

1979-80 BUDGET
(Cont'd)

b) Mike Locke, President, Lodi Downtown Business Association, stated that he was also soliciting the removal of the parking meters.

c) Joe Newfield, 703 W. Elm Street, Lodi, stated that he is interested in the survival of downtown Lodi and that he feels the health of the downtown area should be of concern to the City Council. Mr. Newfield stated that he feels the removal of the meters is primary.

d) Mr. Jim Culbertson, 641 N. Pacific Avenue, Lodi, addressed the Council regarding the Hotel-Motel Tax Fund stating that he doesn't feel monies should be diverted from this fund.

e) Jack Hoggatt, 32 N. Ham Lane, Lodi addressed the Council regarding the Lodi District Chamber of Commerce Board of Director's position that surplus funds should be allocated to reserves and transferred for necessary expenditures when required.

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

Additional discussion followed with questions regarding the P. L. and P. D. Reserves being posed by the Council and City Attorney.

ALLOCATION OF
1978-79 SURPLUS

RES. NO. 79-88

Assistant City Manager Glenn proposed that Council consider allocation of the 1978-79 surplus to various reserves. A lengthy Council discussion followed with questions being directed to Staff.

On motion of Mayor Pro Tempore Katnich, Hughes second, Council adopted Resolution No. 79-88 directing that 1978-79 appropriations be made to the following reasonable and proper reserves:

Capital Outlay Reserve	\$300,000
Utility Outlay Reserve	\$426,000
Water Capital Outlay	\$180,000
Equipment Fund	\$ 85,580
PL and PD Insurance Reserve	\$ 25,000

EXECUTIVE SESSION

The City Council recessed to Executive Session at approximately 9:30 p. m. Upon request, the City Clerk was excused from attending the Executive Session by Mayor Katzakian. Council reconvened at 9:40 p. m.

PUBLIC HEARING
RE ORDER
INSTITUTING
INVESTIGATION
NO. 2
CROSSING
PROTECTION IN
LODI

Following introduction of the matter by City Attorney Mullen, Council, on motion of Councilman Pinkerton, Katnich second, directed that a formal request be forwarded to the Public Utilities Commission requesting a 60-day continuance of the PUC hearing in the matter of the Order Instituting Investigation No. 2 Crossing Protection in Lodi, which hearing had been set for Wednesday, Thursday, and Friday, June 27, 28, and 29, 1979 and further the Council set a public hearing for Wednesday, July 18, 1979 at 8:00 p. m. at which

PUBLIC HEARING
CROSSINGS (Cont'd)

time the citizens of Lodi can appear before the Council and express their objection, if any, to the proposed closure of the three crossings in question.

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of June 11, 1979:

The Planning Commission -

REQUEST TO
INCREASE ALLOW-
ABLE LOT COVERAGE
FROM 40% to 45% IN
THE R-1 AND R-2
SINGLE-FAMILY RESI-
DENTIAL DISTRICTS

1. Certified the filing of a Negative Declaration by the Community Development Director on the request of Richard A. Entzi to amend the Lodi City Zoning Ordinance (i. e., Section 27, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in R-1 and R-2 Single-Family Residential Districts.

On motion of Councilman Pinkerton, Katnich second, the matter was set for Public Hearing Tuesday, July 3, 1979 at 8:00 p. m.

The Planning Commission also -

2. Recommended approval of the request of Richard A. Entzi to amend the Lodi Zoning Ordinance (i. e., Section 27, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in the R-1 and R-2, Single-Family Residential Districts.

On motion of Councilman Pinkerton, Katnich second, the matter was set for Public Hearing Tuesday, July 3, 1979 at 8:00 p. m.

The Planning Commission also -

1979-80 CAPITAL
IMPROVEMENT
PROGRAM RECOM-
MENDED FOR
APPROVAL BY
PLANNING
COMMISSION

3. Determined that the Capital Improvement Program for Fiscal Year 1979-80 was in compliance with the adopted General Plan and recommended its approval to the City Council.

