

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 3, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 3, 1971 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - EHRHARDT, HUGHES, KATNICH,
KIRSTEN and SCHAFFER (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 Schaffer led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Ehrhardt, Hughes second, the Minutes of February 17, 1971 were approved as written and mailed.

PUBLIC HEARINGS

APPEAL - Notice thereof having been published in accordance
C.R. LOHR with law, Mayor Schaffer called for the public hearing
CONTINUED on the appeal of Attorney Robert K. Elliott on behalf
of Mr. C. R. Lohr from the decision of the Planning
Commission in denying his request for a change in
zoning from the R-2, Single-Family Residential District
to the R-GA, Residential-Garden Apartment District
for a parcel located at 1401 West Lockeford Street.

Planning Director Schroeder reviewed the request and presented a drawing of the parcel proposed for rezoning.

Attorney Robert K. Elliott, 228-230 West Pine Street, representing the property owner, Mr. C. R. Lohr, spoke on behalf of the appeal. Mr. Elliott explained that he was not appealing the entire action of the Planning Commission. He said he agreed with the Planning Commission that the property fronting on Graffigna Street should remain in the R-2 District, but he requested the front half of the property (fronting on Lockeford Street) be rezoned to the R-GA District.

The following persons spoke in opposition to the requested rezoning:

Mr. Dan Oshner, 1409 West Lockeford Street
Mr. Jim Warn, 1425 West Lockeford Street
Mr. Delfred Schlenker, 1412 Graffigna Street
Mr. Clyde Landaker, 1421 West Lockeford Street
Mr. Victor Heer, 1416 Graffigna Street
Mrs. Kathryn J. Warn, 1425 West Lockeford Street
Mr. Ken Riley, 1401 Graffigna Street

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

Minutes of March 3, 1971, continued

CITY OF HOUSTON
PLANNING COMMISSION

After Council discussion of the request, Councilman Kirsten moved the appeal be denied and the decision of the Planning Commission be upheld. The motion was seconded by Councilman Ehrhardt. After further discussion, the Council determined that, inasmuch as the request had been amended by the appellant since it had been considered by the Planning Commission, the amended request should be returned to that body for further consideration. Councilman Kirsten then withdrew his original motion and moved that the request as amended by the appellant be referred to the Planning Commission for further consideration and recommendation to the City Council, and the public hearing on the matter be continued to the Council meeting of March 17, 1971. The motion was seconded by Councilman Katnich and carried by unanimous vote.

Planning Director Schroeder stated the matter would be considered at the Planning Commission meeting on March 8, 1971.

APPEAL - DENIED
R. H. ORGAN
Notice thereof having been published in accordance with law, Mayor Schaffer called for the public hearing on the appeal of Mr. R. H. Organ from the decision of the Planning Commission in denying his request for a Variance to increase the maximum fence height to 6 inches at 1180 Orangewood Drive.

Planning Director Schroeder explained that Mr. Organ, owner of the property at 1180 Orangewood Drive, had requested the Variance so that he might increase the height of his fence to provide privacy to a recently constructed swimming pool and to lessen the hazard to neighboring children. He reported that the Planning Commission's denial was based on the determination that no zoning hardship had been proven.

The appellant, Mr. R. H. Organ, 1180 Orangewood Drive, spoke in favor of the appeal. He said if his original request were not approved he would like to increase the height of his fence by at least 2 to 4 inches. He also read a letter from Mr. Anton L. Zupo, 1174 Orangewood Drive, which stated he was not opposed to the request. There being no other persons in the audience wishing to be heard on the matter, the public portion of the hearing was closed.

After Council consideration of the matter, it was determined that no hardship existed, and on motion of Councilman Kirsten, Ehrhardt second, the appeal was denied and the decision of the Planning Commission upheld.

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SPECIFIC PLAN -
E. LOCKEFORD
STREET
ORD. NO. 944
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Schaffer called for the public hearing on the recommendation of the Planning Commission to adopt a Specific Plan for the future development of East Lockeford Street between the Southern Pacific Railroad right of way and North Washington Street. Public Works Director Jones reviewed for the Council the three alternate plans that had been reviewed by the Planning Commission and recommended the Council adopt the plan approved by the Planning Commission. The following persons were present and spoke on this matter:

Mr. Howard Mason, President of Lodi Cold Storage, Inc., 315 North Main Street. Mr. Mason was concerned with changes proposed for Lockeford Street that might affect the existing truck loading facilities at the Lodi Cold Storage plant.

