

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JULY 16, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, July 16, 1975 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - EHRHARDT, HUGHES, KATNICH(arrived 8:50 p.m.), PINKERTON, and SCHAFFER(Mayor)</p> <p>Absent: Councilmen - None</p> <p>Also present: City Manager Henry Glaves, Assistant City Manager Jerry Glenn, City Attorney Robert Mullen, Planning Director James Schroeder and Public Works Director Jack Ronsko.</p>
INVOCATION	The invocation was given by Councilman Ehrhardt.
PLEDGE	Mayor Schaffer led the Pledge of Allegiance to the flag.
MINUTES	<p>Councilman Pinkerton moved the minutes of June 24, 1975 be approved as written and mailed. The motion was seconded by Councilman Ehrhardt and carried.</p> <p>Councilman Ehrhardt moved that the minutes of July 2, 1975 be approved as written and mailed. The motion was seconded by Councilman Hughes and carried.</p>
PUBLIC HEARINGS	
McKEON CONSTR. CO, REQUEST TO RECLASSIFY LOTS IN EL PORTAL SUBD.	<p>Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Schaffer called for the public hearing to consider the recommendation of the City Planning Commission for approval of the request of McKeon Construction Company to reclassify the lots in the El Portal Subdivision located at the southeast corner of South Hutchins Street and Century Boulevard from Fourplex to Single Family Residential lots.</p>
ORD. NO. 1058 INTRODUCED	<p>Planning Director James Schroeder introduced the matter, presenting a diagram of the area proposed for reclassification and outlined the recommendation.</p>

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Discussion followed with the privately-owned access ways and the Homeowners Association of property owners within this subdivision being discussed at length. Mr. Robert Nevins, Construction Superintendent, McKeon Construction Co., 7171 Bowling Drive, Suite 1120, Sacramento, California addressed the Council regarding this subject.

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

City Attorney Mullen stressed his concern that there are going to be future problems and future requests for public participation in the maintenance of these privately-owned access ways and that the City should not have anything to do with them.

Councilman Hughes then moved introduction of Ordinance No. 1058 amending the Official District Map of the City of Lodi Thereby Amending Ordinance 976, Changing a Portion of the Land Use Located Within Planned Development District No. 10 (P-D(10)). The motion was seconded by Councilman Pinkerton and carried.

#### PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of July 14, 1975:

<p>REZONE FUTURE EXTEN. OF E. VINE ST. FROM R-1 TO C-M &amp; M-1</p>	<p>1. Recommended the approval of the request of Mr. Ed DeBenedetti, et al, to rezone a 6.29-acre parcel at the northeast corner of Beckman Road and the future extension of East Vine Street from R-1, Single-Family Residential to C-M, Commercial-Light Industrial and M-1, Light Industrial.</p>
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The rezoning request is in conformance with the recently-adopted General Plan Amendment for Industrial Areas.

On motion of Councilman Ehrhardt, Hughes second, the matter was set for Public Hearing on August 6, 1975.

#### ACTIONS OF INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of Mr. Earl Moore for a Variance to increase the fence height from 42 inches to 6 feet on a street property line at 700 Peach Street (southeast corner of Peach and Tokay Streets) in an area zoned R-1, Single-Family Residential.

The Planning Commission approved this action because similar fences exist on City-owned property to the east of the applicant's and on private property across Peach Street. The Variance was approved with the condition that the fence be removed at such time as the City's fence to the east is made to conform.

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2. Directed the Chairman to correspond with Lodi Fab Industries and (1) inform the corporation that the Planning Commission had received a notarized letter claiming the firm was violating its Use Permit for an employees-visitors parking lot and (2) reiterate the conditions of the Use Permit.

