

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 7, 1974

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 P.M., Wednesday August 7, 1974, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,
KATNICH, SCHAFFER,
(arrived at 8:02 P.M.)
and PINKERTON(Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant
City Manager Glenn, City Attorney Robert
Mullen, Planning Director Schroeder and Public
Works Director Jones

INVOCATION

The invocation was given by Councilman Ehrhardt

PLEDGE

Mayor Pinkerton led the Pledge of Allegiance
to the flag.

MINUTES

On motion of Councilman Ehrhardt, Katnich
second, the minutes of July 17, 1974 were
approved as written and mailed.

PUBLIC HEARING

RECOMMENDATION OF
PLANNING COMM. TO
REZONE POR. OF
UNITED VINTNERS
PROP. FROM R-1 TO
M-2

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 to consider
the recommendation of the Planning Commission
to rezone a portion of United Vintners, Inc.
property at 1 W. Turner Road from R-1, Single
Family Residential District to M-2, Heavy
Industrial District.

Planning Director James Schroeder introduced
the matter and reviewed the Planning Commis-
ion's action of recommending the zone change.

City Manager Graves gave a favorable
recommendation and rationale for the zone
change.

Mr. Reinold E. Gerzevske addressed the
Council urging their favorable action on this
zoning change..

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

On motion of Councilman Ehrhardt, Schaffer second, Ordinance No. 1040 was introduced, "An Ordinance to rezone a portion of United Vintners, Inc. property at 1 West Turner Road from R-1, Single Family Residential District to M-2, Heavy Industrial District".

PUBLIC STATEMENT
RE REFERENDUM
ELECTION

Mr. Stewart Adams, Attorney at Law, representing the estate of Ada Hutchins and the Hawaii-San Francisco Company, Inc., gave a prepared statement concerning ballot arguments presented in favor of the referendum election on the zone change of 47 acres on the southwest corner of Ham Lane and Lodi Avenue. A copy of this statement is on file in the City Clerk's office.

Councilman Katnich expressed his feeling that the Council Chambers is not the place to advertise one's point as a campaign issue.

RIVERGATE-MOKELUM-
NE SUBDIVISION
PUBLIC HEARING CONT.

The City Manager informed the Council of an additional item, that of continuation of a public hearing on the Rivergate-Mokelumne Subdivision.

Mayor Pinkerton recognized Mr. William Sutphin of San Francisco. Mr. Sutphin urged the exception of curtailment of acceptance of the tentative subdivision map of the Rivergate-Mokelumne Subdivision.

Mr. Graves reported that the City's Consulting Engineers have advised that we can expand the capacity of White Slough Water Pollution Control Plant through certain modifications and proposed that the tentative subdivision maps be accepted under the same conditions as Vintage Greens subdivision with building permits to be approved on the recommendation of the Public Works Director, Shelley Jones.

Mr. Jones stated he had no objection to that proposition and the City does retain control.

Mr. Schroeder stated that the Planning Department had no objection to the plan.

The Mayor then closed the public portion of the hearing on this matter.

After discussion on the matter, on motion of Councilman Hughes, Ehrhardt second, the City Council directed the Planning Commission to accept the tentative map on the Rivergate-Mokelumne subdivision with the condition that

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permits be issued on the approval of the Public Works Director and the Water Quality Control Board.

Mr. Schroeder informed Council this matter was on the Planning Commission's agenda for August 12, 1974.

INDUSTRIAL
ZONING

The Mayor asked that the Planning Commission re-evaluate the area between Cluff Avenue and Beckman Road and Kettleman Lane to the River for industrial purposes. On motion of Councilman Schaffer, Ehrhardt second, it was so ordered.

PLANNING COMMISSION

The City Manager reported that there was no report from the Planning Commission.

COMMUNICATIONS

NEUHARTH-EAST

A letter was received from the San Joaquin County Local Agency Formation Commission notifying the City of the approval of the Neuharth-East Addition to the City of Lodi, upon the condition that it be not completed prior to the successful completion of the Neuharth-West Addition. On motion of Councilman Katnich, Schaffer second, the matter was set for public hearing on September 18, 1974.

ABC LICENSES

An application for Alcoholic Beverage License was received from the following:

Lola L. Wilson for an On Sale General Public Premises, for the Rendezvous Club at 17 Elm Street, Lodi, California.

Lloyd W. Garrett and Dallas A. Williams for On Sale Beer and Wine, Public Premises for the Jersey Lily at 25 N. Sacramento Street, Lodi, California.

Kenneth and Paul Torre for Off Sale Beer and Wine for Peirano's Market, 119 East Pine Street, Lodi, California.

Earl Beechler for On Sale Beer and Wine, Public Premises for the Three Aces Tavern at 111 North Sacramento Street, Lodi, California.

COUNCIL MEETING
OF JULY 17, 1974

The City Council received a letter from Mrs. Joyce Siewert regarding the manner in which Mrs. Bonnie Meyer was received when she spoke before the Council on July 17, 1974.