The Planning Commission further -

ITEMS OF INTEREST

1. Approved the request of Grupe Development Company to combine Lots 295 through 305 of English Oaks, Unit No. 5 into one parcel and to convert 11 duplexes into 22 single-family condominiums in an area zoned P-D(4), Planned Development District No. 4.

The Planning Commission certified a Negative Declaration on the above project.

Minutes of June 20, 1979, continued

PLANNING
COMMISSION
ITEMS OF INTEREST
(Cont'd)

2. Approved the request of Ben Schaffer for Hawaii & San Francisco Development for approval of a Tentative Map for the Las Casitas Condominiums project in the Homestead Manor No. 4 Subdivision, located at the southwest corner of Lodi Avenue and Ham Lane in an area zoned R-GA, Residential-Garden Apartment.
3. Approved the request of Mrs. Shirley Lucchesi, Realtor, on behalf of Alton Brinlee, for approval of a revised Parcel Map to divide an existing industrially-zoned lot at 203 Houston Lane into three parcels. The Commission previously approved a Parcel Map for this same parcel to be divided into two parcels.
4. Approved the request of Baumbach and Piazza on behalf of Farmer's and Merchant's Bank for approval of a Parcel Map to create a 20,000 square foot parcel at the Westgate Shopping Center to erect a bank branch, in an area zoned C-S, Commercial Shopping Center.
5. Approved the request of Terry Piazza, Baumbach and Piazza on behalf of Genie Development for approval of a Parcel Map to modify Lots 4, 5, 6 and 7 of Sanguinetti Park, Unit #1 and Lots 8 and 9 of Sanguinetti Park Unit #2, in a P-D(17) zone, Planned Development No. 17.
6. Approved the request of Mr. Glen Baumbach on behalf of Mr. Charles Ferdun to divide an existing 2.81 acre parcel at the southeast corner of South Beckman Road and Industrial Way into two parcels; the first containing 1.40 acres, and the second 1.41 acres, in an area zoned M-1, Light Industrial, and C-M, Light Commercial.
7. Approved the request of Mr. Glen Baumbach on behalf of Fred Baybarz to approve a Parcel Map to create a 2.01 acre parcel at the southwest corner of North Cluff Avenue and East Pine Street in an area zoned M-2, Heavy Industrial.
8. Approved the request of Terry Piazza, on behalf of Mr. Bill Maxwell to combine Lot 11 and the southerly 170 feet of Lot 12 in Maxwell Industrial Park, and to create a separate parcel of the northerly 100 feet of Lot 12, in an area zoned M-2, Heavy Industrial.
9. Approved the request of Terry Piazza, on behalf of Dr. Craig Graham for approval of a parcel Map to join Lots 18 and 19 of the Sturla Park Subdivision in an area zoned R-C-P, Residential-Commercial-Professional.
10. Approved the request of Mr. Terry Piazza on behalf of Genie Development Company to divide Lot 8 of Maxwell Industrial Park, a 1.39 acre parcel, into two equal parts.
11. Recommended that the San Joaquin County Zoning Administrator approve the request of Mr. Jim Hoagland to expand an existing warehouse for Plastaket, Inc. located on the south side of Highway 12, 630 feet east of the Central California Traction Railroad right of way (i.e., 6620 East Highway 12).
12. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of Pacific Gas

ITEMS OF INTEREST
(Cont'd)

and Electric Company to construct wood pole and transmission line and maintain approximately 6.5 miles of 60 KV transmission line in an area generally located on Kettleman Lane from Lodi to the Lockeford Substation, east of State Route 88.

COMMUNICATIONS

PUC APPLICATION
RE DIABLO CANYON
NUCLEAR GENERAT-
ING STATION

City Clerk Reimche apprised the City Council that notification had been received that on June 6, 1979 Pacific Gas and Electric Company filed with the California Public Utilities Commission two applications in connection with the Diablo Canyon Nuclear Generating Station. A copy of the application notification was presented for Council's perusal.

