

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 22, 1972

An adjourned regular meeting of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 22, 1972 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,
KIRSTEN, SCHAFFER and
KATNICH (Mayor)

Absent: Councilmen - None

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

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

ANNEXATION -
SUN WEST ADDN.

RES. NO. 3612

At the Council meeting of March 15, 1972 the City Council received a petition signed by Mr. John Capell and Dr. Chris R. Keszler requesting annexation of a parcel known as the Sun West Addition and containing approximately 27.56 acres. At that meeting the Council deferred action on the request and continued the matter until the meeting scheduled for April 5. However, since the meeting on March 15, the City Manager had been contacted by the developers of the property who had indicated time was a major factor in their development. They felt if they could not get immediate action on their annexation request it would be necessary for them to develop in the County.

Dr. Anthony Ahn, 558 Willow Glen Drive, representing the Sun West Swim and Racquet Club explained to the Council that the Club intended to use five acres of the parcel proposed for annexation for development of their Club. He explained that the Club proposed to (1) extend the water line from Tokay Street and Peach Street to connect to the City system; (2) install a septic tank and within a two-year period replace the septic tank with permanent connection to the City's sewer lines; and (3) provide temporary storm drainage for the five acres by means of a ponding basin on adjacent property. Councilman Kirsten commented that he felt the City's Master Drainage Plan should not be changed to accommodate the Sun West development. Dr. Ahn assured the Council he did not wish to alter the City's Master Drainage Plan. Dr. Ahn agreed that the Sun West Swim and Racquet Club would abide by whatever regulations were imposed by the City concerning the drainage for the property and if the City required a performance bond they would provide one. However, he said he felt an agreement should be sufficient to guarantee performance.

Public Works Director Jones reviewed the background of the annexation. He pointed out that the question at this point was should the property be annexed to the City. He felt Dr. Ahn's proposal to be reasonable and recommended Council approval of the annexation. He said the balance of the property proposed for annexation was owned by Mr. John Capell who is the applicant for annexation. Mr. Jones said plans for development of the remainder of the parcel had been discussed with Mr. Capell and the staff had indicated to Mr. Capell that present City standards must be met.

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City Manager Graves pointed out that it was the staff's recommendation that the Sun West Addition to the City be approved as well as Dr. Ahn's proposal for the development of the Sun West Swim and Racquet Club subject to the conditions set forth by Dr. Ahn. Mr. Graves pointed out the advantages to the City for the Club to develop within the City limits. He said if the Club develops in the County, the City would have no control over the development which means that it would not necessarily be developed to meet City standards.

Councilman Schaffer questioned if the City would be committing itself to provide service to this area if it were annexed. Mr. Graves said it would be committing services only to the extent they presently exist. This would not commit the City to provide any additional service as a cost to the City. He said the developer may use the services existing under the present policy and he felt the developer understood this.

Mr. John Capell, 324 La Vida Drive, proponent of the annexation, discussed the problem of storm drainage for his proposed development in the Sun West Addition. He said the costs for providing terminal storm drainage for this acreage as required by the City would be prohibitive. Mr. Capell said one condition of the annexation was that the storm drainage problem would be solved; otherwise, they must develop in the County. Dr. Ahn then told the Council if favorable action was not given on the petition for annexation at this meeting, it would be necessary for Sun West Swim and Racquet Club to develop in the County.

City Manager Graves said it should be understood that Mr. Capell could not be given assurance on the question of storm drainage for the remaining portion of the property proposed for annexation unless the Council authorized additional funds for this. He questioned if Mr. Capell wished to withdraw his petition and pointed out that once the Council acted on the petition it may not be withdrawn.

Mr. Capell said if the Council did not allow him to develop the remainder of the property using a temporary-type drainage basin and charge an acreage fee for the permanent solution, then he did not wish to annex. He felt the annexation would not be feasible if he were required to install terminal drainage. Mr. Capell was informed by the City Manager that the staff could not assure him a solution could be reached concerning the drainage that would meet his budget.

After further discussion, Councilman Kirsten moved adoption of Resolution No. 3612 annexing the Sun West Addition to the City of Lodi, with the understanding that the Sun West Swim and Racquet may develop under the conditions outlined by Dr. Ahn as follows: (1) the Club will extend the water line to connect to the City system; (2) the Club will install a septic tank and within a two-year period replace same with permanent connection to the City's sewer lines; and (3) the Club will provide temporary storm drainage for the five acres by means of a ponding basin located on the Club's property, these improvements to be completed by Sun West Swim and Racquet Club regardless of what Mr. Capell does with the remainder of property included in the annexation and representatives of the Club will sign an agreement with the City of Lodi guaranteeing these improvements; and with the further understanding that Mr. Capell must meet the City standards for the development of the

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remainder of the parcel when it is developed. The motion was seconded by Councilman Schaffer. After further discussion by the Council, Mr. Capell was again questioned if he wished to proceed with the annexation and he answered in the affirmative. The motion then carried by unanimous vote.

MASTER STORM
DRAINAGE FEE

The discussion of the proposed Master Storm Drainage Fee having been continued from the Council meeting of March 15, 1972, the City Manager introduced the matter and questioned the Council if the intent of the proposed policy accomplished what the Council wished it to. Mr. Graves said the staff had reviewed the calculation of the master drainage program fee since the last meeting and determined the two major problems were (1) the plan will not generate enough money to complete the system even if everything works ideally; and (2) the flow of money coming in will be erratic. The Council discussed the proposed program and asked questions of the City Manager and Public Works Director Jones. Mr. Victor Meyer, 221 West Oak Street, discussed acreage charges for storm drainage levied by the County of San Joaquin. Mr. Meyer said he hoped the Council could arrive at an equitable solution; he felt it was a complicated matter and he would like more time to study it.

After discussion Councilman Kirsten moved discussion of the matter be continued until the meeting of April 5. The motion was seconded by Councilman Hughes and carried by unanimous vote.

CHANGE
ORDER #2
MSC

On motion of Councilman Kirsten, Ehrhardt second, the Council approved Change Order No. 2 in the amount of \$487 authorizing the use of vinyl wall covering in the Municipal Service Center.

SECURING
CITY HALL
AT NIGHT

City Manager Graves told the City Council that he had been concerned about the security of the City Hall and hereafter the doors would be locked at night and on weekends.

SUPERINTENDENT
OF UTILITIES
APPOINTED

Mr. Graves announced he had appointed Mr. William C. Lewis from Elnora, New York to fill the vacant position of Superintendent of Utilities, effective April 24, 1972. Upon recommendation of the City Manager, the Council, on motion of Councilman Kirsten, Hughes second, approved payment of partial moving expenses for Mr. Lewis in the amount of \$3,000.

DRUG
ABUSE

Councilman Ehrhardt reported to the Council that he had attended a meeting of the San Joaquin County Drug Advisory Committee on March 8, 1972 at the County Hospital.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:00 p.m. on motion of Councilman Kirsten.

Attest:


 BESSIE L. BENNETT
 City Clerk