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3. Approved the request of the Lodi Academy for a Variance to increase the allowable sign area from 20 feet to 32 feet to permit the installation of a private school identification sign at 1213 South Central Avenue in an area zoned R-HD.
4. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of the First Church of the Nazarene for a Use Permit to establish a church with a seating capacity for 200 persons on the north side of West Kettleman Lane, 1320 feet east of Lower Sacramento Road in an area zoned I-PA.
5. Recommended that the San Joaquin County Planning Commission approve the request of Mr. Ben Osburn by Mr. John Capell for a change in zoning from the R-3, Residential District, to the R-4, Residential District for a parcel at the southwest corner of Main Street and Carolina Street in the Town of Woodbridge.
6. Recommended that the San Joaquin County Board of Zoning Adjustment deny the request of Mr. Robert Mason and Mr. Theophil Schultz for a Use Permit to construct a 225-unit mobile-home park, service station and guest lodging facilities on a parcel at the northwest corner of U.S. 50 Freeway and the Mokelumne River.
7. Set public hearings to consider Specific Plan for (1) West Lane (Hutchins Street) between Kettleman Lane and Harney Lane and (2) Cluff Avenue between future extension of Turner Road and Kettleman Lane (3) consider changing the name of West Lane to Hutchins Street within the City Limits.

LODI  
RIVERGATE  
DEVELOPMENT

The City Manager also presented a memorandum from the Planning Director stating the action taken by the Planning Commission regarding the request of the City Council concerning the Mokelumne River crossing at the extension of Church Street. The actions were as follows:

1. Requested that the Lodi City Council determine the depth of study it desires the Planning Commission to make relative to the City Council action of March 24, 1971 requesting (1) a determination of the feasibility of a river crossing at the northerly extension of Church Street through the proposed Rivergate-Mokelumne Subdivision and (2) the required right-of-way to accommodate such a street and bridge.

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2. Directed the Planning staff to inform the City Council that the developers of the Rivergate-Mokelumne Subdivision had appeared before the Planning Commission on four occasions dating back to January 25, 1971 and that action on both the request for rezoning and Tentative Subdivision Map Approval should be made in the near future because the information requested from the Reclamation Board of the State of California and the U.S. Army Corps of Engineers is presently available.
3. Continued consideration of the rezoning and Tentative Map until 7:30 p.m., Monday, May 10, 1971.

The City Manager said he had reviewed the above with the staff involved, and found that before adequate provision could be made for a crossing of the river, considerable information must be obtained regarding the height and length of the proposed bridge. This information would involve considerable study and engineering expense, and the City Manager did not believe this was the intent of the City Council. It was the general consensus of the Council that they had not intended an in-depth study to be made. Councilman Hughes said when he made the suggestion it was his intent to determine if it would be feasible within the design criterion of the developers to provide an area which could be used for crossing of the river, if necessary to do so in the future. Because of development which would occur on the north side of the Mokelumne River, he felt it would be advisable to provide an area for crossing the river.

Mr. Thomas F. Brewer of Daley, Brewer, Patridge and Garrett, Attorneys at Law, 1209 North El Dorado, Stockton, representing the Lodi Rivergate, Inc., addressed the Council on the matter. Mr. Brewer pointed out that the Lodi General Plan makes no reference to development north of the river and that the planned area of expansion is to the west of the City. Mr. Brewer felt it was not economically feasible to build a bridge across the river. He also said that to extend Church Street to the Mokelumne River would require additional right of way which was not provided for in the proposed development.

Mr. Robert H. Peters, 3290 East Woodbridge Road, who owns property on the north side of the river, expressed concern that a portion of the proposed Lodi Rivergate Development would be in the floodplain zone.

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Mr. Cecil Mumbert, 20 South Crescent Avenue, Lodi; Mr. Art Hoffman, 2818 East Woodbridge Road; and Mr. Ed Meier, 345 East Taylor Road, who are also property owners north of the river, indicated they were in favor of the proposed development. They felt property north of the river would develop in the future and recommended provision be made for a bridge to span the river in this area.

Councilman Hughes then proposed that Church Street be extended in a northeasterly manner so that the piers for the future bridge could be over the present settling ponds of the Allied Winery property. It was his opinion that this would not injure the Rivergate development and would be using land that was better suited for bridge purposes than other land in the general area.

Mr. Brewer objected to this proposal stating there were many factors to be considered. He said he was not in favor of planning at the Council table but rather the Planning Commission should serve this function.