SB 1223 (BRIGGS)
RE ISLAND
ANNEXATION

The City Clerk presented a letter which had been received from LAFCO re SB 1223 (Briggs) wherein it is proposed to repeal the "island annexation" provisions of the Municipal Organization Act of 1977. Said bill has an urgency clause and would become effective immediately upon passage. LAFCO has not taken a position on the Bill as yet, but felt every City should be aware of the Bill. At the June 15 LAFCO meeting the Executive Officer of LAFCO will recommend opposition to the Bill.

S. P. SUIT AGAINST
BOARD OF EQUALI-
ZATION FOR TAX
FUND

City Clerk Reimche advised the City Council that the City was in receipt of a letter from the County Counsel's office dated June 11, 1979 offering to represent the City's interest in the Southern Pacific Transportation Company, et al v. Board of Equalization of the State of California, et al, Action No. 281434 (Superior Court, County of Sacramento) which suit is being filed by S.P. against the Board of Equalization for a tax refund. Pursuant to direction given the City Attorney at the May 16, 1979 City Council meeting, the City Attorney has accepted the County Counsel's offer of representation on behalf of the City.

REQUEST BY CITY
CAB CO. FOR USE
OF RED FIAT &
RATE INCREASE

The City Clerk presented a letter which had been received from the City Cab Company advising that they have acquired a small 4 door Fiat automobile which they would like to use as an experimental taxicab. Mrs. Margrave of the City Cab Company further advises that the automobile is painted red but they do not want to go to the expense of painting it yellow until they know if it will hold up as a taxicab.

The letter further states that due to the rising cost of gas and oil, insurance and parts, etc., they are requesting a rate increase of the regular cab fares from .90¢ flag drop and .90¢ per mile to \$1.00 flag drop and \$1.00 per mile.

Council discussion followed with questions being directed to Staff. On motion of Councilman Hughes, Katnich second, Council authorized the City Cab

CITY CAB CO.
(Cont'd) Company to use a red 4-door Fiat automobile as an experimental taxicab for a three-month period and deferred action on the requested rate increase to allow Staff time to review the matter.

MOKELUMNE VILLAGE EASEMENT VACATION Following introduction of the matter by City Clerk Reimche, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, nullified the Public Hearing set for July 3, 1979 regarding an easement abandonment involving Lots 44, 45, and 46 and a portion of the easement along the south line of Lot 47 all located in Mokelumne Village as the easement has never been utilized and authorized the Mayor and City Clerk to execute the necessary documents for the abandonment of the subject easement.

APPOINTMENT OF RONALD M. STEIN AS CITY ATTORNEY ANNOUNCED Following introduction of the matter by the Mayor, Council, on motion of Councilman Pinkerton, Katzakian second, announced the appointment of Ronald M. Stein as City Attorney. Mr. Stein was in the audience and was introduced by Mayor Katzakian.

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 Pinkerton, Katnich second, were approved by Council.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,088,389.35.

AWARD-ASPHALT MATERIAL FOR FIRST HALF OF F.Y. 1979-80 City Manager Graves presented the following bid which had been received for Asphalt Materials for the first half of fiscal year 1979-80:

Supplier	Item No. 1			Item No. 2		
	A	B	C	A	B	C
	Dense Grade Asphalt Concrete, Type B 3/8". Asphalt Binder shall be Viscosity Grade AR-4000 Paving Asphalt.			Dense Grade Asphalt Concrete, Type B. 1/2" Asphalt Binder shall be Viscosity Grade AR-4000 Paving Asphalt		
	F.O.B. Plant	Stockpile City Limits	Hopper of Paver (1800 Tons)	F.O.B. Plant (100 Tons)	Stockpile City Limits (100 Tons)	Hopper of Paver (400 Tons)
Claude C. Wood Co.						
Cost per ton including tax	\$14.84	\$17.384	\$18.126	\$14.575	\$17.119	\$17.861
City cost for mileage	2.15			2.15		
COST PER TON	\$16.99	\$17.384	\$18.126	\$16.725	\$17.119	\$17.861

AWARD -
ASPHALT
(Cont'd)

The City Manager stated that the only bid received was a reasonable bid and recommended that the award be to Claude C. Wood Company.

