

CITY COUNCIL, CITY OF LODI
 CITY HALL COUNCIL CHAMBERS
 WEDNESDAY, FEBRUARY 5, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, February 5, 1969, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, KIRSTEN,
 SCHAFFER and HUNNELL (Mayor)
 Also present: City Manager Graves, Assistant City Manager
 Peterson, City Attorney Mullen and Planning Director
 Schroeder.

PLEDGE Mayor Hunnell led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Brown, Schaffer second, the Minutes
 of January 15, 1969 were approved as written, corrected by
 the City Clerk and mailed.

PUBLIC PRESENTATION

Mr. William J. Lange, Mokelumne Area representative for the East Bay Municipal Utility District gave a presentation regarding the flood control program on the Mokelumne River.

After discussion, the Council requested the City Manager to investigate the possibility of having the river cleaned of debris and report back to the Council at the next meeting.

PUBLIC HEARINGS

ELIMINATE R-3
 & R-4 DISTRICTS

The City Manager stated that the public hearing scheduled for this meeting to consider the elimination of the R-3 and R-4 Districts should be continued as there still remain a few parcels to be rezoned. On motion of Councilman Culbertson, Brown seconded the public hearing was continued to the meeting of February 19, 1969.

REZONE POR
 SE COR N. HAM
 & W. LOCKEFORD

ORD. NO. 885
 INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to rezone the southeast corner of North Ham Lane and West Lockeford Street from the R-2, Single-Family Residential District to the C-1 and R-GA Districts. City Manager Graves explained that the published notice of public hearing had erroneously stated the area was being recommended for rezoning to the C-1 and the R-MD Districts rather than the C-1 and R-GA Districts as recommended by the Planning Commission, therefore the portion recommended for R-GA would have to be again set for public hearing and readvertised. Mr. Graves recommended the discussion be limited to that area recommended for rezoning to the C-1 District. The Council agreed to limit its discussion to that area and on motion of Councilman Brown, Kirsten second, reset the public hearing for that portion recommended for rezoning to the R-GA District for February 19, 1969.

Victor Meyer, 41 South Sacramento Street, representing Don Morita, spoke in favor of the recommended rezoning to the C-1 District. There was no one else in the audience who wished to speak on the matter and the public portion of the hearing was closed. Councilman Kirsten then moved the introduction of Ordinance No. 885 rezoning

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that area bounded by West Lockeford Street on the north, a line 215 feet east of the centerline of North Ham Lane on the east; Lots 1 and 2 and the westerly 30 feet of Lot 3 of the Fairmont Park Subdivision on the south and North Ham Lane on the west to be in the C-1, Neighborhood-Commercial District. The motion was seconded by Councilman Culbertson and carried with Councilman Schaffer abstaining from voting because of a possible conflict of interest.

UNIFORM
FIRE CODE,
1967 REV.

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to adopt the 1967 Revision of the Uniform Fire Code. There being no one in the audience who wished to speak on the matter, the public portion of the hearing was closed. Councilman Culbertson moved the introduction of Ordinance No. 884 adopting the "Uniform Fire Code, 1967 Revision." The motion was seconded by Councilman Schaffer and carried by unanimous vote.

ORD. NO. 884
INTRODUCED

PLANNING COMMISSION

The City Manager gave the following reports of the City Planning Commission meetings of January 13 and 27, 1969.

CHEROKEE
GARDENS -
VINE ST. EXTEN.

The City Planning Commission approved the revised tentative map of the Cherokee Gardens Subdivision conditioned on the map being modified to reflect the necessary right of way for the extension of East Vine Street as determined by the City Engineer and recommended to the Council that the right of way be acquired within two years. In the event the City Council determines that the East Vine Street right of way is not necessary, the Revised Tentative Map is approved as submitted.

The Council directed the City Manager to study the proposed extension of Vine Street and report back to the Council on the matter at the meeting of February 19, 1969. Mr. Victor Meyer requested that he also be furnished a copy of the City Manager's report.

REZONE 950
S. FAIRMONT

The Planning Commission recommended a change in zoning for a parcel to the rear of 950 S. Fairmont Avenue (i.e., portions of Lots 26 and 45 of Windsor Tract) from the R-3, Limited Multiple-Family Residential District to the C-P, Commercial-Professional District. On motion of Councilman Kirsten, Brown second, the matter was set for public hearing on February 19, 1969.

REZONE
1011 & 1115 W. LODI,
233 S. FAIRMONT &
233 S. ORANGE

The Planning Commission also recommended a change in zoning for parcels located at 1011 and 1115 West Lodi Avenue, 233 South Fairmont Avenue and 233 South Orange Avenue from the R-3, Limited Multiple-Family Residential District to the R-2, Single-Family Residential District. On motion of Councilman Brown, Kirsten second, the matter was set for public hearing on February 19, 1969.

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REZONE
LOTS 1 - 9
CHEROKEE GARDENS

The Planning Commission modified the request of Meyer and Baumbach, Consulting Engineers, and recommended a change in zoning for Lots 1 through 9 as shown on the Revised Tentative Map of the Cherokee Gardens Sub-division from the R-2, Single-Family Residential District to the R-MD, Medium Density Multiple-Family Residential District. On motion of Councilman Kirsten, Culbertson second, the matter was set for public hearing on February 19, 1969.

