

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JULY 7, 1976

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p. m., Wednesday, July 7, 1976 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - EHRHARDT, KATNICH, KATZAKIAN, PINKERTON and HUGHES(Mayor)

Absent: Councilmen - None

Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Mullen, and City Clerk Reimche.

INVOCATION The invocation was given by Reverend Al Guthmiller, Zion Reformed Church.

PLEDGE Mayor Hughes led the Pledge of Allegiance to the flag.

MINUTES Councilman Katnich moved the minutes of June 16, 1976 be approved as written and mailed. The motion was seconded by Councilman Ehrhardt and carried.

Councilman Katnich then moved that the minutes of June 23, 1976 be approved as amended - Page 2, Paragraph 3 to read - "Councilman Katnich then moved to approve a modification of the City's existing policy whereby the City would provide a sewer and water tap in exchange for the right-of-way and whereby the adjacent developer would install curb and gutter on the subject parcel (1581 S. Stockton Street) and the sidewalk will be the obligation of the owner, as outlined by staff." The motion was seconded by Councilman Ehrhardt and carried.

PUBLIC HEARINGS

VARIANCE REQUEST 227 S. CALIFORNIA STREET - DENIED Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, the Mayor called for the public hearing on Dr. Don Werner's appeal of the actions of the Planning Commission in denying his request for a zoning variance to reduce the required 15-foot, open court (an existing driveway) to 9 feet 6 inches to permit the conversion of a guest house, presently under

464

VARIANCE REQUEST
227 S. CALIFORNIA
STREET - DENIED
(Continued)

construction, to a dwelling unit at 227 South California Street in an area zoned R-MD, Medium Density Multiple Family Residential.

Community Development Director Schroeder introduced the matter and presented a diagram of the variance requested for Council's scrutiny.

Mrs. Ben Werner, 227 South California Street, Lodi, spoke in support of the appeal.

There being no other persons in the audience wishing to speak, either in favor of or in opposition to the appeal, the public portion of the hearing was closed.

Following discussion with questions being directed to Mrs. Werner and Staff, Council, on motion of Councilman Katzakian, Katnich second determined that a "hardship" as defined by the Zoning Ordinance did not exist and denied the appeal of Dr. Ben Werner.

REQUEST TO AMEND
P-D(5)

ORD. NO. 1081
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication and mailing being on file in the office of the City Clerk, the Mayor called for the public hearing to consider the recommendation of the City Planning Commission for approval of the request of Bertsch and Mayers Construction Company to amend Planned Development District No. 5 (P-D(5)) by rezoning Lots 1 through 18 as shown on the Amended Tentative Subdivision Map of the Rivergate-Mokelumne Subdivision to R-1, Single-Family Residential and amending the density of Lots 51, 52, 53 and 54 with certain conditions.

Community Development Director James Schroeder introduced the matter, presenting a diagram of the area, and outlined the recommendation and conditions.

Mr. William Miller, 100 N. Cherokee Lane, Lodi, representative for Bertsch and Mayers Construction Company spoke in support of the proposed amendment to P-D(5).

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

Following discussion, with questions regarding the matter being directed to Staff by Council, Councilman Pinkerton moved introduction of Ordinance No. 1081 amending Planned Development District No. 5 (P-D(5)) by rezoning Lots 1 through 18 as shown on the Amended Tentative Subdivision Map of the Rivergate-Mokelumne Subdivision to R-1, Single-Family Residential and amending the density of Lots 51, 52, 53 and 54 with the following conditions:

REQUEST TO AMEND
P-D(5)

ORD. NO. 1081 (Continued)

a. that all requirements of the Planned Development District (Section 27-9B of the Zoning Ordinance) be met at the time the Planning Commission approves the Tentative Map of Lots 51 through 54;

b. that the densities for these parcels shall be: Lot 51 - 10 units per acre; Lot 52 - 12 units per acre; and Lots 53 and 54 - 20 units per acre;

c. that the requirements for Height and Area; Minimum Yards and Courts; Lot Coverage and Off-Street Parking conform to the R-GA, Garden Apartment Residential District, and

d. that all structures proposed for these lots be subject to Site Plan and Architectural Review before the Planning Commission approves a Use Permit.