RESOLUTION NO. 79-80

RESOLUTION AWARDING THE CONTRACT FOR ASPHALT MATERIALS FOR THE FIRST HALF OF FISCAL YEAR 1979-80 TO CLAUDE C. WOOD COMPANY THE ONLY BIDDER IN THE AMOUNTS HERETOFORE LISTED.

AWARD -
ROCK & SAND
MATERIAL
F.Y. 1979-80

City Manager Graves presented the following bid which had been received for Rock and Sand Material for Fiscal Year 1979-80:

Supplier

Claude C. Wood Co.

	Item No. 1		Item No. 2	
	3/4" Class 2 Aggregate Base		Concrete Sand	
	A	B	A	B
	F.O.B. Plant (100 Tons)	Stockpile City Limits (500 Tons)	F.O.B. Plant (100 Tons)	Stockpile City Limits (400 Tons)
Cost per ton including tax	\$3.286	\$5.565	\$3.975	\$6.254
Plus: City Cost for Mileage	2.15		2.15	
TOTAL COST PER TON	\$5.436	\$5.565	\$6.125	\$6.254
	Item No. 3		Item No. 4	
	1/4" x #10 Crushed Rock Screening		4" x 8" Cobbles	
	A	B	A	B
	F.O.B. Plant (100 Tons)	Stockpile City Limits (400 Tons)	F.O.B. Plant (100 Tons)	Stockpile City Limits (300 Tons)
Cost per ton including tax	-0-	-0-	\$5.565	\$7.844
Plus: City Cost for Mileage	*	*	2.15	
TOTAL COST PER TON	-0-	-0-	\$7.715	\$7.844

*Item No. 3 no bid.

AWARD -
ROCK & SAND
(Cont'd)

The City Manager stated that the bid was a reasonable one and recommended that the award be made to Claude C. Wood Co.

RESOLUTION NO. 79-81

RESOLUTION AWARDING THE CONTRACT FOR ROCK AND SAND MATERIAL FOR FISCAL YEAR 1979-80 TO CLAUDE C. WOOD COMPANY, THE ONLY BIDDER, IN THE AMOUNTS HERETOFORE LISTED

AWARD-CONTRACT
MAINTENANCE OF
LANDSCAPED
AREAS WITHIN
CITY

Council was apprised that the following bids had been received for the contract for Maintenance of various landscaped areas within the City of Lodi for the period of July 1, 1979 - June 30, 1980:

RES. NO. 79-82

<u>BIDDER</u>	<u>AMOUNT</u>
Jim's Gardening Service	\$11,940
Valley Landscaping	\$13,080

Following recommendation of the City Manager, Council adopted the following Resolution:

RESOLUTION NO. 79-82

RESOLUTION AWARDING THE CONTRACT FOR MAINTENANCE OF LANDSCAPED AREAS WITHIN THE CITY OF LODI FOR THE PERIOD OF JULY 1, 1979 TO JUNE 30, 1980 TO JIM'S GARDENING SERVICE IN THE AMOUNT OF \$11,940.

PLANS & SPECS
FOR VINE ST.
IMPROVEMENTS
BECKMAN RD. TO
CLUFF AVE.
APPROVED

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "VINE STREET IMPROVEMENTS, BECKMAN ROAD TO CLUFF AVENUE" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

PLANS & SPECS
FOR ENGLISH OAKS
COMMONS, GRADING
& CONCRETE WORK
APPROVED

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "ENGLISH OAKS COMMONS PARK", WHICH WORK CONSISTS OF EXCAVATING AND GRADING AN APPROXIMATELY 3.8 ACRE PARK SITE, INSTALLING A STORM DRAIN SYSTEM, CONSTRUCTING CONCRETE WALKWAYS, INSTALLING A STREET LIGHT SYSTEM, INSTALLING A DRINKING FOUNTAIN SYSTEM AND OTHER INCIDENTAL AND RELATED WORK, AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

AGENDA ITEM "g"
REMOVED FROM
THE AGENDA

WITH THE TACIT CONCURRENCE OF THE CITY COUNCIL, AGENDA ITEM "g" - "ACCEPT IMPROVEMENTS, ENGLISH OAKS #6" WAS REMOVED FROM THE AGENDA.