3. Elected Commissioner Ted Katzakian Chairman and Commissioner Margaret Talbot, Vice Chairman for Fiscal Year 1975-76.

#### COMMUNICATIONS

SALAS PARK  
ADDITION  
RES. NO. 4084  
*11-1(a)*

The City Clerk presented to the Council a petition which had been received signed by some of the property owners of the land proposed to be annexed to the City as "Salas Park Addition". Said annexation was approved by the Local Agency Formation Commission on June 20, 1975. On motion of Councilman Ehrhardt, Pinkerton second, the City Council adopted Resolution No. 4084 declaring the Council's intent to annex the "Salas Park Addition" and setting the public hearing thereon for September 3, 1975.

#### REPORTS OF THE CITY MANAGER

CLAIMS  
*11-1(a)*

Following presentation by City Manager Graves, Claims were approved in the amount of \$425, 119. 14 on motion of Councilman Ehrhardt, Hughes second.

City Manager Graves apprised the Council that as a part of the formal filing for a Clean Water Grant for the expansion of the existing White Slough Water Pollution Control Plant facility, it is necessary for Council to adopt a resolution authorizing the City Manager to file and execute the application thereon.

RES. ADOPTED  
AUTHORIZING CITY  
MGR. TO FILE &  
EXECUTE CLEAN  
WATER GRANT  
APPLICATION

Discussion followed with Councilman Pinkerton requesting that the record show that he objected to cities as frugal as Lodi having to be subservient to non-elected "Bureaucrats".

RES. NO. 4085

On motion of Councilman Ehrhardt, Hughes second, Council adopted Resolution No. 4085 authorizing the filing of Application for Federal and State Grants for the proposed White Slough Water Pollution Control Plant Expansion and execution of said application by the City Manager on behalf of the City.

The Council was advised by the City Manager that the contract for "Henning Substation Improvements", which was awarded to the Claude C. Wood Company on January 15, 1975, has been completed in substantial conformance with the plans and specifications approved by the City Council.

HENNING  
SUBSTATION  
IMPRMTS.  
ACCEPTED

Councilman Hughes moved that Council accept the improvements in "Henning Substation Improvements" and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office. The motion was seconded by Councilman Ehrhardt and carried.

SPECS FOR  
BACKHOE  
ATTACHMENT  
APPROVED

City Manager Glaves presented for Council approval, specifications for a Backhoe Attachment for the Public Works Department. Mr. Glaves informed the Council that presently the Public Works Department has only one backhoe, which is used by the Water Division, Street Division, and Sewer Division. This attachment will provide the Public Works Department with the needed backhoes for the existing workload and will also eliminate rental of equipment which was necessary during emergency repairs and during those times when two or more divisions had projects which had to be done concurrently and could not be rescheduled. Following discussion, on motion of Councilman Ehrhardt, Pinkerton second, Council approved the specifications for the purchase of a backhoe attachment and authorized the Purchasing Agent to advertise for bids thereon.

SPECS FOR  
ASBESTOS CEMENT  
WATER PIPE  
APPROVED

The City Manager presented specifications for Asbestos Cement Water Pipe, stating that the proposed pipe is for the purpose of replenishing the City's inventory supply and to provide the materials for the major installations to be installed during the fiscal year of 1975-76. Councilman Ehrhardt moved that the specifications for Asbestos Cement Water Pipe be approved and that the Purchasing Agent be authorized to advertise for bids thereon. The motion was seconded by Councilman Pinkerton and carried.

CLEARING OF  
LIBRARY SITE  
PROPERTY  
CONTINUED

City Manager Glaves presented plans and specifications for the clearing of the library site at 210 North Pleasant Avenue and 223 West Locust Street. Mr. Glaves apprised the Council that the Fire Department is expecting to use the house at 223 West Locust for training prior to advertising for demolition and clearing. Following discussion, Mayor Schaffer continued the matter to a date uncertain and until such time as the Fire Department has completed the training exercise involving the house located at 223 West Locust Street.

The City Manager presented to Council the bids which had been received on "Century Boulevard and Ham Lane Street Improvements" as follows:

BIDDER	BID	
	Alternate "A"	Alternate "B"
Teichert Construction	\$225,367.60	\$236,882.10
McGaw Company	\$228,785.60	\$238,695.60
Claude C. Wood Co.	\$236,859.90	\$245,883.90
R. C. Collet, Inc.	\$250,510.68	\$263,891.68

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AWARD-CENTURY  
BLVD. & HAM  
LANE ST.  
IMPRMTS.