The motion was seconded by Councilman Ehrhardt and carried.

PLANNING COMMISSION

ITEMS OF INTEREST

10-35

The City Manager gave the following report of the Planning Commission meeting of June 28, 1976:

The Planning Commission -

1. Approved the request of Baumbach and Piazza, Consulting Engineers on behalf of Bertsch and Mayers Construction Company to modify three conditions approving the Amended Tentative Map of the Rivergate-Mokelumne Subdivision located on the north side of West Turner Road at North Church Street. The modifications were as follows:

a. Condition 2. Original Wording..."that the riverbank be protected in a manner satisfactory to the U.S. Army Corps of Engineers, the State Reclamation Board, the State Department of Fish and Game and the City Public Works Director."

Added Wording..."if there is disagreement amongst the above state and federal agencies, and where it is within his authority, the City Public Works Director will specify the required riverbank protection."

b. Condition 5. Original Wording..."that the final grading plan for the lots be approved by the State Reclamation Board, the State Department of Fish and Game, California Regional Water Quality Control Board - Central Valley Region and City Public Works Director."

Revised Wording..."that the final grading plan for the lots be approved by the City Public Works Director."

PLANNING COMMISSION

ITEMS OF INTEREST
(Continued)

c. Condition 6, Original wording... "that the final grading plan as approved by the various state and local agencies provide for the protection of all existing trees on site."

Revised Wording.... "that the final grading plan, as approved, provide for the protection of existing trees on site."

The Planning Commission also required that the proposed Home Owners' Association be responsible for the future preservation of all existing trees.

2. Approved the request of Calvary Temple of Lodi for a Use Permit to use existing church facilities for a parochial day school for grades kindergarten through high school at the northwest corner of Hilborn Street and South Garfield Street (i. e., 441 Hilborn Street) in an area zoned R-HD, High Density Multiple Family Residential.

3. Approved the request of Mrs. Robert Buchanan to occupy a nonconforming professional office building which had been vacant for a period of more than six months at 408 Mission Street (i. e., to the rear of 1000 South Central Avenue) in an area zoned R-MD, Medium Density Multiple-Family Residential.

COMMUNICATIONS

INQUIRY RE PUBLIC
TRANSPORTATION

City Clerk Reimche presented a letter from Sarah Spiegel, 332 Louie Avenue, Lodi expressing her concerns for public transportation for senior citizens in the community. Mayor Hughes directed the City Clerk to respond to Ms. Spiegel's letter apprising her of the transportation study and planning project now underway.

TEMPLE BAPTIST
CHURCH ADDITION
ANNEXATION APPRVD.
WITH STIPULATION

RES. NO. 4219

San Joaquin County Local Agency Formation Commission Resolution No. 283 approving the Temple Baptist Church Addition to the City of Lodi was received and presented by the City Clerk indicating that there was filed with LAFCO an application for annexation to the City of Lodi on May 27, 1976. The Resolution stated that it appears all of the owners of land within the territory proposed to be annexed have given their written consent to such annexation. The Petition for annexation of Uninhabited Territory signed by all property owners involved is on file in the City Clerk's office.

The Resolution goes on to direct that the City Council of the City of Lodi is hereby authorized to proceed without notice and hearing and without an election as provided in Section 54797.1 of the Government Code. Resolution No. 283 was passed and adopted by the San Joaquin County Local Agency Formation Commission on June 18, 1976.

Minutes of July 7, 1976, continued

TEMPLE BAPTIST
CHURCH ANNEXATION
RES. NO. 4219(Contd.)

218 30

The minutes of the April 28, 1976 Lodi City Council meeting wherein it was reported that Council had reviewed a staff recommendation concerning the request of the Temple Baptist Church to annex a 28-acre parcel at the northwest corner of Lower Sacramento Road and future extension of West Vine Street were reviewed by Council. The April 28, 1976 minutes reflected that Mayor Hughes had summarized the City Council's position on the matter and stated that based on the present plans, the City Council feels temporary drainage could be developed. Mayor Hughes instructed the Deputy City Clerk to correspond with the Temple Baptist Church and indicate that if portions of the property were sold or proposed for other than the present plans, that terminal storm drainage would be required before the changed portions could be developed.

Discussion regarding the matter followed with questions being directed to Staff.