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BEN'S ELECTRIC	The City Council received a letter from Lindsay P. Marshall, Attorney at Law, representing Mr. Ben Osborne of Ben's Electric, notifying the City that Mr. Osborne was required to raise the sidewalk, curb and gutter at the front of his property in order to obtain necessary building permits. The letter points out that there is a potential hazard as the sidewalk is now off grade from adjacent properties. The matter was referred to staff for a report.
REQUEST FOR STOP SIGNS - MAPLE AND GARFIELD STREETS	The City has received a petition signed by 86 persons requesting that stop signs be placed at the corner of Maple and Garfield Streets. The matter was referred to staff.
WASHINGTON AND MAPLE STREETS	Councilman Hughes requested that staff look to the need for stop signs at Washington and Maple Streets. The matter was referred to staff.
ABC LICENSE	Planning Director Schroeder reported that the previously reported upon Application for Alcoholic Beverage License for a "California Winegrower's Agent" License, was a renewal of an existing license under different names rather than a new license.
DEPARTMENT OF TRANSPORTATION	Mayor Pinkerton stated that he had received a letter from the Department of Transportation requesting a meeting with City Council relative to the potential use of the Kingdom Airport and asked Councilmen Ehrhardt and Hughes to represent the City in this matter.
PORT DISTRICT	Mayor Pinkerton asked that the staff determine if the City of Lodi is included in the Stockton Port District.
STOCKTON RECORD EDITORIAL	The Council gave unanimous thanks to the Stockton Record on the recent editorial relative to the joint meeting of the Lodi City Council and the Lodi Unified School District Board of Trustees.

REPORTS OF CITY MANAGER

CLAIMS	Claims in the amount of \$511,464.39 were approved on motion of Councilman Katnich, Ehrhardt second.
SPECIAL REFERENDUM ELECTION	On motion of Councilman Ehrhardt, Hughes second, Council adopted Resolution No. 3957 authorizing the City Clerk to canvass results of the Special Referendum Election.
RES. NO. 3957 and RES. NO. 3958	On motion of Councilman Katnich, Ehrhardt second, Council adopted Resolution No. 3958 authorizing and directing the City Clerk to appoint necessary Boards for conduct of Special Referendum Election to be held August 27, 1974.

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GAS AND OIL
LEASES

RES. NO. 3959

City Attorney Mullen presented a resolution calling for bids for oil and gas leases on City property. Mr. George Warren of Standard Oil Company requested that the bid be modified to include surface access for drilling. Councilman Hughes questioned certain minimum rental fees in the proposed bid instructions.

After discussion, on motion of Councilman Hughes, Schaffer second, Council adopted Resolution 3959 authorizing the call for bids for an oil and gas lease with provision being made for mutually satisfactory drill site locations on Parcel 1 and a minimum \$10 per acre rental fee.

The Council adjourned to Executive Session for personnel matters at 9:10 p. m.

The Council reconvened at 9:30 p. m.

FIRE FIGHTERS
WORK SCHEDULE

RES. NO. 3960

On motion of Councilman Katnich, Schaffer second, Council adopted Resolution No. 3960 "Defining Vacation, Holiday, Sick Leave and Duty Schedules for Fire Fighters."

UNIFORM
ALLOWANCE

RES. NO. 3961

On motion of Councilman Ehrhardt, Schaffer second, Council adopted Resolution No. 3961 "Authorizing Annual Uniform Allowance of \$264 for police officers and parking enforcement assistants."

LABOR
RELATIONS

City Manager Glaves reported that we had an offer from the International Brotherhood of Electrical Workers, Local No. 1245, representing the employees of the Utility Department on salaries, wage supplements, and conditions of work. Assistant City Manager Glenn reviewed the specifics of the offer. Upon motion of Councilman Ehrhardt, Hughes second, the offer was accepted and the staff was directed to prepare the appropriate Memorandum of Understanding.

ABANDONED VEHICLES

RES. NO. 3962

Upon motion of Councilman Schaffer, Ehrhardt second, Council adopted Resolution 3962 renewing franchise agreement for Abandoned Vehicle Abatement Program.

AWARD - BECKMAN
PARK INTERIOR
DRAINAGE

RES. NO. 3963

City Manager Glaves informed Council that four bids were received for the Beckman Park Interior Drainage contract. The bids ranged from a low of \$11,324.74 submitted by William Burkhardt, to a high of \$18,230. City Manager Glaves recommended that the award be made to William Burkhardt, the low bidder.

On motion of Councilman Katnich, Schaffer second, Council Adopted Resolution No. 3963 awarding contract for Beckman Park Interior Drainage to William Burkhardt in the amount of \$11,324.74.

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CENTURY ARMS
DEVELOPMENT

RES. NO. 3964

City Manager Glaves reported that development improvements in the Century Arms Development have been completed. Upon motion of Councilman Schaffer, Ehrhardt second, Council adopted Resolution No. 3964 accepting improvements in Century Arms Development at 2110 Scarborough Drive.

EL PORTAL
SUBDIVISION

RES. NO. 3965

City Manager Glaves reported that development improvements in the El Portal Subdivision have been completed. On motion of Councilman Ehrhardt, Katnich second, Council adopted Resolution No. 3965 accepting improvements in the El Portal Subdivision.