DEVELOPMENT DOCUMENTS TEMPLE BAPTIST CHURCH

11-40

Council was informed that Rueben Nuss, the Agent for Temple Baptist Church, has furnished the City with the final map and the necessary documents and development fees and grant deeds for Vine Street for the proposed Temple Baptist Church development. Two additional quit claim deeds are required to clear right-of-way. Subject to receipt of these deeds it will be in order for the City Council to approve the development documents. This development will be located at 801 South Lower Sacramento Road.

SUBJECT TO RECEIPT OF THE AFOREMENTIONED QUITCLAIM DEEDS, COUNCIL APPROVED THE FINAL MAP, THE IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITY FOR TEMPLE BAPTIST CHURCH DEVELOPMENT AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

DEVELOPMENT DOCUMENTS 2223 COCHRAN ROAD

11-46

Council was apprised that Paul J. and Beryl Georguson, the developers of 2223 Cochran Road, have furnished the City with the improvement plans as well as the necessary agreements, instruments of credit, insurance certificate and development fees for their proposed development which is located on Cochran Road and will consist of four single-family lots, two of which are flag lots. A map of the subject parcel was provided the Council for its perusal.

On motion of Mayor Pro Tempore Katnich, McCarty second, Council approved the improvement plans and the improvement securities for the development at 2223 Cochran Road and directed the City Manager to sign the development agreement on behalf of the City.

REIMBURSEMENT POLICY FOR SANITARY SEWER LIFT STATION & ADOPTION OF THE REVISED SANITARY SEWER MASTER PLAN

RES. NO. 79-83

11-51 (X)

A proposed resolution calling for the installation of one Sanitary Sewer Lift Station to serve the general area north of Lockeford Street between Beckman Road and the Central California Traction Tracks as previously discussed by the Council, was presented by Staff. Provision of the proposed resolution was highlighted by Staff who then responded to questions as were directed by Council.

Mr. Jim Culbertson, 641 N. Pacific, Lodi addressed the Council on the matter proposing several amendments to the proposed resolution.

Following lengthy discussion with questions being directed to Staff, to the City Attorney, and Mr. Culbertson, Councilman Hughes moved adoption of the revised Sanitary Sewer Master Plan and also that Resolution No. 79-83 entitled "Resolution establishing reimbursement policy for Sanitary Sewer Lift Station installation for Sanitary City Addition and adjacent property" be adopted with paragraph 4 on page 2 being amended to read, "BE IT FURTHER RESOLVED, that the acreage fee shall be adjusted

LIFT STATION
(Cont'd)

(12-31) (C)

annually, commencing January 1, 1980, by increasing the amount of the initial acreage fee by 10% per year (simple interest); paragraph 5 on page 2 being amended to read, "BE IT FURTHER RESOLVED, that the reimbursement shall be payable to the persons originally developing their property and contributing to the cost of the construction of the lift station or to their heirs or successors for a period of 10 years from the date shown on their development agreement. Thereafter, any and all reimbursement charges shall be the property of and retained by City; and". The motion was seconded by Councilman McCarty. A lengthy discussion followed regarding the provisions of paragraph 6 of Page 2. With the concurrence of the maker of the motion and the second, that paragraph was amended to read, "BE IT FURTHER RESOLVED, the City may use the Sanitary Sewer Lift Station for service to areas East of Line "A" or outside the hatched lines shown on Exhibit "A", and charge such persons such fee as City may deem fair and reasonable under the circumstances, and any such funds shall not be reimbursed to the original developers;" and carried by unanimous vote.

AGENDA ITEM
"k" REMOVED
FROM AGENDA

With the tacit concurrence of the City Council, Agenda item "k" - "Approve Agreement with Lodi Unified School District re Lawrence School Improvements" was removed from the Agenda.

AWARD - TURF
MOWER FOR
PARKS DEPT.