Councilman Ehrhardt then moved for adoption of Resolution 4219 annexing the "Temple Baptist Church Addition" to the City of Lodi with the stipulation that if portions of the subject property were sold or proposed for other than the present plans, that terminal storm drainage would be required before the changed portions could be developed. The motion was seconded by Councilman Katzakian and carried by unanimous vote.

ABC LICENSE
APPLICATIONS

219 57

The City Clerk presented the following Applications for Alcoholic Beverage Licenses:

(a) Patricia R. and Richard R. Fletcher, The Dutch Mill, 114 N. Sacramento Street, Lodi - Person to Person Transfer - On Sale General Public Premises.

(b) William E. Graffigna and William E. Graffigna, Jr. - Flame Liquors #2, 1301 W. Kettleman Lane, Lodi - Person to Person and Premise to Premise Transfer. Off Sale General License.

REPORT ON ANTI-
LITTER LEAGUE
CORRESPONDENCE

Councilman Ehrhardt acknowledged receipt of a letter from the California Anti-Litter League extending appreciation for the City's representation at their recent meeting. The letter also expressed the hope that Lodi would soon see a warrant to apply for the "Clean Community System" and announced a training seminar scheduled for September 12 through September 14, 1976.

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 Katnich, Katzakian second, were approved by Council.

CITY OF LODI
PUBLIC WORKS DEPARTMENT

BIDS FOR ASHALT MATERIALS

SUPPLIERS	ITEM NO. 1 Dense Grade Asphalt Concrete, Type B, 3/8", 5.8%. Asphalt Binder shall be Viscosity Grade AR-8000 Paving Asphalt			ITEM NO. 2 Dense Grade Asphalt Concrete, Type B, 1/2", 5.8% Asphalt Binder shall be Viscosity Grade AR-8000 Paving Asphalt			ITEM NO. 3 Dense Graded Plant Mix, Type B, 3/8", 5.8%, SC-250 Liquid Asphalt Binder		COMMENTS
	A F.O.B. Plant (450 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (1500 Tons)	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (400 Tons)	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (50 Tons)	
<u>Industrial Asphalt, Linden</u> Cost per ton including tax Plus: City cost for mileage TOTAL COST PER TON	\$9.59 2.37 \$11.96	\$11.93 \$11.93	\$12.19 \$12.19	\$9.22 2.37 \$11.59	\$11.55 \$11.55	\$11.55 \$11.55	\$9.59 2.37 \$11.96	\$11.93 \$11.93	\$0.07/0.1% change amount of Asphalt at 5.8% \$0.14/0.1% change amount of asphalt at 5.8%
<u>Claude C. Wood Co., Clements</u> Cost per ton including tax Plus: City cost for mileage TOTAL COST PER TON	\$10.07 1.26 \$11.33	\$11.66 \$11.66	\$12.08 \$12.08	\$9.81 1.26 \$11.07	\$11.40 \$11.40	\$11.82 \$11.82	\$10.34 1.26 \$11.60	\$11.93 \$11.93	\$0.07/0.1% change amount of asphalt/ton
<u>Teichert Construction, Clements</u> Cost per ton including tax Plus: City cost for mileage TOTAL COST PER TON	\$10.60 1.26 \$11.86	\$12.51 \$12.51	\$12.93 \$12.93	\$11.40 1.26 \$12.66	\$12.51 \$12.51	-- --	-- --	-- --	\$0.08/0.1% change amount of asphalt/ton
<u>McGow Co., French Camp</u> Cost per ton including tax Plus: City cost for mileage Less: \$.50/ton for prompt payment Less: Asphalt reduction to meet State specifications TOTAL COST PER TON	\$10.03 1.84 .50 .21 \$11.16	\$12.15 .50 .21 \$11.44	\$12.15 .50 .21 \$11.44	\$9.91 1.84 .50 .35 \$10.90	\$12.03 .50 .35 \$11.18	\$12.03 .50 .35 \$11.18	\$12.19 1.84 .50 .21 \$13.32	\$14.31 .50 .21 \$13.60	\$0.07/0.1% change amount of asphalt/ton

CLAIMS

AWARD - ASPHALT
MATERIAL FIRST
HALF F. Y. 1976-77
RES. NO. 4220

Claims were approved in the amount of
\$1,362,520.22.