BECKMAN PARK

City Manager Glaves reported that the excavation and grading of Beckman Park has been completed. On motion of Councilman Katnich, Ehrhardt second, Council accepted the final grading of Beckman Park and authorized payment to Westmont Development Co. of \$8,100.

VINEWOOD PARK

City Manager Glaves reported that the improvements for Vinewood Park restroom foundation and slabs had been completed. On motion of Councilman Hughes, Schaffer second, Council accepted the improvements.

REIMBURSEMENT
AGREEMENTS
CASA DE LODI

City Manager Glaves reported that in 1972 the City Council entered into agreements with the partnership of John A. DeFalco and Ronald C. Waranch to extend certain sewer and water lines to serve the Casa de Lodi Mobile Home Park.

The agreements have been prepared to include maximum reimbursable amounts when others tie into the lines and the schedule of reimbursements.

On motion of Councilman Ehrhardt, Schaffer second, the Council approved the water main and sewer line reimbursement agreements with the partnership of John A. DeFalco and Ronald C. Waranch.

REIMBURSEMENT
AGREEMENT
H & M BUILDERS

The City Manager reported that in March 1974 the City of Lodi entered into an agreement with H & M Builders, Inc. to extend certain sewer lines to serve the Cherry Tree Subdivision.

The agreement has been prepared to include maximum reimbursable amounts when others tie into the line and the schedule of reimbursement.

On motion of Councilman Schaffer, Ehrhardt second, Council approved the reimbursement agreement with H & M Builders, Inc.

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PG&E RATE
INCREASE

City Manager Graves reported that the City of Lodi has been notified that PG&E has filed a rate increase with the Federal Power Commission. The rate increase includes a different fee schedule, but calculates to an over-all increase of approximately 18.4%. This would amount to approximately \$400,000 extra cost of bulk power for the remainder of this year.

Mr. Graves told the Council that the member cities of the Northern California Power Agency have alerted their attorney and engineer to begin preparation for intervention on behalf of the cities to justify the delay of the increase for five months.

The City of Lodi's share of the cost of \$20,000 (cost of litigation) will be \$4,000. If the increase is delayed five months, the saving will be approximately \$171,000.

On motion of Councilman Ehrhardt, Schaffer second, Council approved the expenditure of \$4,000 to join NCPA in the necessary legal and engineering services to justify the delay of the increase for five months.

JOHN A. HENNING
SUBSTATION

On motion of Councilman Schaffer, Hughes second, Council named the substation being constructed adjacent to the Municipal Service Center the John A. Henning Substation, in honor of the first utility superintendent and to rename the existing Henning substation, Waterworks Substation.

ACCEPT SOUTH
HUTCHINS STREET
IMPROVEMENTS

RES. NO. 3966

On motion of Councilman Ehrhardt, Schaffer second, Council adopted Resolution No. 3966 accepting the South Hutchins Street Improvements and directing the Public Works Director to file a Notice of Completion.

ESTABLISH "NO
PARKING" ZONE ON
KETTLEMAN LANE

RES. NO. 3967

City Manager Graves notified the Council that the State of California Department of Transportation has requested the City to install a No Parking zone on the north side of East Kettleman Lane from a point 108 feet east of the centerline of Cherokee Lane to 219 feet east of Cherokee Lane. On motion of Councilman Ehrhardt, Hughes second, Council adopted Resolution No. 3967 establishing a No Parking zone on the north side of Kettleman Lane east of Cherokee.

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APPROVE AGREEMENT WITH R. L. GRIFFIN FOR PUBLIC IMPROVEMENTS ON CLUFF AVENUE

City Manager Graves reminded Council that in 1969 the City agreed to a delay in installation of public improvements for Foster Manufacturing Company. The agreement provides for a delay in public improvements for a 5-year period or until such time that the City makes demand for the improvements.

The improvements that Mr. Griffin agrees to construct include curb, gutter, sidewalk and paving on Cluff Avenue and the north one half of Lodi Avenue adjacent to the area developed at the time Foster Manufacturing started business in 1969.

On motion of Councilman Schaffer, Ehrhardt second, Council authorized the City Manager or the Mayor to sign the agreement with Mr. R. L. Griffin.

FIXING COMPENSATION OF OFFICERS & EMPLOYEES

ORD. NO. 1039 ADOPTED

Ordinance No. 1039 entitled "AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 444 ENTITLED, "AN ORDINANCE FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LODI AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT THEREWITH", AND ESTABLISHING VACATION LEAVE," having been introduced at the regular meeting of July 17, 1974, was brought up for passage by Councilman Katnich, Schaffer second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Ehrhardt, Hughes, Katnich, Schaffer and Pinkerton

Noes: None

ELECTRIC CONSERVATION

Councilman Ehrhardt inquired as to when the fountain in the Civic Center will be reactivated. Mr. Graves reported that the PUC has requested that we continue to voluntarily curtail the use of energy.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:07 p.m. on motion of Councilman Ehrhardt, Hughes second.

Jerry L. Glenn

Attest: JERRY L. GLENN
Deputy City Clerk