RES. NO. 79-84

(12-12) (2)

Following introduction of the matter by Assistant City Manager Glenn and a lengthy discussion regarding the bids received for the Turf Mower for the Parks Department and whether or not this piece of equipment should be equipped with a gasoline or diesel engine, Council on motion of Councilman Hughes, Katnich second, adopted Resolution No. 79-84 awarding the contract for a Turf Mower for the Parks Department to H. V. Carter Co., the low bidder in the amount of \$21,255.95, equipped with a diesel engine, subject to staff finding the means of providing the necessary fuel, proper storage for the fuel, etc. for the operation of this piece of equipment.

(12-12) (2)

PUBLIC HEARING
SET FOR FORMATION
OF DOWNTOWN
UNDERGROUND 5

RES. NO. 79-85

Council was apprised that on February 7, 1973, the City Council adopted the Downtown Underground Utility Master Plan encompassing the area bounded by Lodi Avenue, Locust Street, Church Street and Sacramento Street. Included in the adoption of that master plan was phasing to accomplish the undergrounding of the master plan over a 5-year period. Districts 1, 2, 3, and 4 have already been completed.

Underground Utility District 5 will include the area bounded by Elm Street on the south, Locust Street on the north, Church Street on the west and Sacramento Street on the east. This district was originally planned for completion this year, but was postponed for one year due to financial considerations.

DOWNTOWN
UNDERGROUND
5 (Cont'd)

21 21 (12)

A meeting of all utilities involved was held and each utility has indicated its readiness to proceed. Pacific Telephone, under its rules and regulations, cannot do undergrounding of this nature without an official underground district being formed.

On motion of Councilman Pinkerton, Katnich second, Council adopted Resolution No. 79-85 setting July 3, 1979 for public hearing for the formation of Underground Utility District No. 5.

PLANS & SPECS
FOR MSC
UTILITY
BUILDING
APPROVED

21 21 (12)

The proposed plans and specifications for the Municipal Service Center Utility Building were presented for Council's approval. Council was informed that, in general, the work consists of adding 1800 square feet of supervisory and engineering office space to the existing Henning Substation Dispatch Center and constructing a 2500 square foot ready room and shop facility directly west of the dispatch center. These buildings will be connected by a covered breezeway area which can be used for future expansion of either building.

A diagram of the proposed structure was presented for Council's perusal. Lengthy discussion followed with questions regarding the matter being directed to Staff.

On motion of Mayor Pro Tempore Katnich, Hughes second, Council approved the plans and specifications for "Municipal Service Center Utility Building" and authorized the City Clerk to advertise for bids thereon.

COUNCILMAN
KATNICH
EXCUSED

Councilman Katnich asked to be excused from the meeting at approximately 11:25 p. m. and was subsequently excused by Mayor Katzakian.

APPEAL RE
LOCATION OF
SPA STRUCTURE
DENIED

21 21 (12)

Mr. Edward Lair, 841 S. Pleasant Avenue, Lodi addressed the Council regarding a spa structure he recently contracted to have built on his property which extends into a public utility easement located on his property.

Also speaking on the subject was Mr. Walt Koenig, 2864 Canal Drive, Stockton.

Mr. Roger Houston, Chief Building Inspector for the City of Lodi was in the audience, gave a brief background report and responded to questions regarding the matter as were posed by the City Council.

Following discussion, Council, on motion of Councilman Hughes, Pinkerton second, denied the request of Mr. Ed Lair, 841 S. Pleasant Avenue, Lodi to allow a spa structure to remain over the public utility easement located on his property.

PLANS & SPECS
FOR VINE ST.
ST. IMPROVE-
MENTS APPRVD.

21 21 (12)

Plans and specifications for "Vine Street Street Improvements, 125' W/Kramer Drive - W.I.D. Canal" were presented for Council's approval. Council was apprised that, in general, the work consists of completing the final paving of Vine Street in the Sunwest Subdivision area, which was constructed under the old subdivision paving policy.

On motion of Councilman Pinkerton, Hughes second, Council approved the plans and specifications for "Vine

Street Street Improvements, 125' W/Kramer Drive - W.I.D. Canal", and authorized the City Clerk to advertise for bids thereon.