Per report of the City Manager, bids were received
for asphalt material for the first half of fiscal year
1976-77 as follows:

Minutes of July 7, 1976, continued

Minutes of July 7, 1976, continued

The City Manager recommended that the City Council award the bid for asphalt concrete for the first half of the fiscal year 1976-77 to McGaw Company and the bid for dense graded plant mix for the first half of the fiscal year 1976-77 to Claude C. Wood Company.

RESOLUTION NO. 4220

RESOLUTION AWARDING THE CONTRACT FOR ASPHALT CONCRETE FOR THE FIRST HALF OF THE FISCAL YEAR 1976-77 TO MCGAW COMPANY AND THE CONTRACT FOR DENSE GRADED PLANT MIX FOR THE FIRST HALF OF FISCAL YEAR 1976-77 TO CLAUDE C. WOOD COMPANY.

AWARD-CONTRACT
FOR ROCK & SAND
MATERIAL F. Y.
1976-77

City Manager Graves presented bids which had been received for rock and sand materials for the fiscal year 1976-77 as follows:

RES. NO. 4221

CITY OF LODI
PUBLIC WORKS DEPARTMENT

SUPPLIER	ITEM NO. 1		ITEM NO. 2	
	3/4" Class 2 Aggregate Base		Concrete Sand	
	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (500 Tons)	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (150 Tons)
<u>Claude C. Wood Co., Clements</u>				
Cost per ton including tax	\$2.33	\$3.92	\$2.76	\$4.35
Plus: City Cost for mileage	<u>1.26</u>	_____	<u>1.26</u>	_____
TOTAL COST PER TON	\$3.59	\$3.92	\$4.02	\$4.35
	ITEM NO. 3		ITEM NO. 4	
	1/2" x #10 Crushed Rock Screening		4" x 8" Cobbles	
	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (150 Tons)	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (150 Tons)
	\$5.57	\$7.16	\$2.81	\$4.40
	<u>1.26</u>	_____	<u>1.26</u>	_____
	\$6.83	\$7.16	\$4.07	\$4.40

Minutes of July 7, 1976, continued

AWARD-CONTRACT FOR ROCK & SAND F.Y. 76-77 RES. NO. 4221 (Contd.)

The City Manager recommended that the award be made to Claude C. Wood Company, the low bidder.

RESOLUTION NO. 4221

RESOLUTION AWARDING THE CONTRACT FOR ROCK AND SAND MATERIAL FOR FISCAL YEAR 1976-77 TO CLAUDE C. WOOD COMPANY, THE LOW BIDDER.

ACQUISITION OF PROPERTY LOCATED AT 1214 W. LODI AVE. APPROVED

The City Manager presented for Council approval an Agreement between Charles H. Duncan and Molly Duncan and the City of Lodi covering the acquisition by the City of property located at 1214 West Lodi Avenue, Lodi.

COUNCIL APPROVED AGREEMENT BETWEEN CHARLES H. DUNCAN AND MOLLY DUNCAN AND THE CITY OF LODI COVERING ACQUISITION OF PROPERTY BY THE CITY LOCATED AT 1214 WEST LODI AVE., LODI AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

ACQUISITION OF PROPERTY LOCATED AT 3820 E. ALMOND AVE. APPROVED

City Manager Glaves presented for Council approval an Agreement between Ruth I. Colvin and the City of Lodi covering the acquisition by the City of property located at 3820 E. Almond Avenue, Lodi.

COUNCIL APPROVED AGREEMENT BETWEEN RUTH I. COLVIN AND THE CITY OF LODI COVERING ACQUISITION BY THE CITY OF PROPERTY LOCATED AT 3820 E. ALMOND AVENUE, LODI AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

ACQUISITION OF PROPERTY LOCATED AT 1581 SOUTH STOCKTON STREET APPROVED

City Manager Glaves also presented for Council approval an Agreement between James A. Hagan and Juanita Hagan and the City of Lodi covering the acquisition by the City of property located at 1581 South Stockton Street, Lodi.