Mayor Schaffer then closed the public discussion and the Council discussed the matter. Councilman Kirsten stated he agreed with the observations made by the City Manager in his memorandum to the City Council dated April 19, 1971. In the memorandum the Manager pointed out that (1) the City's General Plan provides that the City of Lodi will not develop north of the Mokelumne River, and he gave the basis for this policy; (2) master plans designed for sewage, drainage, water, electricity and streets all provide no development north of the river, and the lines already constructed do not provide capacity to handle additional areas north of the City; (3) special problems would develop in the area of most City services in the event the land would be developed; and (4) the cost of a crossing structure is unknown and would be a very heavy burden on the finances of the present citizens of the City. For the above reasons, Councilman Kirsten said he was opposed to planning for a bridge to cross the river. Councilman Kirsten then moved the Planning Commission be instructed to proceed with consideration of the request of the developers of the Rivergate-Mokelumne Subdivision without deviation from the City's Master Plan as it presently exists. The motion was seconded by Councilman Katnich. Councilman Hughes then moved that the motion be amended to provide that the Planning Commission be given authority to consider the extension of Church Street across the Mokelumne River if this extension could be incorporated in the plans of the developer without causing additional problems. The motion was seconded by Councilman Ehrhardt and after discussion failed to pass by the following vote:

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Ayes: Councilmen - Ehrhardt and Hughes

Noes: Councilmen - Katnich, Kirsten and Schaffer

The original motion then passed by the following vote:

Ayes: Councilmen - Ehrhardt, Katnich, Kirsten and Schaffer

Noes: Councilmen - ~~None~~ Hughes

#### COMMUNICATIONS

##### ABC LICENSE

Notices of Application for Alcoholic Beverage License were received as follows:

1. Venita and Woodrow E. Coburn, Three Aces Tavern, 111-113 North Sacramento Street, on-sale beer and wine, public premises, person-to-person transfer.
2. Jeannette L. and Robert F. Kulp, Eastside Distributors, 8 North Main Street, beer and wine wholesalers, new license.

##### PUC

The City Clerk read a Notice of Hearing before the Public Utilities Commission in the matter of the application of Pacific Gas and Electric Company for authority to revise its electric service tariff to offset the effect of authorized cost-of-gas increases for natural gas used to generate electricity. The hearing is scheduled for May 19, 1971 at 10:00 a.m. in San Francisco.

##### SJ LOCAL HEALTH DISTRICT

A resolution opposing dissolution of the San Joaquin Local Health District was received from the City of Stockton.

##### LAND CONSERVATION CONTRACT OPPOSED

A letter was received from the San Joaquin County Board of Supervisors stating its intent to enter a California Land Conservation Contract which would include land within one mile of the exterior boundaries of the City of Lodi. Councilman Kirsten moved the City Council protest the execution of this contract. The motion was seconded by Mayor Schaffer and carried by unanimous vote.

##### M. HUGHES - DRUG ABUSE PROGRAMS

Mrs. Marilyn Hughes, 1162 North Ham Lane, addressed the Council concerning drug abuse programs in Lodi. She said she was representing the People in Christ, Lodi Boys Club, the Mensch Coffee House, House of Truth, a "Drop-In" counseling center of the Lodi Unified School District, Lodi Counseling Center and a high school drug abuse training program. She said she wished to make the City Council aware of the above programs which are operating in the community. She asked

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for clarification of the Lodi Area Behavior Deterioration and Drug Abuse Council's function or purpose. She indicated there had been a lack of communication and cooperation on the part of the Lodi Area Behavior Deterioration and Drug Abuse Council, and her group was unhappy with the lack of response received from the Drug Abuse Council. Mrs. Hughes requested that a representative from each tax supported agency such as the School District, the Board of Supervisors, and the City Council be appointed to meet with her group to budget and plan for drug abuse programs.

After discussion, Mayor Schaffer requested Councilman Ehrhardt, who is the City Council's representative to the Drug Abuse Council, to investigate the above matter and to report back to the Council on his findings.

#### REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$201,075.26 were approved on motion of Councilman Kirsten, Hughes second.
ASSESSMENT DIAGRAM - CONCORD ST. S.L. DISTRICT RES. NO. 3501	City Manager Graves presented the Assessment Diagram for the Concord Street Street Light District for Council approval. On motion of Councilman Katnich, Kirsten second, the Council adopted Resolution No. 3501 approving the Assessment Diagram .
ASSESSMENT DIAGRAM - TARA PLACE S.L. DISTRICT RES. NO. 3502	The City Manager then presented the Assessment Diagram for the Tara Place Street Light District for approval. On motion of Councilman Hughes, Mayor Schaffer second, the Council adopted Resolution No. 3502 approving the Assessment Diagram. Councilman Katnich abstained from voting because of a possible conflict of interest.
ACCEPT STORM DRAIN LINES FOR WELLS 1,2 & 6	On motion of Councilman Ehrhardt, Kirsten second, the Council accepted the improvements in Storm Drains for Wells No. 1, 2 and 6 as complete and authorized the Public Works Director to file a Notice of Completion on the project.
MISTREATMENT OF POLICE DOGS ORD. NO. 949 INTRODUCED	On motion of Councilman Katnich, Hughes second, the Council introduced Ordinance No. 949 making it unlawful for any person to willfully or maliciously mistreat any dog used by the Police Department or to interfere with any such dog while being used by the Police Department.
LEGISLATION OPPOSE S.B. 333 RES. NO. 3503	The Council, on motion of Councilman Kirsten, Ehrhardt second, adopted Resolution No. 3503 opposing enactment of Senate Bill 333 providing for compulsory and binding arbitration of wages, hours, pensions and all other terms and conditions of employment of policemen and firemen.

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SUPPORT  
A.B. 125  
RES. NO. 3504

On motion of Councilman Kirsten, Katnich second, the City Council adopted Resolution No. 3504 supporting the passage of A.B. 125 which would permit general law cities to issue revenue bonds for extensions and improvements to municipal electric distribution and generation facilities.

City Manager Graves reported that he had responded to the appropriate legislators concerning Assembly Bill 52 and Senate Bill 489. He suggested the Council consider an additional meeting on Wednesday, April 28, 1971 to discuss proposed legislation affecting cities.

COUNCIL  
CHAMBERS

The City Manager presented a report concerning the lighting in the Council Chambers. This report was requested by Councilman Kirsten at the meeting of April 7, 1971. The City Manager reviewed the report and submitted two different proposals for the Council's consideration. The first proposal called for installation of eight lights over the Council table at an approximate cost of \$342 plus \$75 for labor. The alternate proposal called for installation of four 4' x 4' fixtures trimmed in wood which would have a nicer appearance and cost approximately \$652 plus labor. The City Manager recommended the alternate proposal. He further explained that it would not be possible to increase the lighting in the seating area without making major improvements to the wiring in City Hall. On motion of Councilman Kirsten, Ehrhardt second, the Council authorized the City Manager to proceed with the lighting improvements in the Council Chambers as recommended in the alternate proposal; consult an interior decorator concerning the painting of the Chambers; and, have the Chambers painted and the drapes cleaned.

SPECS -  
6.9 KV  
TRANSFORMERS

On motion of Councilman Kirsten, Katnich second, the Council approved specifications for the 6.9 KV pad-mount transformers and authorized advertising for bids thereon.

SPECS - 15 KV  
UNDERGROUND  
CABLE

On motion of Councilman Kirsten, Ehrhardt second, the Council approved specifications for the 15 KV underground cable and authorized advertising for bids thereon.

CONCESSION  
CONTRACT -  
J.M. FERGUSON

The Council on motion of Councilman Ehrhardt, Mayor Schaffer second, approved a Concession Agreement between the City of Lodi and J. M. Ferguson for operation of the concessions at the Softball Parks and authorized the City Manager to execute the agreement on behalf of the City.

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OFFICIAL  
NAMING OF  
SOFTBALL  
COMPLEX

The City Manager reported that at its meeting of April 6, 1971 the Recreation Commission had recommended that the Softball Complex be officially named "City of Lodi Municipal Softball Park."

RES. NO. 3505

After discussion, the Council determined that the word "Municipal" should be removed from the title and on motion of Councilman Hughes, Kirsten second, adopted Resolution No. 3505 officially naming the Softball Complex, "City of Lodi Softball Park."

STREET LIGHT -  
HAM & HOLLY

The City Manager presented a cost estimate for installation of a street light at the intersection of Ham Lane and Holly Drive. On motion of Councilman Kirsten, Katnich second, the Council authorized installation of a street light at the above intersection for an approximate cost of \$129.

Councilman Katnich then requested consideration be given to a street light program similar to the sidewalk installation program which the City Council initiated in 1969. Mayor Schaffer suggested this matter could be considered at a future meeting. The Council concurred.

PURCHASE OF  
IMPROVEMENTS -  
WHITE SLOUGH

On motion of Councilman Kirsten, Katnich second, the Council approved a supplemental allocation in the amount of \$1,000.00 for the purpose of purchasing certain improvements on the White Slough property.

PLANS & SPECS -  
KETTLEMAN LN  
SAN. SEWER

On motion of Councilman Kirsten, Ehrhardt second, the City Council approved plans and specifications for the Kettleman Lane Sanitary Sewer - School Street to Stockton Street and authorized advertising for bids thereon.

