Environmental Impact Report for Millswood Subdivision, a 14.36 acre, 70 lot tract located south of Yosemite Drive between Mills Avenue and Rainier Drive.
2. Recommended approval of the request of C. P. G. L. Development Company and Matthews Development Company to zone the area encompassed by the Millswood Subdivision, which is south of Yosemite Drive between Mills Avenue and Rainier Drive, R-2, Single-Family Residential.

This area had not previously been precisely zoned because it has been annexed to the City as a portion of public school site.

On motion of Councilman Hughes, Katzakian second, the above matters were set for Public Hearing Wednesday, February 7, 1979 at 8:00 p. m.

STORM DRAINAGE
RETENTION BASIN
PARK C-2

The Planning Commission also -

1. Certified as adequate and recommended to the City Council the Final Environmental Impact Report for Storm Drainage - Retention Basin Park, C-2.
2. Recommended that the City Council amend the Master Storm Drainage Plan by eliminating Storm Drainage Retention Basin-Park C-2, which is proposed for the area bounded by Kettleman Lane on the north, Beckman Road on the east, Cherokee Memorial Park Cemetery on the south and State Highway Route 99 on the west and moving the required storage capacity to Storm Drainage Retention Basin, C-1, at the southeast corner of Beckman Road and East Vine Street.

On motion of Councilman McCarty, Hughes second, the above matters were set for Public Hearing Wednesday, February 7, 1979 at 8:00 p. m.

ITEMS OF INTEREST

The Lodi City Planning Commission also -

1. Approved the request of C. P. G. L. Development Company and Matthews Development Company to approve the Tentative Map of Millswood Subdivision, a 14.36 acre, 70 lot tract located south of Yosemite Drive between Mills Avenue and Rainier Drive.

COMMUNICATIONS

VFW REQUESTS USE
OF OLD LIBRARY
BUILDING

City Clerk Reimche presented a letter which had been received from the Lodi Post 1968 of Veterans of Foreign Wars requesting that the old Library building on West Pine Street, which will soon be vacated, be rededicated as a Lodi Veterans Memorial Building. The letter lists services by VFW to the Community, as a whole, and gives some suggestions as to the manner in which the VFW could utilize the building.

COMMUNICATIONS
(Cont'd.)

COUNCIL RECEIVES
MILLSWOOD
SUBDIVISION EIR

The City Council received copies of the Millswood Subdivision EIR to allow time for evaluation and review by the Council of the document prior to the February 7, 1979 Public Hearing.

PUBLIC HEARING
ON ALLEY
ABANDONMENT
CONTINUED

The Community Development and Public Works Departments requested that City Council continue the public hearing to consider abandonment of a portion of an alley on the east side of South Hutchins Street between Walnut Street and Lodi Avenue until February 21, 1979.

This recommendation is being made because 1) the abandonment request has some unique problems that the staff has not fully reviewed and 2) Mr. Don Campbell, an affected property owner, will be vacationing during the week of February 7, 1979. On motion of Councilman Hughes, McCarty second, the matter was continued to Wednesday, February 21, 1979 at 8:00 p. m.

CITY WITHDRAWS
OFFER FOR USE
OF CITY COUNCIL
CHAMBERS FOR
COURT FACILITY

Councilman Hughes stated that it is his understanding that a facility in close proximity to the City Hall complex is now available to be used as a court facility and suggested that if this is factual he would suggest that the City no longer contemplate making the Council Chambers available for Court purposes unless the City hears from the County that this can't be worked out.

City Manager Graves was directed by the Mayor Pro Tempore to contact the County that the City's offer for use of the City Council Chambers is withdrawn as long as an alternative was available for Court use.

REPORTS OF THE
CITY MANAGER
CONSENT CALENDAR

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

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$900,052.82.