COUNCIL APPROVED AGREEMENT BETWEEN JAMES A. HAGAN AND JUANITA HAGAN AND THE CITY OF LODI COVERING ACQUISITION BY THE CITY OF PROPERTY LOCATED AT 1581 SOUTH STOCKTON STREET, LODI, AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

IMPROVEMENT PLANS & IMPROVEMENT SECURITIES FOR DEVELOPMENT AT S/E CORNER OF GARFIELD & VINE STREET APPRVD.

City Manager Glaves requested Council approval of the improvement plans and the improvement securities for a development located at the Southeast corner of Garfield and Vine Streets, advising that this is a minor subdivision of 1.8 acres. The subdivision is zoned RHD and contains four lots. The developer, William B. Clemings, has met all necessary requirements.

Minutes of July 7, 1976, continued

IMPROVEMENT PLANS & IMPROVEMENT SEC. FOR DEVELOPMENT AT S/E COR. OF GARFIELD & VINE ST. APPRVD. (Contd.)

COUNCIL APPROVED THE IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITIES FOR DEVELOPMENT AT THE SOUTH-EAST CORNER OF GARFIELD AND VINE STREETS AND AUTHORIZED THE CITY MANAGER TO SIGN THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY.

WATER MAIN EXT. REIMBURSEMENT & ELECTRICAL UTILITY AGREEMENTS WITH NATIONAL MEDICAL HOSPITAL OF LODI, INC. APPROVED

The City Manager requested Council approval of the Water Main Extension Reimbursement Agreement and Electrical Utility Agreement with National Medical Hospital of Lodi, Inc., advising that earlier this year the City had entered into an agreement with the National Medical Hospital of Lodi to extend certain water lines to serve their medical development on Vine Street. The water main extension agreement provides for reimbursement from the area on the south side of Vine Street and the west side of Lower Sacramento Road. An 8-inch line was extended from their northwest corner southerly on Lower Sacramento Road to Vine Street, thence east on Vine Street to their east property line. The agreement provides for a maximum reimbursement of \$5,535, which is \$4.35 per front foot and was prepared in accordance with Ordinance No. 1012.

COUNCIL APPROVED THE WATER MAIN EXTENSION REIMBURSEMENT AGREEMENT AND ELECTRICAL UTILITY AGREEMENT WITH NATIONAL MEDICAL HOSPITAL OF LODI, INC., AND AUTHORIZED THE CITY MANAGER TO SIGN THE AGREEMENTS ON BEHALF OF THE CITY.

ADOPTION OF GENERAL PREVAILING RATE OF WAGES FOR THE CITY OF LODI

City Manager Graves apprised the Council that Section 1770 et seq. of the State Labor Code requires that public agencies annually adopt general prevailing wage rates for all public works contracts that they issue. The agencies must specify their general prevailing wage rates in all calls for bids and contract specifications. The firm awarded the contract is then required to pay their employees on the job no less than the rates listed.

RES. 4222

The State Department of Labor has advised that the City would be in compliance with requirements by adopting by Resolution the wage rates published in the 1976 monthly editions of the State Department of Transportation's "Equipment Rental Rates and General Prevailing Wage Rates" document as the general prevailing wage rates of the City of Lodi.

A proposed resolution was presented for Council's scrutiny proposing adopting each 1976 monthly edition (beginning with June) of the Caltrans' document "Equipment Rental Rates and General Prevailing Wage Rates" as it is published.

Minutes of July 7, 1976, continued

ADOPTION OF GENERAL
PREVAILING RATE OF
WAGES FOR THE CITY
OF LODI-RES. 4222 (Contd)

The wage rates applicable to a contract will be those in effect at the time the call for bids is issued. In January, 1977 and each January thereafter, the City Council will be asked to adopt the monthly Caltrans documents for that year.

LETTER TO LEGISLA-
TORS RE MANDATE OF
ADOPTING OF GENERAL
PREVAILING RATE OF
WAGES FOR CITY

Discussion followed with Councilman Pinkerton stating that this is another typical example where the State is mandating what the City has to pay and basically who can bid on jobs. After more discussion, it was agreed that Mayor Hughes and Councilman Pinkerton would pen a letter to Assemblymen Garamendi and Perino relating the Council's feelings on the matter.

