

Minutes of March 21, 1973, continued

AMEND P-D(4)
DISTRICT

ORD. NO. 1000
INTRODUCED

Notice of public hearing 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 amend the Planned-Development District No. 4 (P-D(4)), which encompasses the English Oaks Manor Subdivision at the northwest corner of Harney Lane and South Hutchins Street as follows:

- a. That Parcel "F" on the west side of Scarborough Drive between Century Boulevard and Wimbeldon Drive be redesignated from an apartment site at 10 units per acre to Lots 164 through 169 for "Zero Lot Line Houses" and Lots 163 and 170 for standard, two-family purposes;
- b. That Lots 467 through 478 along Wimbeldon Drive adjacent to the elementary school site be established and approved for standard two-family purposes;
- c. That the area bounded by Wimbeldon Drive, Winchester Avenue, Harney Lane and South Ham Lane be redesignated in the following manner:
 - (1) Lots 238, 269 through 276; Lots 278 through 291; 300-301; 316-317; 331-332; 349 and 252-253 for standard two-family purposes;
 - (2) Lot 277 (formerly Lots 277 and 278) for standard four-family purposes; and
 - (3) All the remaining lots for standard single-family purposes.
- d. That the Revised Tentative Subdivision Map of English Oaks Manor as approved by the Planning Commission on Monday, February 26, 1973, become the development plan for Planned Development District #4(P-D(4)).

Planning Director Schroeder discussed the proposed amendment as recommended by the Planning Commission and presented a drawing of the Tentative Map.

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

After Council discussion, on motion of Councilman Katnich, Schaffer second, the Council by unanimous vote introduced Ordinance No. 1000 amending the Planned Development No. 4 District as stated above.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of March 12, 1973:

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REZONE P-D(2)
TO R-1 DIST.

The Planning Commission recommended that Planned-Development District No. 2 (P-D(2)), which encompasses the Lone Oak Subdivision, an approximately 21-acre parcel at the northeast corner of the extension of South Cluff Avenue and East Vine Street be rezoned to R-1, Single-Family Residential District. On motion of Councilman Katnich, Schaffer second, this matter was set for public hearing on April 4, 1973.

ACTIONS OF
INTEREST

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

1. Reviewed the status of the shopping center portion of Planned Development District No. 1, (P-D(1), Town and Country Development, an approximate 7-acre site at the southeast corner of West Turner Road and Lower Sacramento Road.
2. Approved the Environmental Impact Report by Meyer, Baumbach and Piazza, Consulting Engineers, for Joaquin Park Subdivision, a 10.4-acre, 59-unit development located on the east side of Lower Sacramento Road, south of Westlake Subdivision Unit #1 and north of the future Aladdin Gardens Subdivision Unit #3.
3. Approved the request of Mr. J. T. Ishida to reduce the required street side yard area on South Hutchins Street from 15 feet to 10 feet on a parcel located at the northwest corner of South Hutchins Street and Park Street in an area zoned R-MD, Medium Density Multiple-Family Residential.
4. Approved the request of Mrs. Bertha Freshour for a Variance to reduce the required rear yard from 10 feet to 5 feet and the required side yard from 5 feet to 2-1/2 feet to permit the erection of a carport on a 26-foot by 50-foot parcel at 209 South Garfield Street in an area zoned R-HD, High Density Multiple-Family Residential.
5. Denied the request of Rancho Grande Motel by Mr. Leonard Sullivan for a Variance to increase the allowable sign overhang from 6 feet to 8-1/2 feet to permit an existing sign to remain at 807 South Cherokee Lane in an area zoned C-2, General Commercial.
6. Recommended to the San Joaquin County Planning Commission the approval of the request of Mr. Eugene Behnke by Mr. Rayburn D. Melhaff for a change in zoning from the R-3, Residential District to the R-4, Residential District on the east side of Lilac Street, 100 to 150 feet south of Augusta Street, Town of Woodbridge.
7. Recommended to the San Joaquin County Development Committee the approval of the request of the Estate of W. T. Tecklenburg for Division of Land at the southeast corner of Wells Lane and Kettleman Lane in an area zoned I-PA, Interim-Protected Agricultural.

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APPEAL -
RANCHO GRANDE
MOTEL

Mr. Graves reported that a letter of appeal had been received from Mr. and Mrs. Leonard Sullivan of the Rancho Grande Motel appealing the decision of the Planning Commission in denying their request for a Variance to increase the allowable sign overhang from 6 feet to 8-1/2 feet to permit an existing sign to remain at 807 South Cherokee Lane in an area zoned C-2, General Commercial District. The matter was set for public hearing on April 18, 1973, on motion of Councilman Katnich, Hughes second.