Mr. George Lewis, Vice President of Lodi Cold Storage, Inc., 7282 North Myrtle Street, questioned the feasibility of installing sidewalk next to the railroad track.

Mr. Leland Mounce, 530 Calaveras Street, said he felt the improvements proposed for Lockeford Street would improve the appearance of the City in that area.

Mr. James New, 712 Donner Court, stated he felt the installation of sidewalk on the north side of Lockeford Street was essential.

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

After considerable Council discussion on the proposed Specific Plan, Councilman Kirsten moved introduction of Ordinance No. 944 adopting a Specific Plan for East Lockeford Street between Main Street and Stockton Street. The motion was seconded by Councilman Hughes and carried by unanimous vote.

PASSENGER
TRAIN ROUTE

Mayor Schaffer reported that Councilman Ezra Ehrhardt and Dr. Howard Letcher had represented the City at a hearing in Fresno which had been called for the purpose of selecting a San Joaquin Valley route for the new West Coast passenger train. Councilman Ehrhardt reported that all persons in attendance had expressed support of the valley route. Mayor Schaffer said that he had sent a telegram to Congressman John McFall supporting the recommended valley passenger train route. Councilman Ehrhardt then moved Council approval of the action taken by the Mayor in this matter. The motion was seconded by Councilman Kirsten and carried by unanimous vote. Mayor Schaffer thanked Dr. Letcher for attending the hearing on behalf of the City of Lodi.

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APPRECIATION - Mayor Schaffer presented former Mayors Fred M. BROWN & CULBERTSON with plaques in recognition of their past service to the community as councilman and mayor. Both served on the City Council from April, 1958 to April, 1970.

PLANNING COMMISSION

The City Manager gave the following report of the City Planning Commission meeting of February 22, 1971:

REZONE E. SIDE CRESCENT AVE. TO R-2

The Planning Commission recommended the rezoning of all parcels on the east side of Crescent Avenue between West Locust Street and West Lodi Avenue from the R-MD, Medium Density Multiple-Family Residential District to the R-2, Single-Family Residential District. The matter was set for public hearing on April 7, 1971 on motion of Councilman Kirsten, Hughes second.

OF INTEREST

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

1. Approved the modified plot plan for Phase III of Planned Development District #1 (Town and Country Park) located at the southwest corner of West Turner Road and Rutledge Drive.
2. Instructed the Planning Director to inform the owner of A & P Rentals that a rental truck parked at the northwest corner of South Rose Street and West Lodi Avenue is in an illegal location and must be removed.
3. Discussed garage and patio sales and reviewed an explanation of the staff procedures used in stopping continuous or frequently-held sales in residentially-zoned areas.
4. Asked the Planning Director to inform the Planning Commission members of the time and subject of Special City Council meeting called to discuss matters of public interest.

COMMUNICATIONS

FOLSOM SOUTH CANAL

RES. NO. 3490

City Manager Glaves reported that a request had been received from a representative of Northern San Joaquin Water Conservation District for the City to adopt a resolution urging Congress to appropriate funds for the extension of the Folsom South Canal. On motion of Councilman Kirsten, Katnich second, the Council adopted Resolution No. 3490 supporting efforts of Congressman John J. McFall and others to secure an additional 1.8 million dollars in the 1971-72 federal budget for extension of Folsom South Canal south of Clay.