On motion of Councilman Ehrhardt, Katnich second, Council adopted Resolution No. 4222 thereby adopting the wage rates published in the 1976 monthly editions of the State Department of Transportation's "Equipment Rental Rates and General Prevailing Wage Rates" document as the general prevailing wage rates in the City of Lodi.

RELIGHTING OF LODI
ARCH APPROVED

Mr. Al Van Veldhuizen, President, Lodi District Chamber of Commerce, addressed the Council asking that the Lodi Arch be relit. Mr. Van Veldhuizen urged that a timer be installed so that the lights on the Arch could be lit from dusk until 11:00 p. m., which suggestion coincides with staff's recommendation.

Discussion followed with Councilman Ehrhardt moving that Council authorize the relighting of the Lodi Arch and that a timer be installed so that the lights would be lit from dusk to 11:00 p. m. The motion was seconded by Councilman Katzakian and carried.

Councilman Pinkerton suggested that the monies needed to relight the arch come out of the "Hotel-Motel - Beautification Fund".

INSTALLATION OF
RAISED BARRIER ON
EAST LEG OF HUTCHINS
ST./LODI AVE.
INTERSECTION

The Council was reminded that at the last regular Council meeting of June 16, 1976, Council had requested that Staff investigate various methods of providing some type of raised barrier on the east leg of the Hutchins Street/Lodi Avenue intersection.

Three alternates were investigated, each providing varying degrees of visibility, restraint, installation cost, and safety. These alternates were reviewed for Council by Public Works Director Ronsko.

Following a lengthy discussion with questions being directed to Staff, Council, on motion of Councilman Ehrhardt, Katzakian second, approved the installation of the Alternate No. 2-type raised barrier (constructed of concrete and tapered on the ends and sides) on the east leg of the Hutchins Street/Lodi Avenue intersection. The motion carried by the following vote:

Minutes of July 7, 1976, continued

INSTALLATION OF
RAISED BARRIER ON
EAST LEG OF HUTCHINS
ST./LODI AVE. INTER-
SECTION (Continued)

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

CHANGE ORDERS NOS.
1, 2 AND 3 FOR
W.S.W.P.C.P.
EXPANSION PROJECT
APPROVED

Following introduction by City Manager Glaves,
Public Works Director Ronsko detailed for
Council, Change Orders Nos. 1, 2 and 3 for
the White Slough Plant expansion project.

A lengthy discussion followed with questions
regarding the Change Orders being directed to
staff.

Council directed that all forthcoming Change
Orders for this project be reported to the
Council.

On motion of Councilman Ehrhardt, Katnich
second, Council approved Change Orders Nos.
2 and 3 for the White Slough Plant expansion
project.

Councilman Katnich then moved for approval
of Change Order No. 1 for the White Slough
Plant Expansion project. The motion was
seconded by Councilman Pinkerton and carried.

4-WAY STOP AT LODI
AVE. AND MILLS
ESTABLISHED

RES. NO. 4223

City Manager Glaves presented for Council
scrutiny a Traffic Engineering Investigation of
the Lodi Avenue and Mills Avenue intersection.
The report was reviewed for Council by Public
Works Director Ronsko. Mr. Ronsko concluded
that it was Staff's recommendation that, prim-
arily for the purpose of reducing accidents, that
the Council adopt a resolution establishing this
intersection as a 4-way stop.

Following discussion, on motion of Councilman
Katnich, Ehrhardt second, Council adopted
Resolution No. 4223 establishing the intersection
of Lodi Avenue and Mills Avenue as a 4-way stop.

4-WAY STOP
ESTABLISHED AT ELM
& HUTCHINS ST.

RES. NO. 4224

The City Manager advised that because of
general complaints and a review of the City's
accident pin map, the Public Works Department
has prepared a Traffic Engineering Investigation
in order to determine the need for additional
controls at the intersection of Elm and Hutchins
Street. A copy of this investigation was presented
for Council's perusal and was received by Public
Works Director Ronsko.

Mr. Ronsko apprised the Council that it was
Staff's recommendation that the intersection be
established as a 4-way stop.

Discussion followed with questions being directed
to Staff. On motion of Councilman Ehrhardt,
Katnich second, Council adopted Resolution No.
4224 establishing the intersection of Elm Street
and Hutchins Street as a 4-way stop.