COMMUNICATIONS

ABC
LICENSE

An application for alcoholic beverage license was received from William Von Flue, Pastime Club, 25 North Sacramento Street, on sale beer, person-to-person transfer.

CLAIM FOR
INJURIES -
E. V. SMITH

The City Clerk presented a claim for personal injuries on behalf of Eldon V. Smith in the amount of \$45,000. On motion of Councilman Schaffer, Pinkerton second, the Council rejected the claim and referred it to the City's Agent of Record.

CLAIM FOR
INJURIES -
F. D. WARREN

A claim for personal injuries on behalf of Frances D. Warren in the amount of \$5,000, plus other expenses, was also presented by the City Clerk. The City Council, on motion of Councilman Schaffer, Katnich second, rejected the claim and referred the matter to the City's Agent of Record.

S. J. COUNTY
DEVELOPMENT
COUNCIL

A letter was received from the San Joaquin Development Council setting forth a ten-point proposal for the County of San Joaquin and the Cities within the County. Included in the proposal was the establishment of an agency to be responsible for attracting new industry and commerce to the cities and County. Councilman Pinkerton reported that the San Joaquin Development Council would like a recommendation from each of the City Council's within the County regarding the proposal. No action was taken at this meeting.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$204,274.40 were approved on motion of Councilman Katnich, Schaffer second.

AWARD - LAKE
PARK CONCESSIONS
RES. NO. 3742

The City Manager reported that only one bid had been received for the Lake Park concessions. The bid was received from Coca-Cola Bottling Company of Stockton and was for 35% of the gross receipts received, less sales tax. Mr. Graves recommended the contract for the concessions at the Lodi Lake Park be granted to Coca-Cola Bottling Company for the amount of the bid. On motion of Councilman Schaffer, Pinkerton second, the Council adopted Resolution No. 3742 awarding the contract for the concessions at Lodi Lake Park to Coca-Cola Bottling Company and authorized the Mayor to sign the agreement on behalf of the City.

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AWARD -
A-2 PUMPS

The City Manager presented bids received for the furnishing of the A-2 Retention Basin Pumps as follows:

RES. NO. 3743	San Joaquin Pump Co., Inc.	\$6,710.00
	Clancy Pump & Supply	7,680.75
	Walter G. Noack & Son, Inc.	8,523.55
	Subgrade Construction Corp.	8,727.00
	Delta Pumps	9,207.05

The City Manager recommended the award be made to the low bidder for the amount of the bid. On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3743 awarding the furnishing of the A-2 Retention Basin pumps to San Joaquin Pump Company for a total of \$6,710.

VACATE
EASEMENT -
WINDSOR TR.

City Manager Graves reported that the Public Works Director had recommended the City Council abandon an easement in Lot 2 of Windsor Tract. The easement was dedicated to the City on March 17, 1954. The Public Works Department had determined there was no present or future use for the easement. On motion of Councilman Schaffer, Katnich second, the Council adopted its Order vacating an easement in Tract No. 371, Windsor Tract.

ORIONS, INC.
LEASE & CON-
CESSION
AGREEMENT
APPROVED

The City Manager submitted a Lease and Concession Agreement between the City of Lodi and the Orions, Inc. for use of the Lawrence Park Baseball Stadium and concession stand for 1973. On motion of Councilman Katnich, Pinkert second, the Council approved the Lease and Concession Agreement and authorized the City Manager to execute the agreement on behalf of the City.

Councilman Katnich asked that the staff review the above agreement to determine if City expenses are being met.

SCOUT
CENTER
FUNDS
ACCEPTED

On motion of Councilman Schaffer, Pinkerton second, the Council gratefully accepted funds in the approximate amount of \$2,000 from the Boy Scout Center Committee; said funds to be used for the youth activity area at Lodi Lake Park. The Council also directed that letters of appreciation be sent to members of the Boy Scout Center Committee, Fred M. Brown and Riney Bender, for their many years of service to the youth of the community in the area of scouting.

ANNUAL
TRANSP.
CLAIM
1972-73
1973-74

RES. NO. 3744
RES. NO. 3745

The City Manager presented a two-year program of the expenditures for Senate Bill 325 funds which include improvement of Hutchins Street from Kettleman Lane to Ham Lane; the replacement of traffic signs throughout the City where necessary to comply with new laws, and the widening of West Lodi Avenue. The Council then on motion of Councilman Katnich, Pinkerton second, accepted the recommendation of the City Manager and adopted Resolution No. 3744 approving the Annual Transportation Claim for fiscal year 1972-73 and authorizing the City Manager to execute the documents pertaining to the claim.