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REPORTS OF THE CITY MANAGER

- CLAIMS Claims in the amount of \$236,390.83 were approved on motion of Councilman Kirsten, Ehrhardt second.
- AWARD - City Manager Graves presented the one bid recieved for the 1500 GPM Triple Combination Pumper for the Fire Department. The bid was from P. E. Van Pelt Company in the amount of \$57,112.65. The City Manager recommended the award be made to P. E. Van Pelt Company for the amount of the bid. On motion of Councilman Ehrhardt, Kirsten second, the City Council adopted Resolution No. 3484 awarding the 1500 GPM Pumper to P. E. Van Pelt Company for the amount of the bid.
- 1500 GPM
PUMPER
- RES. NO. 3484
- EASEMENT On motion of Councilman Ehrhardt, Hughes second, the Council adopted Resolution No. 3485 authorizing the Mayor to execute an agreement on behalf of the City of Lodi with the Central California Traction Company covering overhead 60 KV and 12 KV power transmission lines crossing the Company's tracks and property between Cherokee Lane and the east line of Highway 99 Freeway.
- AGREEMENT
C.C.T. CO.
- RES. NO. 3485
- AGREEMENT On motion of Councilman Kirsten, Katnich second, the Council rescinded the action taken on February 3, 1971 in which it granted a franchise to Mr. Tom Miller for removal of abandoned, wrecked, dismantled or inoperative vehicles on private property within the incorporated limits of the City.
- FOR REMOVAL
OF AUTOS
- The Council then approved a Franchise Agreement with Mr. Vernon Cline for the removal of abandoned wrecked, dismantled or inoperative vehicles on private property within the incorporated limits of the City and authorized the City Manager to execute the Agreement on behalf of the City.
- APPLICATION The City Manager presented an application for grant funds under the Omnibus Crime Control and Safe Streets Act of 1968 to undertake a study of the Police Department. The City Manager recommended approval of the application.
- FOR GRANT
- RES. NO. 3489
- Police Chief Yates explained that the proposed program is designed to improve the level of the police function within the community as well as set a course of action for the Police Department for the future. The estimated cost of the program is \$65,612 for a two-year program. The City's matching fund will not call for increased expenditures at this time but will include the time of specific personnel for the duration of the study as well as some supplies and services rendered by the City staff. The program calls for the employment of a qualified criminal justice planner for the period of the study.

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On motion of Councilman Kirsten, Katnich second, the Council adopted Resolution No. 3489 authorizing the City Manager to submit the application for grant funds for law enforcement purposes to the California Council on Criminal Justice and to execute, on behalf of the City of Lodi, the contract for the grant.

APPRENTICE
PROGRAM

RES. NO. 3486

The Council, on motion of Councilman Kirsten, Katnich second, adopted Resolution No. 3486 approving implementation of certain conditions of the Apprentice Program in the Utilities Department.

AMENDED
AGREEMENT
WITH STATE

RES. NO. 3487

Public Works Director Jones presented an amended agreement between the City of Lodi and the State Division of Highways for the Kettleman Lane underpass. The amended agreement supersedes the agreement dated March 18, 1970 between the City and the State Division of Highways. He recommended the Council approve the new agreement. On motion of Councilman Kirsten, Ehrhardt second, the Council adopted Resolution No. 3487 approving the above-amended agreement and authorizing the Mayor to sign the same on behalf of the City.

CALAVERAS -
MURRAY STS.

The City Manager presented a traffic study prepared by the Public Works Department for the intersection of Calaveras and Murray Streets. The study was undertaken to determine if stop signs were warranted or would be advisable at this intersection to correct what residents in the area believed to be a dangerous traffic hazard. The study indicated that the intersection did not meet the warrants established for installation of stop signs. The recommendation of the Public Works Director was that no action be taken on the request for installation of stop signs at the intersection.

Mr. Leland Mounce, 530 Calaveras Street, who was in the audience, stated he felt a stop sign at the intersection might aid pedestrians in crossing the street as well as slow down the traffic in that area. On motion of Councilman Kirsten, Ehrhardt second, the Council accepted the report as presented.

CALAVERAS
STREET
PLANS

Public Works Director Jones reviewed six alternates for the improvement of Calaveras Street and then recommended the Council refer the alignment of Calaveras Street from Lockeford Street to Murray Street to the Planning Commission for recommendation of a Specific Plan.

On motion of Councilman Ehrhardt, Kirsten second, the Council referred the matter of a Specific Plan for Calaveras Street to the Planning Commission for recommendation.