Minutes of July 7, 1976, continued

AGREEMENT WITH
PG&E FOR ALTERNATE
POWER SOURCE TO
W.S.W.P.C.P. APPRVD.

RES. NO. 4225

City Manager Graves presented for Council approval a revised Agreement from PG&E under which PG&E will provide an alternate source of electrical power to the White Slough Water Pollution Control Plant property at a cost of \$22,496.

Following questions regarding the matter, Council, on motion of Councilman Pinkerton, Ehrhardt second, adopted Resolution No. 4225 approving an Agreement between PG&E and the City whereby PG&E will provide an alternate source of electrical power to the White Slough Water Pollution Control Plant property at a cost of \$22,496 and authorizing the City Manager to execute the Agreement on behalf of the City.

ACTION ON AGENDA
ITEM "p" DEFERRED

Following introduction of the matter by City Manager Graves and a report by City Attorney Mullen on Agenda Item "p" - "Approval of Errors and Omission Policy for City", Councilman Katnich moved that the matter be deferred to the regular Council meeting of July 21, 1976 for additional information. The motion was seconded by Councilman Ehrhardt and carried.

RECESS

At 10:35 p.m. Mayor Hughes declared a five-minute recess, and the Council reconvened at 10:40 p.m.

REQUEST FOR WAIVER
OF SEWAGE MORA-
TORIUM, VINEYARD #3
SUBDIVISION APPRVD.

City Manager Graves presented a letter which had been received from Mr. Terry Piazza, Baumbach and Piazza Civil Engineers, 221 W. Oak Street, Lodi, California which reads in part as follows:

"Our firm represents Mr. Marvin Wiebe, the developer of Vineyard #3 Subdivision.

Realizing that the previously approved Tentative Map of this project has lapsed because a final map was not recorded, we hereby request that at the time the Planning Commission hears our application that it consider making the following recommendations to the City Council:

1. To waive the sewage moratorium for this project

OR

2. To allow the developer to begin building homes on this site with the stipulation that water and sewer connections cannot be used until the sewage moratorium is lifted."

Councilman Katzakian stated that he wished to abstain from the discussion and voting as his Company was the Agent in selling this property to H & M Builders.

Minutes of July 7, 1976, continued

REQUEST FOR WAIVER
OF SEWAGE MORA-
TORIUM, VINEYARD #3
SUBDIVISION APPRVD.
(Continued)

A diagram of the subject area was shown by
Community Development Director Schroeder.

A lengthy discussion regarding the request
followed with questions being directed to Staff.

On motion of Councilman Katnich, Pinkerton
second, Council approved the request for
waiver of the sewage moratorium for the
Vineyard #3 Subdivision.

The motion carried by the following vote:

Ayes: Councilmen - Ehrhardt, Katnich,
Pinkerton and Hughes

Noes: Councilmen - None

Abstain: Councilmen - Katzakian

Absent: Councilmen - None

AGENDA ITEM "r"
WITHDRAWN FROM
AGENDA

Agenda item "r" - "Easement abandonment -
Lakewood No. 4" was withdrawn from the
Agenda with Council's concurrence.

TRANSIENT
OCCUPANCY TAX
INCREASED TO 6%

ORD. NO. 1082
INTRODUCED

A Staff report regarding the Hotel-Motel Tax
was presented by City Manager Glaves for
Council's perusal. The report incorporated a
survey of cities in regard to utilization of
revenue accruing from this type of tax. The
report concluded that it is staff's recommenda-
tion that the Hotel-Motel Tax be raised to 6%
and that all funds be placed in the Beautification
Fund. At the year's end, all funds in excess of
\$200,000 should then be transferred to the
General Fund.

Council discussion followed with questions
regarding the matter being directed to Staff.

Councilman Katnich then moved introduction of
Ordinance No. 1082 amending Section 23-13 of
the City Code and thereby increasing the
Transient Occupancy Tax to 6%. The motion
was seconded by Councilman Ehrhardt and carried,

RES. 4226 RE
SALARIES FOR
POLICE & FIRE UNITS
APPRVD.

Following introduction of the matter by Staff, on
motion of Councilman Ehrhardt, Katnich second,
Council adopted Resolution No. 4226 thereby
adopting a salary schedule for the Police and
Fire Units effective July 1, 1976. The agreement
with the Police and Fire Units covers salaries for
the next four years.

ORD. 1083 INTRO. RE
SICK LEAVE CONVER-
SION

Councilman Katnich moved introduction of
Ordinance 1083 thereby amending Ordinance 444
regarding Sick Leave Conversion as outlined in
a Staff report to the Council. The motion was
seconded by Councilman Ehrhardt and carried.

Minutes of July 7, 1976, continued

RES. 4227 RE
INCREASED UNIFORM
ALLOWANCES

Councilman Ehrhardt then moved to adopt Resolution No. 4227 increasing uniform allowances for Uniformed Police Officers, Uniformed Fire Fighters, Dispatcher-Clerk-Matrons, and Dispatcher-Clerk-Jailers. The motion was seconded by Councilman Katnich and carried.

RES. 4228 RE REVISED
POLICE UNIT
EDUCATIONAL
INCENTIVE PROGRAM

On motion of Councilman Ehrhardt, Katzakian second, Council adopted Resolution No. 4228 approving a revised Police Unit Educational Incentive Program.

RES. 4229 RE
SALARIES FOR GENERAL
SERVICES UNIT
APPROVED

Councilman Pinkerton then moved to adopt Resolution No. 4229 thereby adopting a salary schedule for all employees of the General Services Unit effective July 1, 1976. The motion was seconded by Councilman Katnich and carried.

ACTION DEFERRED ON
RETAINING AUDITOR

Following discussion on the matter as introduced by City Manager Graves, Council deferred action on retaining an auditor for the annual audit pending receipt of further information.

LIBRARY BOARD
TRUSTEES
REAPPOINTED

Mayor Hughes proposed the reappointment of Dr. Frank Johnson and Mr. Lewis Singer to the Library Board for 3-year terms expiring on June 30, 1979 and Mr. Fred Muther and Mr. L. D. Tonn to the Planning Commission for 4-year terms expiring on June 30, 1980.

PLANNING
COMMISSIONERS
REAPPOINTED

On motion of Councilman Ehrhardt, Katzakian second, Council ratified the reappointment of Dr. Frank Johnson and Mr. Lewis Singer to the Library Board for 3-year terms expiring on June 30, 1979 as proposed by Mayor Hughes,

On motion of Councilman Ehrhardt, Pinkerton second, Council ratified the reappointment of Mr. Fred Muther and Mr. L. D. Tonn to the Planning Commission for 4-year terms expiring on June 30, 1980.

ORD. ADOPTING
OPERATING BUDGET
FOR SUPPORT OF
VARIOUS DEPART-
MENTS F. Y. 1976-77

Ordinance No. 1080 - entitled "AN ORDINANCE ADOPTING AN OPERATING BUDGET FOR THE SUPPORT OF THE VARIOUS DEPARTMENTS OF THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1976 AND ENDING JUNE 30, 1977" having been introduced at an adjourned meeting of the Lodi City Council on June 30, 1976, was brought up for passage on motion of Councilman Pinkerton, Katnich second, Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

ORD. NO. 1080
ADOPTED

Ayes: Councilmen - EHRHARDT, KATNICH,
KATZAKIAN, PINKERTON and HUGHES

Noes: Councilmen - None

Absent: Councilmen - None

Minutes of July 7, 1976, continued

LETTER OF
APPRECIATION TO
BICENTENNIAL
COMMITTEE

At the suggestion of Councilman Ehrhardt, and with Council concurrence, Mayor Hughes directed the City Clerk to draft a letter of appreciation to the Bicentennial Committee for their efforts in making the City's Bicentennial festivities such a success.

DATES OF INTEREST

Councilman Ehrhardt advised the Council of the Public Safety Committee meeting to be held in Oakland July 14, 1976.

Councilman Ehrhardt also apprised the Council of the C.O.G. Transportation Planning Policy Committee meeting to be held July 16, 1976 at 10:00 a. m.

Councilman Pinkerton advised that the members of the Environmental Quality Committee will be meeting on July 14, 1976.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hughes declared the session adjourned at 11:30 p. m. on motion of Councilman Pinkerton, Ehrhardt second.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
City Clerk