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The Council, on motion of Councilman Katnich, Hughes second, made a negative declaration of transit need regarding the Annual Transportation Claim for fiscal year 1972-73 and authorized the City Manager to certify the same.

On motion of Councilman Pinkerton, Schaffer second, the Council authorized the City Manager to certify conformance to the applicable rules and regulations of Article 8, Chapter 1400, Statutes of 1971 regarding the Annual Transportation Claim for 1972-73.

Councilman Katnich then moved adoption of Resolution No. 3745 approving the Annual Transportation Claim for fiscal year 1973-74 and authorizing the City Manager to execute the documents pertaining to the claim. The motion was seconded by Councilman Schaffer and carried.

The Council then on motion of Councilman Katnich, Schaffer second, made a negative declaration of transit need regarding the Annual Transportation Claim for 1973-74 and authorized the City Manager to certify the same.

On motion of Councilman Pinkerton, Hughes second, the Council authorized the City Manager to certify conformance to the applicable rules and regulations of Article 8, Chapter 1400, Statutes of 1971 regarding the Annual Transportation Claim for 1973-74.

L. SACTO, RD.
R/W

The City Manager reported that progress on securing the right of way on Lower Sacramento Road between Lodi Avenue and Turner Road had been slowed and it was his recommendation this right of way should be acquired as soon as possible. He recommended the City Council authorize initiation of eminent domain proceeding on the Babcock, Beckman and Erich properties.

BABCOCK
PROPERTY
RES. NO. 3746

On motion of Councilman Pinkerton, Schaffer second, the Council unanimously adopted Resolution No. 3746 authorizing the City Attorney to start condemnation proceedings for acquisition of a portion of the Babcock property located on Lower Sacramento Road; said property to be used for installation of the 60-KV line and the Lower Sacramento Road Frontage Road.

BECKMAN
PROPERTY
RES. NO. 3747

On motion of Councilman Schaffer, Katnich second, the Council unanimously adopted Resolution No. 3747 authorizing the City Attorney to start condemnation proceedings for acquisition of a portion of the Beckman property located on Lower Sacramento Road; said property to be used for installation of the 60-KV line and the Lower Sacramento Road Frontage Road.

ERICH
PROPERTY
RES. NO. 3748

On motion of Councilman Katnich, Schaffer second, the Council unanimously adopted Resolution No. 3748 authorizing the City Attorney to start condemnation proceedings for acquisition of a portion of the Erich property located on Lower Sacramento Road; said property to be used for installation of the 60-KV line and the Lower Sacramento Road

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TINDELL
AGREEMENT

The City Manager presented an agreement between the City and Ralphine M. Tindell concerning dedication of property on Lower Sacramento Road. On motion of Councilman Schaffer, Hughes second, the Council approved the agreement and authorized the City Manager to sign the same on behalf of the City.

LEGAL
SERVICES
AGREEMENT

City Manager Graves presented an employment agreement between the City of Lodi and Litts, Mullen, Perovich and Sullivan, attorneys at law, authorizing and providing compensation for extra ordinary services not covered by the contract now existing. On motion of Councilman Katnich, Schaffer second, the Council unanimously approved the agreement and authorized the City Manager to execute same on behalf of the City.

PT & T
AGREEMENTS
RES. NO. 3749

On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3749 authorizing execution of two High Voltage Joint Use Agreements dated March 14, 1973, between the Pacific Telephone and Telegraph Company and the City of Lodi.

HALE PARK
RECR. CENTER

The City Council, on motion of Councilman Schaffer, Katnich second, approved a supplemental allocation in the amount of \$18,635 for the renovation of the Hale Park Recreation Center.

VAUGHAN
PROPERTY
RES. NO. 3750

The City Manager reported that the Library Board at its meeting of March 19, 1973, had requested the City Council to authorize eminent domain proceedings to obtain the Vaughan property located at 223 West Locust Street, adjacent to property recently purchased for the proposed library site. On motion of Councilman Katnich, Mayor Ehrhardt second, the Council unanimously adopted Resolution No. 3750 authorizing the City Attorney to start condemnation proceedings for acquisition of the Vaughan property.

ALLEYS

Mayor Ehrhardt said he had observed that citizens were placing garbage containers in alleys and this was creating traffic problems. He requested the staff to investigate this and to report back to the Council.

MANPOWER
TRAINING

Mr. Graves told the Council it would be necessary for the cities within San Joaquin County and the County to determine the desired form of organization for the Manpower Training program. He said there were various proposals available and he would submit information to the Council for review.

ADJOURNMENT

There being no further business, the meeting was adjourned on motion of Councilman Katnich at approximately 9:53 p. m.

Attest: 
BESSIE L. BENNETT
City Clerk