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- SPECS -
VEHICLES
- The City Manager presented specifications for vehicles for the Public Works Department as follows: (1) one survey van, (2) four compact sedans, (3) one standard sedan and (4) two half-ton pickup trucks. On motion of Councilman Ehrhardt, Kirsten second, the Council approved the specifications for the above vehicles and authorized advertising for bids thereon.
- ACCEPT
L. SACTO RD.
SAN SEWER
- The Council, on motion of Councilman Kirsten, Katnich second, accepted the Lower Sacramento Road Sanitary Sewer as complete and authorized the Public Works Director to file the Notice of Completion on the project.
- PLANS & SPECS-
LOCKEFORD ST.
STORM DRAIN
- On motion of Councilman Katnich, Kirsten second, the Council approved plans and specifications for the Lockeford Street storm drain and authorized advertising for bids thereon.
- SP AGREEMENT
APPROVED
RES. NO. 3488
- The City Manager presented an agreement with the Southern Pacific Transportation Company covering the relocation of the trackage in Lockeford Street. The City Manager recommended adoption of a resolution authorizing the agreement on behalf of the City and setting forth certain amendments to the Agreement. On motion of Councilman Kirsten, Ehrhardt second, the Council adopted Resolution No. 3488 authorizing the Mayor and City Clerk to execute an agreement with the Southern Pacific Transportation Company covering the relocation of the trackage in Lockeford Street with the understanding that (1) the language of Paragraph 2 of the agreement shall be deleted from said agreement; and (2) in Paragraph 2(c) the word "protect" is defined as locating the utilities on the surface of the street by appropriate markings so that the City's obligation will be to locate the underground utilities.
- WATER
RESOURCES
CONTROL
BOARD
- City Manager Graves stated that the Public Works Director had reviewed proposed regulations for the Federal-State Grant Program for construction of waste water treatment facilities and had prepared a letter to the State Water Resources Control Board commenting on these regulations. He recommended the Council give its approval to the letter and authorize the Mayor to sign the letter for transmittal to the State Water Resources Control Board.
- After Council discussion, Mayor Schaffer moved approval of the above letter. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.
- AIRPORT
LAND USE
LEGISLATION
- City Manager Graves explained to the Council that legislation was recently passed requiring each County to create an Airport Land Use Commission. The law provides that, as an alternate, the powers and duties of the Airport Land Use Commission may be assigned to an existing appropriate agency. The County Board of Supervisors agreed to assign this function to the County Planning Commission in lieu of establishing an Airport Land Use Commission. However, the City of Tracy has recommended this function be assigned to the Cities and County of San Joaquin Advisory Planning Association.

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Mr. Graves recommended the Council support the recommendation made by the City of Tracy. Councilman Kirsten then moved that the Council go on record favoring the recommendation made by the City of Tracy that the Cities and County of San Joaquin Advisory Planning Association perform the function of airport land use planning in lieu of creating an Airport Land Use Commission. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

REAPPT. Mayor Schaffer stated he wished to reappoint Elmer
BROWN, SALAS Brown, Davis J. Reese and Samuel D. Salas to the
& REESE TO Recreation Commission for four-year terms ending
RECR. COM. December 31, 1974 and asked the Council's concurrence.
On motion of Councilman Ehrhardt, Katnich second,
the Council concurred in the above appointments.

LABOR RELATIONS The City Manager reminded the Council of the Labor
INSTITUTE Relations Institute which the Council and members
of the City staff will be attending in San Francisco
on March 17, 18, and 19, 1971.

PASSING OF Mayor Schaffer informed the Council that messages
KOFU MAYOR of condolence concerning the passing of Mayor
Akiyama of Kofu, Japan had been sent to the citizens
of Kofu on behalf of the citizens of Lodi, the City
Council and the Sister-City Committee.

KIRSTEN - USNR Councilman Kirsten was congratulated by Mayor
COMMANDER Schaffer and his fellow Councilmen on his recent
promotion to the rank of Commander in the United
States Naval Reserves.

ORDINANCES

FLOODPLAIN ORDINANCE NO. 943, entitled, "AN ORDINANCE
DISTRICT AMENDING CHAPTER 27 OF THE CODE OF THE
CITY OF LODI THEREBY ADDING SECTION 27-12C
ENTITLED, 'FLOODPLAIN DISTRICT,' " having
ORD. NO. 943 been introduced at a regular meeting on February
ADOPTED 17, 1971, was brought up for passage on motion of
Councilman Hughes after striking the phrase "Such
machinery shall be removed from the FP District
from November 1 through March 15, yearly" from
Subsection d. 1. (i)b. of the ordinance as introduced.
The motion was seconded by Councilman Ehrhardt.
Second reading was omitted after reading by title,
and the ordinance as amended was then passed,
adopted and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, HUGHES
KATNICH, KIRSTEN and
SCHAFFER

Noes: Councilmen - None

Absent: Councilmen - None

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ADJOURNMENT

There being no further business, the meeting was adjourned on motion of Councilman Katnich, Ehrhardt second, at approximately 11:35 p.m.


Attest: BESSIE L. BENNETT
City Clerk