PARCEL MAP -
RIVERGATE-
MOKELUMNE
RES. NO. 79-11

Staff requested that the City Council pass a resolution approving a lot line adjustment and authorizing the City Clerk to accept the dedication of public street rights-of-way and public utility easements as shown on the Parcel Map for a portion of the Rivergate-Mokelumne Subdivision. This is Unit No. 2 of the Rivergate-Mokelumne Subdivision, however, prior to filing a final map for the condominium subdivision, it will be necessary to make the lot line adjustment.

PARCEL MAP
RES. NO. 79-11
(Cont'd.)

RESOLUTION NO. 79-11

RESOLUTION APPROVING A LOT LINE ADJUSTMENT AND AUTHORIZING THE CITY CLERK TO ACCEPT THE DEDICATION OF PUBLIC STREET RIGHTS-OF-WAY AND PUBLIC UTILITY EASEMENTS SHOWN ON THE PARCEL MAP FOR A PORTION OF THE RIVERGATE-MOKELUMNE SUBDIVISION.

PROPOSED
ABANDONMENT OF
UTILITY EASEMENT
RIVERGATE-MOKEL-
UMNE SUBDIVISION

Council was apprised that the lagoon area of the Rivergate Mokelumne Subdivision was dedicated as a drainage easement to the City of Lodi to cover the discharge of storm waters to the north lagoon. Since construction of the lagoons, it has been determined that the south lagoon is not quite as large as originally planned and it is the developer's intent to build on this land, making it necessary to abandon the portion of the easement as depicted on a diagram presented for Council's perusal. The abandonment would not, in any way, affect the discharge to the north lagoon. The City has not used the area in the past, nor is there any apparent use for it in the future.

RES. NO. 79-12

RESOLUTION NO. 79-12

RESOLUTION OF INTENTION TO ABANDON A PORTION OF A DRAINAGE EASEMENT IN THE RIVERGATE-MOKELUMNE SUBDIVISION. COUNCIL FURTHER REFERRED THE MATTER TO THE PLANNING COMMISSION AND SET THE MATTER FOR PUBLIC HEARING FEBRUARY 21, 1979 at 8:00 P. M.

SALAS STORM
DRAINAGE
EXCAVATION
EXTENSION RE-
QUEST GRANTED

Council was presented with correspondence from the Claude C. Wood Company requesting a six-months extension for the excavation, the chain link fence, and excavation contract on Salas Basin. The chain link fence construction and excavation of the Salas Basin was substantially completed within the January 1, 1979 completion date; however, there is some fine grading and exterior grading to be completed.

CITY COUNCIL APPROVED THE REQUEST OF CLAUDE C. WOOD FOR A SIX-MONTH EXTENSION ON THE SALAS BASIN EXCAVATION CONTRACT.

CITY MANAGER
FILES STATEMENT
OF ECONOMIC
INTEREST

THE CITY COUNCIL RECEIVED FOR FILING THE 1978 STATEMENT OF ECONOMIC INTEREST AS FILED BY CITY MANAGER GLAVES.

AMENDMENT TO
CITY CODE
SECTION 2-6

COUNCIL INTRODUCED ORDINANCE NO. 1164 AMENDING SECTION 2-6 OF THE CITY CODE OF THE CITY OF LODI AS FOLLOWS:

ORD. NO. 1164
INTRO.

"THE PRESIDING OFFICER OF THE COUNCIL SHALL BE THE MAYOR WHO SHALL BE ELECTED ANNUALLY ON THE TUESDAY AFTER THE GENERAL MUNICIPAL ELECTION AND ON THE FIRST REGULAR MEETING IN APRIL IN THE YEARS WHEN THERE IS NO GENERAL MUNICIPAL ELECTION"-----

GOOD WISHES
EXTENDED TO
COUNCILMAN
KATNICH

Following introduction of the matter by City Manager Graves, Councilman Katnich was granted tacit permission by the Council to absent himself from City Council meetings because of health problems. Good wishes were extended to Councilman Katnich for a speedy recovery.

Mayor Pro Tem Katzakian asked to abstain from discussion and voting on the following matter because of a possible conflict of interest.