AWARD-CONTRACT FOR HUTCHINS ST. IMPROVEMENTS

City Manager Glaves presented the following bids which had been received for "Hutchins Street Improvements, 350' N/Brandywine to Kettleman Lane":

	<u>BIDDER</u>	<u>AMOUNT</u>
RES. NO. 79-86	Teichert Construction	\$12,712.00
	Claude C. Wood Co.	\$16,340.00

On motion of Councilman Pinkerton, McCarty second, Council adopted Resolution No. 79-86 awarding the bid for "Hutchins Street Improvements, 350' N/Brandywine to Kettleman Lane" to Teichert Construction, the low bidder, in the amount of \$12,712.00.

ORDINANCES

ORD. REZONING A 43.83 ACRE PARCEL AT 1450 E. VICTOR RD(i.e. STATE HWY 12) FROM U-H TO M-2

Ordinance No. 1170 entitled, "Ordinance amending the Official District Map of the City of Lodi and thereby rezoning a 43.83 acre parcel at 1450 East Victor Road (i.e., State Highway 12) from U-H, Unclassified Holding District to M-2, Heavy Industrial District", having been introduced at a regular meeting held June 6, 1979 was brought up for passage on motion of Councilman McCarty, Hughes second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

- Ayes: Councilmen - Hughes, McCarty, and Katzakian
- Noes: Councilmen - Pinkerton
- Absent: Councilmen - Katnich

ORD. NO. 1170 ADOPTED

ORD. AMENDING SECTION 11-3 OF THE CITY CODE ESTABLISHING GARBAGE COLLECTION RATES IN THE CITY FOR DOMESTIC & COMMERCIAL SERVICE

Ordinance No. 1171 entitled, "An Ordinance Amending Section 11-3 of the Lodi City Code Establishing Garbage Collection Rates in the City of Lodi for Domestic and Commercial Service" having been introduced at a regular meeting held June 6, 1979 was brought up for passage on motion of Councilman Pinkerton, Hughes second. Second reading was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

- Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katzakian
- Noes: Councilmen - None
- Absent: Councilmen - Katnich

ORD. NO. 1171 ADOPTED

RES. RE FEES PROPOSED TO BE IMPLEMENTED BY THE SAN JOAQUIN LOCAL HEALTH DISTRICT

Councilman McCarty apprised the Council of meetings he had attended concerning proposed fee schedules to be implemented by the San Joaquin Local Health District and the effect that these fees will have once they are implemented.

Councilman McCarty presented a proposed resolution resolving that Article XIII A Section 4 of the Constitution of the State of California specifically and expressly prohibits any county, City, or special district to levy any

RES. NO. 79-87

LOCAL HEALTH
DISTRICT FEES
(Cont'd)

207E

fees in the absence of a favorable vote of two thirds of the qualified electorate. That it is imperative to receive the opinion of the Attorney General on whether or not said proposed fees will violate the substantive law created in Constitutional Article XIII A, section four, before adopting said proposed fees;

That these proposed fees will be immediately passed through to the general public who have already paid sufficient taxes to sustain governmental endeavors;

That the Lodi City Council urges the Board of Supervisors to reject the fee proposal in its entirety;

That the Board of Supervisors send an urgent message to our legislators requesting immediate financial bailout or state loans to sustain the San Joaquin Local Health District;

That the Board of Supervisors appoint a committee including at least one elected city councilman from each incorporated area in San Joaquin County to work with the San Joaquin Local Health District in a streamlining program;

That the Board of Supervisors direct the Local Health District to reject any and all further health or environmental enforcement mandates in the absence of full funding necessary to implement the administration and enforcement of said mandates.

Councilman McCarty further proposed that copies of the adopted resolution be sent to:

- All City Councils in San Joaquin County
- Senator Garamendi
- Assemblyman Waters
- All Chambers of Commerce in San Joaquin County

Following Council discussion, on motion of Councilman Pinkerton, Katzakian second, Council adopted Resolution No. 79-87 - Resolution Regarding Fees Proposed to be Implemented by the San Joaquin Local Health District containing the provision heretofore set forth, and directed the City Clerk to forward copies as listed above.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katzakian adjourned the meeting at approximately 11:40 p. m. to Tuesday, July 3, 1979 at 8:00 p. m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK