

VIRGINIA AVENUE
STREET LIGHTING
DISTRICT

11-13-76

Notice thereof having been published and posted in accordance with law, Mayor Hughes called for the Public Hearing on the proposed formation of the Virginia Avenue Street Lighting District. Council was apprised that under the 1911 Improvement Act, proceedings had been initiated by the property owners who had presented a petition for the lights signed by owners of more than sixty percent of the front footage in the proposed district.

City Manager Graves introduced the matter and presented a diagram of the proposed street lighting district.

Mr. Roland Coleman, 1601 W. Tokay, Lodi addressed the Council stating that on the corner where he resides there are four street lights in close proximity to that area and that he can't see why that particular area was included in the proposed street light district.

Mr. Stephen Scott, 511 Virginia Avenue, Lodi, circulator of the petition for the proposed formation of Virginia Avenue Street Light District, responded to Mr. Coleman's remarks stating that two of the five property owners in the question area had signed the petition for the formation of the district. Mr. Scott detailed his contact with the City Staff prior to circulating the petition and how the boundaries were arrived at for the proposed street lighting district. Mr. Scott concluded his remarks by supporting the formation of the Virginia Avenue Street Light District.

A lengthy Council discussion followed with Councilman Katnich expressing his concern regarding staff recommending boundaries for proposed street lighting districts. Continued Council discussion followed with questions being directed to staff, Mr. Coleman and Mr. Scott.

Council concurred that further review and discussion should be held regarding the subject of proposed boundaries for street lighting districts being formed.

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

RES. NO. 4292
OVERRULING
PROTESTS

11-17-76

Councilman Ehrhardt moved adoption of Resolution No. 4292 overruling protests in the Virginia Avenue Street Lighting District. The motion was seconded by Councilman Katnich and carried by the following vote:

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

Minutes of December 8, 1976, continued

VIRGINIA AVENUE
STREET LIGHTING
DISTRICT(Contd.)

RES. NO. 4293
ADOPTING SCALE
OF PREVAILING
WAGE

Councilman Katnich moved adoption of Resolution No. 4293 adopting the scale of prevailing wage rates in the Virginia Avenue Street Lighting District. The motion was seconded by Councilman Ehrhardt and carried.

RES. NO. 4294
ORDERING WORK

Councilman Katnich moved adoption of Resolution No. 4294 ordering the work to be done in the Virginia Avenue Street Lighting District. The motion was seconded by Councilman Ehrhardt and carried.

RES. NO. 4295
DIRECTING
ASSESSMENT BE
PREPARED

On motion of Councilman Ehrhardt, Katzakian second, Council adopted Resolution No. 4295 directing the assessment in the Virginia Avenue Street Lighting District to be prepared.

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of November 22, 1976:

The Planning Commission -

1. -Recommended the approval of the request of Mr. Vernon Ekstrom to rezone an area on the west side of Academy Street between 385 feet and 565 feet south of Kettleman Lane From R-2, Single-Family Residential to R-MD, Medium Density Multiple Family Residential.

In connection with this matter the Planning Commission, because of existing utility problems in the Academy Street-Elgin Avenue-Valley Avenue area, also recommended that the City Council establish a moratorium on the issuance of building permits in that area until adequate terminal storm drainage, as approved by the Public Works Director, is provided.

City Clerk Reimche apprised the Council that a petition bearing 31 signatures which reads as follows had been received:

"We, the undersigned, object to the rezoning of the property between Pippit's Tire Service and 1445 Academy, and bordered on the East by Academy Street from R-2 and R-MD".

The City Clerk further apprised the Council that the petition had been checked by the Community Development Department and appears to meet the requirements of Section 27-19 of the City Code.

On motion of Councilman Katnich, Pinkerton second, the matter was set for Public Hearing January 5, 1977.

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PLANNING COMMISSION

(Continued)

ITEMS OF INTEREST

The Planning Commission also -

1. Recommended that the San Joaquin County Planning Commission direct its staff to prepare an Environmental Impact Report on the request of the Woodbridge Golf and Country Club by Marshall and Marshall, Attorneys at Law, to rezone an area at the westerly terminus of Woodbridge Road, west of Lower Sacramento Road from GA-1, General Agriculture and EA-5, Exclusive Agriculture to RA-20, Rural Residential,

It should be noted that the Negative Environmental Declaration on this project which was filed by the County's Environmental Review Committee had already been appealed by Mrs. Richard Handel and Mrs. M. J. Brunk.

Councilman Katnich inquired as to the status of the Woodbridge Golf and Country Club proposal. Community Development Director Schroeder responded by stating that the matter is scheduled to come before the County Planning Commission as a rezoning matter on December 16, 1976, and that the appeal of Mrs. Richard Handel and Mrs. M. J. Brunk will be heard before that date. Mr. Schroeder added further that the subdivision map is not now officially of Record.

COUNCIL REQUEST
DETERMINATION OF
CONFLICT OF
INTEREST RE
WOODBRIDGE GOLF
& COUNTRY CLUB

Councilman Pinkerton requested that the City Attorney advise the Council as to possible Conflict of Interest regarding the Woodbridge Golf and Country Club matter as several Lodi City Councilmen hold membership in that Club. It was requested that the City Attorney make a determination on this matter and report his findings to the Council at the December 15, 1976 regular Council meeting,

COMMUNICATIONS

City Clerk Reimche presented applications for Alcoholic Beverage Licenses which have been received as follows:

ABC LICENSE
APPLICATIONS

a) Barbara, James and George Gladius, dba "Ollies", 22 N. School Street, Lodi, Person to Person transfer - On Sale General Public Premises.

b) John and Juanita Villarin, Westside Market, 431 W. Locust Street, Lodi - Person to Person transfer - Off Sale Beer and Wine.

c) Richard J. Vallejo, Oak Street Cafe, 10 W. Oak Street, Lodi, New License - On Sale Beer and Wine Eating Place.

PROPOSED HOUSING
ELEMENT GUIDE-
LINES REVISIONS

The City Clerk presented a letter which had been received from the State of California Department of Housing and Community Development regarding the proposed revisions of the Housing Element Guidelines. The letter stated that the Department of Housing has extended the period for comments until January 1, 1977. Additional comments regarding the subject were made by Community Development Director Schroeder.

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COMMUNICATIONS
(Continued)

The City Clerk presented the following Notices of Hearings before the Public Utilities Commission of the State of California which had been received;

HEARINGS BEFORE
P.U.C.

1. Notice regarding Application No. 56810 - P.G. & E. requesting authority to increase its electric rates and charges in accordance with the Energy Cost Adjustment Clause included in its Electric Tariff. This hearing has been set for November 29, 1976 in the Commission Courtroom in San Francisco.

2. Notice regarding Application No. 56845 of P.G. & E. for authority to include in its electric and gas tariffs a procedure for the Commission to review conservation programs and adjustment of P.G. & E.'s Electric and gas rates periodically to provide funds for Commission approved conservation programs. This hearing has been set for December 2, 1976 in the Commission Courtroom in San Francisco.

COUNCIL REJECTS
CLAIM

City Clerk Reimche presented a Claim which had been received, filed on behalf of Harold McCarver, 638 Woodrow Place, Lodi, California in the amount of \$750,000.

Councilman Ehrhardt moved that the Claim be rejected and that the matter be referred to the City's Agent of Record. The motion was seconded by Councilman Katnich and carried.

SUMMONS TO
ACTION FOR REFORM
OF THE CRIMINAL
JUSTICE SYSTEM
REC'D FROM
CHOWCHILLA

City Clerk Reimche presented Resolution No. 47-46 of the City Council of the City of Chowchilla - A Summons to Action for reform of the Criminal Justice System which reads in part as follows:

"We, the City Council of the City of Chowchilla, along with the Citizens of our small City, are frustrated with and resentful of the growing failure of our Criminal Justice System to deter crime and punish criminals. We believe that this failure, particularly in the area of juvenile crime, has resulted in a serious loss of faith in the ability of our institutions to insure the simple order that is a necessary prerequisite to the preservation of individual rights and freedoms. We fear that many of our people will abandon their traditional reliance on the rule of law and either retreat behind bars and personal weapons or resort to vigilante solutions to neighborhood crime."

Lengthy Council discussion followed, with no action being taken on the matter.

CITY TO JOIN
NATIONAL LEAGUE
OF CITIES

Following introduction of the matter, on motion of Mayor Hughes, Staff was directed to apply for a Direct Membership for the City of Lodi in the National League of Cities. The motion was seconded by Councilman Ehrhardt and carried by the following vote:

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

Noes: Councilmen - KATNICH

Absent: Councilmen - None

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RECLASSIFICATION
OF TWO POLICE
DEPT. POSITIONS
APPROVED

Following introduction of the Consent Calendar, Councilman Katnich moved for approval of the reclassification of one Detective position and one Police Officer position to that of Sergeant. The motion was seconded by Councilman Ehrhardt and carried.

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, Ehrhardt second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,239,730.77.

AWARD - ONE-TON
PICKUP TRUCK FOR
PUBLIC WORKS

City Manager Graves presented the only bid that had been received for a one-ton pickup for the Public Works Department as follows:

RES. NO. 4296	<u>BIDDER</u>	<u>AMOUNT</u>
	Geweke Ford	\$7,294.17

The City Manager stated that it had been determined that the bid was reasonable, and that he recommends that the award be made.

RESOLUTION NO. 4296

RESOLUTION AWARDING CONTRACT FOR A ONE-TON PICKUP FOR THE PUBLIC WORKS DEPARTMENT TO GEWEKE FORD IN THE AMOUNT OF \$7,294.17.

AGENDA ITEM(c)
"AWARD-RIVERGATE
DRIVE STORM DRAIN"
REMOVED FROM
AGENDA

With Council's concurrence, Agenda Item(c)- "Award - Rivergate Drive Storm Drain" - was removed from the Agenda.

LODI AVE. STREET
IMPROVEMENTS HAM
TO AVENA ACCEPTED

The Council was advised by City Manager Graves that the contract for the improvements in "Lodi Avenue Street Improvements, Ham Lane to Avena Avenue", which was awarded to Claude C. Wood Company of Lodi on July 21, 1976 has been completed in substantial conformance with the plans and specifications approved by the City Council.

THE CITY COUNCIL ACCEPTED THE IMPROVEMENTS IN "LODI AVENUE STREET IMPROVEMENTS, HAM LANE TO AVENA AVENUE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

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HAM LANE MEDIAN,
PORT CHELSEA
CIRCLE TO ARUNDEL
COURT - IMPROVE-
MENTS ACCEPTED

Council was advised by the City Manager that the contract for improvements in "Ham Lane Median, Port Chelsea Circle to Arundel Court", which was awarded to Teichert Construction of Stockton on September 1, 1976 in the amount of \$8,771.60 has been completed in substantial conformance with the plans and specifications approved by the City Council.

THE CITY COUNCIL ACCEPTED THE IMPROVEMENTS IN "HAM LANE MEDIAN, PORT CHELSEA CIRCLE TO ARUNDEL COURT" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

HAM LANE
SANITARY SEWER,
OAK ST. TO
LOCKEFORD ST.
ACCEPTED

City Manager Graves apprised the Council that the contract for the improvements in "Ham Lane Sanitary Sewer, Oak Street to Lockeford Street", which was awarded to Claude C. Wood Company on October 6, 1976 has been completed in substantial conformance with the plans and specifications approved by the City Council.

THE CITY COUNCIL ACCEPTED THE IMPROVEMENTS IN "HAM LANE SANITARY SEWER, OAK STREET TO LOCKEFORD STREET", AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

MOTORCYCLE
PARKING IN
VICINITY OF LODI
HIGH SCHOOL

Council was advised that at the present time, motorcycles are being parked in two areas in the vicinity of Lodi High School as depicted on a diagram presented for Council's scrutiny. The use of these areas for such parking does not conflict with auto parking, but does conflict with a section of the Lodi City Code prohibiting parking other than within designated parking spaces. The City will lay out and mark stalls to an appropriate width along with pavement markings designating the areas for "MOTORCYCLES ONLY".

RES. NO. 4297

City Manager Graves recommended that Council adopt a Resolution in conformance to Section 22503.5 of the California Vehicle Code permitting curb parking of "motorcycles only" on Pacific Avenue in the vicinity of Lodi High School according to the diagram presented for Council's scrutiny.

RESOLUTION NO. 4297

RESOLUTION ESTABLISHING SPECIAL PARKING AREAS FOR TWO-WHEELED VEHICLES ON PACIFIC AVENUE IN THE VICINITY OF LODI HIGH SCHOOL.

REVISED CLASS
SPECS FOR POLICE
TECHNICIAN
APPROVED

Report of the City Manager reflects that the position of Police Technician is now vacant. The knowledge, skills and abilities for this classification have been thoroughly reviewed and revised by way of a job analysis. It is believed that the changes now accurately describe this position.

THE CITY COUNCIL APPROVED THE REVISED CLASS SPECIFICATIONS FOR POLICE TECHNICIAN.

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TRANSPORTATION
PLANNING PROJECT

Mr. Bill Welch of JHK and Associates, the City's consulting engineers on transportation, made a presentation to Council on the results of the project's Inventory and Needs Analysis Task (Task 2.0). Mr. Welch related that JHK and Associates have determined that a considerable number of people in the study area, mostly elderly and low income located in the northeastern portion of the City of Lodi, have substantial difficulty in transporting themselves to and from essential services such as medical and shopping facilities. A detailed report as prepared by JHK and Associates had previously been given to the Council and to members of the Transportation Planning Project Review Committee for review.

After a complete review of the report, the Transportation Planning Project Review Committee unanimously agreed to recommend to the City Council that it instruct JHK & Associates to proceed with the System and Service Level Analysis task of the project as specified in the contract.

The Committee had two reasons in making the recommendation. In the Committee's opinion, the determination of need alone, should urge the City Council to determine what different types of transit systems and various levels of service would adequately meet this need for transit in Lodi and at what cost. Secondly, the Committee feels that in order for the City of Lodi to retain future use of its Transportation Development Act (SB 325) allocations for necessary street repairs, it is essential that the City find out at least what the minimum cost will be of meeting transit needs in the area.

A lengthy discussion followed with questions regarding the report and presentation being directed by Council to Mr. Welch.

Councilman Katzakian then moved that the City Council authorize JHK and Associates of San Francisco to proceed with the System and Service Level Analysis (Task 3.) portion of the City's Transportation Planning Project Selection Phase contract dated July 15, 1976. The motion was seconded by Councilman Katnich and carried by unanimous vote.

RECESS

The Mayor declared a five-minute recess, and the Council reconvened at 10:20.

RATE INCREASE
GRANTED LODI
CABLE T.V.

RES. NO. 4298

Mr. Bill Koenig, Area Manager for Lodi Cable TV, addressed the Council regarding a proposed rate increase by Lodi Cable T.V. which would thereby establish the following rate structure for Cable TV, Service:

- a) Primary monthly subscriber service fee to customers served by overhead lines \$6.25
- b) Primary monthly subscriber service fee to customers served by underground lines \$6.75
- c) Monthly service fee for each additional outlet \$1.25

RATE INCREASE
GRANTED LODI
CABLE T. V.

RES. NO. 4298
(Continued)

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- d) Monthly service fee for 30 channel tuners \$1.35
- e) Installation of additional outlet \$8.50
- f) Relocation of existing outlet \$8.50
- g) Reconnection of existing outlets \$8.50

Discussion followed with questions regarding the proposed rate increase being directed to Mr. Koenig by the Council.

On motion of Councilman Ehrhardt, Pinkerton second, Council adopted Resolution No. 4298 granting a rate increase to Lodi Cable T. V., thereby establishing the rate structure set forth above by the following vote:

Ayes: Councilmen - Ehrhardt, Katzakian,
Pinkerton and Hughes

Noes: Councilmen - Katnich

Absent: Councilmen - None

RESIDENTIAL AND
COMMERCIAL
REFUSE COLLEC-
TION RATES APPRD
FOR SANITARY CITY
DISPOSAL CO.

ORD. NO. 1090
INTRO.

At the Council meeting of November 17, 1976, Council directed Staff to review rates for refuse collection and to submit recommendations for residential and commercial rates.

A set of rates was developed and presented for Council's perusal which takes into consideration the number of pickups per week and the amount of refuse collected each pickup; the key being that each customer will pay in exact ratio to each other customer on a fair and equitable basis,

A set of rates for commercial can customers has also been developed and was presented for Council's perusal which will reduce those customers having up to 3 cans per pickup and a progressively higher increase for those having more than 3 cans per pickup; the rationale being the desirability of encouraging commercial customers to use bins rather than cans,

Council also directed staff to develop a formula for compensation of Management employees. Council was apprised that it was determined that the accounting function should be included as part of Management compensation. Staff and Sanitary City Disposal Company had arrived at a mutually agreeable formula, and it is felt that by adopting this formula, an equitable and consistent standard of Management salaries will be established in determining future rate adjustments.

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REFUSE COLLECTION
RATES APPROVED

ORD, NO. 1090 INTRO.
(Continued)

Discussion followed with questions being directed to Staff. Councilman Ehrhardt then moved introduction of Ordinance No. 1090, entitled - "An Ordinance Amending Section 11-3 of the City Code of the City of Lodi entitled 'Collection Rates for Garbage Services' ", thereby approving residential and commercial refuse collection rates as proposed by Staff. The motion was seconded by Councilman Katnich and carried.

Councilman Katnich then moved to establish a policy whereby 50% of the City of Lodi's salary for: a) Public Works Director, b) Street Superintendent, and c) Accounting Technician shall be the amount allocated for Management compensation in determining future rate adjustment for the Sanitary City Disposal Company. The motion was seconded by Councilman Ehrhardt and carried.

"YIELD" SIGNS
ESTABLISHED OAK
& WALNUT STREETS
AT CRESCENT
AVENUE

RES. 4299

A traffic study to determine the need for traffic controls to reduce accidents at Crescent Avenue and Walnut Street and Crescent Avenue and Oak Street was presented for Council's perusal.

Public Works Director Ronsko briefed Council on the study, presented diagrams and apprised the Council that it is Staff's recommendation that "Yield" signs be installed on Oak Street and Walnut Street at their approaches to Crescent Avenue,

Dr. Ronald Forbes, 132 S. Crescent Avenue, Lodi, addressed the Council stating that he disagreed with Staff's recommendation and feels that stop signs should be installed on Crescent Avenue. Council discussion followed with questions being directed to Staff and Dr. Forbes.

It was concurred that a speed study should be conducted within the question area.

Following additional discussion, Councilman Katnich moved to adopt Resolution 4299 establishing "Yield" signs on Oak Street at Crescent Avenue and Walnut Street at Crescent Avenue thereby assigning the right-of-way to Crescent Avenue traffic. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

SELF-INSURANCE
FOR WORKERS'
COMPENSATION

RES. NO. 4300

Assistant City Manager Glenn apprised the Council that pursuant to Council's direction to pursue the matter of Self Insurance for Workers' Compensation, the City has solicited proposals from five administrators. These proposals were reviewed by Mund, Mc-Laurin and Company whose report and recommendation was presented for Council's scrutiny. It was staff's recommendation that the City enter into an agreement with ESIS, Inc. to administer the City's Workers' Compensation Self-Insurance program.

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SELF-INSURANCE
FOR WORKERS'
COMPENSATION
RES. NO. 4300
(Continued)

On motion of Councilman Katzakian, Pinkerton second, Council adopted Resolution No, 4300 authorizing the City Manager to enter into an Agreement with ESIS, Inc. to administer the City of Lodi's Workers' Compensation Self-Insurance program effective January 1, 1977 for the sum of \$4,000 for the first year.

Following Staff's recommendation, Councilman Katzakian moved that Council authorize the City's Agent of Record to procure Workers' Compensation excess coverage insurance with a retention of \$100,000 and \$5,000,000 upper limit liability. The motion was seconded by Councilman Ehrhardt and carried.

CONTRACT FOR
ADMINISTRATION
OF SELF INSURING
WORKERS'
COMPENSATION

Councilman Katnich then moved to direct the Finance Director to establish a "restricted" fund to be used only for payments directly related to Workers' Compensation. The fund is to be titled "Workers' Compensation Insurance Fund". The motion was seconded by Councilman Ehrhardt and carried.

On motion of Councilman Katnich, Pinkerton second, Council authorized the Finance Director to transfer \$100,000 from the Hotel-Motel Tax Fund to the Workers' Compensation Insurance Fund. The \$100,000 to be repaid at the rate of \$25,000 per year beginning June 30, 1978.

Councilman Ehrhardt then moved to authorize Staff to apply for City membership to the "California Self-Insurers Association". The motion was seconded by Councilman Katzakian and carried.

NON-PAYMENT
OF OCTOBER
P.G. & E. BILL

An explanation of the unpaid October 1976 P.G. & E. electrical bill was presented by Mayor Hughes. A chronology of events which led to the decision to withhold payment of this bill was made by the Mayor.

Mayor Hughes extended his apology to the Council for their not being apprised of the situation.

Expressions concerning the matter were related by all Councilmembers with a lengthy discussion following.

Two P.G. & E. representatives were present in the audience, however, no comments were made by either of them.

On motion of Councilman Katnich, Ehrhardt second, Council authorized the City to continue negotiations and deferred action on the matter to the next regular Council meeting to be held December 15, 1976.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hughes adjourned the meeting at approximately 12:35 a. m. on motion of Councilman Katzakian, Katnich second.


Attest: ALICE M. REIMCHE
City Clerk