BECKMAN RANCH
UNIT NO. 2
IMPROVEMENTS
ACCEPTED

Council was apprised that the subdivision improvements in Beckman Ranch, Unit No. 2 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Aladdin Real Estate, Inc. dated April 21, 1978 and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO. 79-10

On motion of Councilman Hughes, McCarty second, Council adopted, by the following vote, Resolution No. 79-10 accepting the Subdivision Improvements and streets included in Tract Map No. 1387, Beckman Ranch, Unit No. 2.

AYES: Councilmen - Hughes and McCarty

NOES: Councilmen - None

ABSENT: Councilmen - Katnich and Pinkerton

ABSTAIN: Councilmen - Katzakian

RES. DETERMINING
UNPAID ASSESSMENT
& PROVIDING FOR
ISSUANCE OF BONDS -
INDUSTRIAL WAY &
BECKMAN ROAD
ASSESSMENT DISTRICT
NO. 1

Following introduction of the matter by Timothy J. Hachman, Attorney at Law, of the law firm of Blewett, Garretson & Hachman, Stockton, California, with questions concerning the matter being directed by the Council to Mr. Hachman and to Staff, Council, on motion of Councilman McCarty, Hughes second, adopted Resolution No. 79-13 - A Resolution Determining Unpaid Assessment and Providing for Issuance of Bonds - Industrial Way and Beckman Road Assessment District No. 1.

RES. NO. 79-13

PREPARATION OF
PLANS & SPECS FOR
TWO UTILITY DEPT.
BUILDINGS AT M.S.C.
SITE APPROVED

City Manager Graves introduced Agenda Item "i" - "Approve M.S.C. Master Plan". Diagrams of the proposed plan were displayed by Public Works Director Ronsko for Council's perusal. The matter had been discussed at previous meetings of the Council. Discussion followed with questions being directed to Staff. On motion of Councilman McCarty, Hughes second, Council authorized the preparation of plans and specifications for two Utility Department Buildings as depicted on the M.S.C. Master Plan presented by Staff.

PERSONNEL
REPLACEMENTS
AUTHORIZED

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Hughes, McCarty second, authorized replacements for the following positions:

- a) Assistant Utility Director
- b) Utility Lineman in place of a Line Truck Driver
- c) Account Clerk - Finance Department

AGREEMENT
WITH S. J. COUNTY
FOR RECREATION-
AL/CULTURAL
SERVICES APPRVD.

City Manager Graves presented for Council's approval an Agreement with the County of San Joaquin whereby the County agrees to pay the City during the fiscal year 1978-79 the sum of \$9,350.00 for recreational and/or cultural services to be provided by the City.

RES. NO. 79-14

Following discussion, Council, on motion of Councilman McCarty, Hughes second, adopted Resolution No. 79-14 approving Agreement with the County of San Joaquin for Recreational and/or Cultural Services and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

ACTION DEFERRED
ON AGENDA ITEM
"1"

With the tacit concurrence of the City Council, action was deferred on Agenda Item "1" - "Appointment of member to NCPA Non-Profit Corporations".

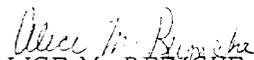
R. L. KAUTZ & CO.
ADMINISTRATION
AGREEMENT
SELF-INSURED
LIABILITY
PROGRAM

City Manager Graves presented a letter which had been received from Norton R. Hastings, Vice President of R. L. Kautz and Company regarding the Administration Agreement they have with the City on its self-insured Liability Program requesting a fee increase as a result of the inflation their Company has experienced over the past two years. Following Council discussion with questions being directed to Staff, Council, on motion of Councilman Hughes, McCarty second, approved an increase in the contract with R. L. Kautz and Company, to \$5,500 per year effective February 1, 1979.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Katzakian adjourned the meeting at approximately 10:00 p.m. to Wednesday, January 24, 1979 at 7:30 p.m.

Attest:


ALICE M. REIMCHE
CITY CLERK