City Manager Graves recommended that the award be made to Teichert Construction, the low bidder, on Alternate "A" in the amount of \$225,367.60.

RES. 4086

On motion of Councilman Pinkerton, Ehrhardt second, Council adopted Resolution 4086 awarding the contract for "Century Boulevard and Ham Lane Street Improvements" to Teichert Construction, the low bidder, on "Alternate "A", in the amount of \$225,367.60.

Public Works Director Ronsko presented for Council's scrutiny a billing schedule for the school district for their portion of the construction and development costs for improvements on the Tokay High School project amounting to \$317,249.60, which includes their share of the street improvements; storm drainage fees; and sewer, storm, water, electrical systems; and engineering costs. Of the \$317,000, the City is in the process of billing the School District for \$195,004 for work which has already been done or monies that the City would normally get prior to construction. This will leave a balance of approximately \$122,000 to be obtained during the progress of the job. The School District has advised Mr. Ronsko that they will pay as the work is completed and a letter is expected within the next day or two confirming this commitment.

Following introduction of the matter by City Manager Graves, on motion of Councilman Ehrhardt, Katnich second, Council adopted Resolution 4087 establishing the monthly salaries of certain unclassified personnel effective July 1, 1975 as follows:

NON-CLASSIFIED  
SALARIES  
ESTABLISHED

Assistant City Manager	\$1,975
Public Works Director	\$2,300
Utility Director	\$2,225
Planning Director	\$1,975
Police Chief	\$2,175
Fire Chief	\$1,975
Recreation and Parks Director	\$1,835
Finance Director	\$1,975
Administrative Assistant	\$1,040 - \$1,420

RES. NO. 4087

RES. NO. 4088

On motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 4088 establishing the monthly salaries of certain unclassified personnel effective July 1, 1975 as follows:

City Manager	\$2,800
City Clerk	\$ 125
City Attorney	\$1,275

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City Manager Graves apprised the Council that in the General Election of November 1974, a Legislative Constitutional Amendment added Section 10.5 to Article XI of the State Constitution providing that any city or county, including a chartered city or a chartered county, or public district, may not require employees to be residents of such local governmental agency; except that employees may be required to reside within a reasonable and specific distance of their place of employment or other designated location.

The City of Lodi's current residency policy, which was adopted by Council in July of 1968, reads as follows:

"That all City employees be required to reside within San Joaquin County in that area between Eight Mile Road and the northern boundary of the county."

City Manager Graves recommended the City amend its current residency policy to read as follows:

"Every officer or employee of the City of Lodi shall reside within the geographic area embraced in a circle having the City Hall as its center and having a radius of twenty (20) miles, effective one year from the commencement of employment".

The twenty mile radius is believed to be reasonable and within the intent of Section 10.5. The area defined would cover essentially the same geographic area under the current policy to the east and west of the City. To the south, the southern limit would fall on Roth Road which is slightly below the Stockton Municipal Airport. To the north, the limit would fall approximately 12 miles north of the City of Galt.

EMPLOYEES  
RESIDENCY  
REQUIREMENT  
AMENDED

Following discussion on the subject, on motion of Councilman Katnich, Ehrhardt second, Council adopted a residency requirement to be inserted in the Administrative Manual, Section "R" to read as follows:

"Every officer or employee of the City of Lodi shall reside within the geographic area embraced in a circle having the City Hall as its center and having a radius of twenty (20) miles, effective one year from the commencement of employment."

AGENDA ITEM "j"  
CONTINUED

On request of Staff, Agenda Item "j" - "Striping and 'No Parking' Zones on Lodi Avenue - Hutchins Street to Pleasant Avenue" was continued to the regular Council meeting of August 6, 1975.