S.J. COUNTY  
APA BUDGET

The 1971-72 budget of the Cities and County of San Joaquin Advisory Planning Association was presented for review and ratification by the Council. On motion of Councilman Ehrhardt, Kirsten second, the Council approved the budget.

LAWRENCE  
PARK  
LIGHTING

The City Manager informed the Council that an Order to Correct Unsafe Conditions or Show Cause had been received from the State Division of Industrial Safety concerning the 90-foot light poles at the Lawrence Park Baseball Field. The Order requested the Division of Industrial Safety be furnished a report by a registered structural engineer attesting to the condition of the poles. After discussion, the Council, on motion of Councilman Ehrhardt, Kirsten second, authorized the City Manager to obtain a report from a registered structural engineer concerning the above, if in his opinion it is necessary to do so, and to proceed with the necessary action to correct the situation.

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HIGHWAY 12  
ASSOCIATION  
AND LAFCO

Councilman Ehrhardt reported on recent meetings of the Highway 12 Association and the Local Agency Formation Commission which he had attended.

CEDAC

Mayor Schaffer reported the Community Economic Development Action Committee had completed the Overall Economic Development Program for 1970, which is a basis for economic growth and employment opportunities in San Joaquin County.

HEALTH  
DISTRICT

On motion of Councilman Kirsten, Ehrhardt second, the Council adopted Resolution No. 3506 opposing the dissolution of the San Joaquin Local Health District.

RES. NO. 3506

ORDINANCES

REZONE E.  
SIDE CRESCENT  
TO R-2

ORD. NO. 946  
ADOPTED

ORDINANCE NO. 946 entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING ALL PARCELS ON THE EAST SIDE OF CRESCENT AVENUE BETWEEN WEST LOCUST STREET AND WEST LODI AVENUE TO BE IN THE R-2, SINGLE-FAMILY RESIDENTIAL DISTRICT," having been introduced at a regular meeting on April 7, 1971, was brought up for passage on motion of Councilman Kirsten, Ehrhardt 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: Councilmen - Ehrhardt, Hughes, Katnich,  
Kirsten and Schaffer

Absent: Councilmen - None

REZONE 116  
N. PLEASANT  
TO C-2 DIST.

ORD. NO. 947  
ADOPTED

ORDINANCE NO. 947 entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A PARCEL LOCATED AT 116 NORTH PLEASANT AVENUE TO BE IN THE C-2, GENERAL COMMERCIAL DISTRICT," having been introduced at a regular meeting on April 7, 1971, was brought up for passage on motion of Councilman Katnich, Kirsten 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: Councilmen - Ehrhardt, Hughes, Katnich,  
Kirsten and Schaffer

Noes: Councilmen - None

Absent: Councilmen - None

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AMEND CODE  
TO INCLUDE  
SMALL THEATERS  
IN C-S DISTRICT

ORD. NO. 948  
ADOPTED

ORDINANCE NO. 948 entitled, "AN ORDINANCE AMENDING SECTION 27-9A OF THE CODE OF THE CITY OF LODI AND THEREBY INCLUDING THEATERS WITH A MAXIMUM SEATING CAPACITY OF 400 IN THE USES PERMITTED SECTION," having been introduced at regular meeting on April 7, 1971, was brought up for passage on motion of Councilman Ehrhardt, Mayor 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: Councilmen - Ehrhardt, Hughes, Katnich,  
Kirsten and Schaffer

Noes: Councilmen - None

Absent: Councilmen - None

#### REORGANIZATION OF THE COUNCIL

The City Clerk called for nominations for Mayor. On motion of Councilman Kirsten, Schaffer second, Councilman Katnich was nominated for Mayor. On motion of Councilman Kirsten, Ehrhardt second, nominations were closed and Councilman Katnich was elected Mayor by unanimous vote. Mayor Katnich then took the chair and called for nominations for Vice-Mayor. On motion of Councilman Kirsten, Schaffer second, Councilman Ehrhardt was nominated for Vice Mayor. On motion of Councilman Kirsten, Schaffer second, nominations were closed and Councilman Ehrhardt was elected Vice-Mayor by unanimous vote.

EXECUTIVE  
SESSION

The Council adjourned to an executive session to discuss personnel matters.

#### ADJOURNMENT

There being no further business, on motion of Councilman Schaffer, the meeting was adjourned to Wednesday, April 28, 1971 at 8:00 p.m.

  
Attest: BESSIE L. BENNETT  
City Clerk