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SEWER SERVICE  
RATES INCREASED

ORD. NO. 1059  
INTRODUCED

City Manager Graves apprised Council that during the budget discussions, the point was made that one of the requirements for the City Sewer Grant is a provision that a revenue program be established that will provide for funds for operation and also for replacement and needed future expansion. During these discussions, Council had directed Staff to explore the effect of an immediate 50% across the board sewerage service rate increase. Mr. Graves indicated that following review of the matter, it was his recommendation that Council increase all sanitary sewage service rates adopted by Ordinance 786 by 50% effective for those bills prepared on and after August 1, 1975. Mr. Graves also recommended that additional funds derived from this anticipated revenue, which is estimated to be approximately \$90,000, be placed into the Sewer Fund. The transfer of dollars from the General Fund to the Sewer Fund can therefore be reduced by the same amount.

Following discussion on the matter, Councilman Ehrhardt moved the introduction of Ordinance No. 1059 - "An Ordinance amending Sections 20-2, 20-3, and 20-4 of the City Code of the City of Lodi and thereby providing for an increase of 50% in the rates to be charged for sewage, storm water and industrial wastes removal", declaring the same to be an urgency measure, as this Ordinance provides for the raising of sewer taxes, which revenue is to be applied to the usual and current expenses of the City and which becomes effective immediately and shall be applied to all billings made on and after August 1, 1975. The motion was seconded by Councilman Hughes and carried.

1975-76  
OPERATING  
BUDGET  
MODIFIED

Councilman Hughes then moved that the 1975-76 Operating Budget be modified, reducing the amount to be transferred from the General Fund to the Sewer Fund by \$90,000.00. The motion was seconded by Councilman Ehrhardt and carried.

RIFLE RANGE  
FEES INCREASED

City Manager Graves reminded the Council that during the budget discussion, it had been suggested that rifle range fees be increased. Following review of the matter, the City Manager presented for Council approval the following recommended range fee increases:

- a) Monthly shooting ticket from \$1.50 to \$2.00
- b) 18 years and under - shooting fee from 50¢ to 75¢
- c) 18 years and over - shooting fee from \$1.00 to \$1.25

On motion of Councilman Hughes, Pinkerton second, Council approved the rifle range fee increases as proposed.

**SAFE ROUTES TO & FROM SCHOOL** Following an inquiry by Councilman Ehrhardt regarding the coordinated effort of School staff and City staff to correct hazardous conditions in routes to and from schools, Public Works Director Ronsko apprised the Council that the City staff has looked at the storm drainage problem in the area of Woodbridge School on Lower Sacramento Road, north at Turner Road, and has determined that the storm drainage problem in that area can be resolved with the installation of a couple of catch basins that would come off a line that is in Turner Road; also that the shoulder of Lower Sacramento Road to Turner Road can be reggraded in order that the drainage can be taken to that area and picked up. Staff is in the process of working up an estimate for this work which will be brought to Council shortly.

**JOINT COMMITTEE MEMBERS NAMED** Mayor Schaffer named committee members for those committees proposed at the Joint School Board and City Council meeting of June 24, 1975 as follows:

a) "Lodi High School Neighborhood Problems Committee":

Councilman Ezra Ehrhardt  
Councilman James Pinkerton  
Mr. Max Elson

b) "Safe Routes To and From School Committee":

Councilman Ezra Ehrhardt  
Councilman Wally Katnich  
Administrative Assistant and Safety  
Council President Kris Kristensen

c) "Community Pool at New Tokay High School Committee":

Councilman Richard Hughes  
Councilman Wally Katnich  
Parks & Recreation Director DeBenedetti

**BICYCLE SAFETY ENFORCEMENT** Following introduction of the matter by Councilman Hughes and discussion, Staff was directed to apprise the Chief of Police of Council's concern for additional bicycle safety enforcement.

**MAYOR OF KOFU TO VISIT LODI** Mayor Schaffer announced that the Mayor of Kofu, Japan would be visiting the City of Lodi on July 31 and August 1, 1975.

**ADJOURNMENT** There being no further business, the meeting was adjourned at approximately 9:30 p.m. on motion of Councilman Ehrhardt, Katnich second.

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