OF INTEREST

Other actions of the City Planning Commission of interest to the City Council were reported as follows:

1. Recommended that the County Planning Commission instruct its staff to conduct a zoning study to determine if R-3, or R-4, Multiple-Family zoning would be best in the area adjacent to the Woodbridge Commercial area.
2. Approved the request of Mr. Kenneth A. Smith for a use permit for a Family Care Home for six non-ambulatory, retarded infants at 424 East Vine Street in an area zoned R-MD, Medium Density Multiple-Family Residential.
3. Denied the request of Dr. George J. Williams and Dr. Walter E. Reiss for a change in zoning for parcels located at 1000 Windsor Drive and 1001 York Street from the R-1, Single-Family Residential District to the C-P, Commercial-Professional District.
4. Approved the request of Mr. Reuben Weitz by Mr. Justus M. Brand for a variance to construct an addition to a dwelling with a nonconforming 2 1/2-foot side yard at 1325 South Central Avenue in an area zoned R-MD, Medium Density Multiple-Family Residential District.
5. Approved the request of Mr. Fred From for a variance to increase the maximum height of a fence in a street side yard area from 3 1/2 feet to 4 1/2 and 5 feet to permit the relocation of an existing fence by the City of Lodi as part of a street opening project at 1604 Lake Street in an area zoned R-2, Single-Family Residential.
6. Approved the request of Mr. Robert D. Houston for a use permit for Phase II of Planned Development District No. 1 (P-D(1)) consisting of 60 townhouse units at the southeast corner of West Turner Road and Rutledge Drive with a number of conditions.

COMMUNICATIONS

PUC -
PG&E RATES

Notice was read of application of Pacific Gas and Electric Company for authority, among other things, to increase its rates and charges for gas service.

PUC
APPLICATION

Notice was read of application before the Public Utilities Commission from Southern Pacific Company and The Western Pacific Railroad Company requesting authority to equalize passenger rules and regulations for transportation of children under five within the State of California to a

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basis identical with that before the Interstate Commerce Commission.

LEGISLATION

Letters from the City of Daly City and the City of Indio urging the City to adopt a resolution regarding property tax legislation were read. No action taken.

HUTCHINS -
TOKAY ST.
INTERSECTION

The Mayor reported he had received a letter from the Needham School PTA requesting to know the status of the Tokay-Hutchins Street crossing. The City Manager stated that the Public Works Department is preparing a traffic study on this intersection and he hoped to have a report on the matter at the next meeting.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$318,497.50 were approved on motion of Councilman Kirsten, Culbertson second.

DEVELOPMENT
AGREEMENT -
ST. PETER'S
LUTHERAN CHURCH

The City Manager stated that the development agreement for improvements for the St. Peter's Lutheran Church was ready for Council approval. The development involves cooperation by the City in improving Oxford Way adjacent to Twin Oaks Park. The agreement commits the City to an expenditure of \$18,192.77. The City Manager recommended approval of the agreement. On motion of Councilman Culbertson, Schaffer second, the City Council approved the development agreement and authorized the Mayor to sign same on behalf of the City.

FINAL MAP-
ALLEN MANOR

All of the requirements of the City having been met, the final map of Allen Manor Subdivision was presented for Council approval. On motion of Councilman Culbertson, Schaffer second, the final map of Allen Manor Subdivision was approved and the Mayor directed to execute the Subdivision Agreement.

PLANS & SPECS -
OXFORD WAY CURB,
GUTTER & SIDEWALK

City Manager Graves presented plans and specifications for Oxford Way curb, gutter and sidewalk construction. On motion of Councilman Kirsten, Brown second, the City Council approved the plans and specifications and authorized advertising for bids thereon.

AWARD -
PUMPS & MOTORS

Bids were received for the pumps and motors for Well #14 and Well #15 as follows:

RES. NO. 3241	Alt. #1 & 2	Alt. #1	Alt. #2
	WELL 14	WELL 15	Well 15
Johnston Pump Co.	\$6,320.05	\$7,345.50	\$6,306.00
Western Pump Co.	6,466.00	7,581.00	6,608.00
Munz Pumps, Inc.	6,995.00	8,027.00	7,060.00
San Joaquin Pump Co.	7,216.50	8,402.50	7,657.50
Stowell Equip. Co.	2,730.73	9,740.23	8,760.48

The City Manager stated that the bid submitted by Stowell Equipment Company was incomplete. He recommended the award be made to the low bidder. On motion of Councilman Kirsten, Culbertson second the City Council adopted Resolution No. 3241 awarding the contract for the furnishing and installation of pumps and motors for Wells #14 and #15 to the low bidder, Johnston Pump Company.

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ON-SITE FIRE
PROTECTION
REQUIREMENTS

ORD. NO. 886
INTRODUCED

The discussion of the proposed ordinance establishing requirements for on-site fire protection facilities having been continued from the meeting of January 15, 1969, the City Manager again stated the importance of the proposed requirements and recommended introduction of the ordinance. On motion of Councilman Kirsten, Culbertson second, the City Council introduced Ordinance No. 886 establishing requirements for on-site fire protection facilities prior to issuance of building permits.

GOLF DRIVING
RANGE AGREEMENTS
EXTENDED

City Manager Graves recommended renewal of the two lease agreements which affect the golf driving range. One agreement is between the City and the Grape Festival and the other agreement is between the City and Mr. Otto Pirtle. He recommended that both agreements be extended until June 30, 1972 which is the termination date of the master lease with the Festival. On motion of Councilman Schaffer, Kirsten second, the Council approved renewal of the two lease agreements as recommended and authorized the Mayor to sign same on behalf of the City.

SCREEN -
DRIVING
RANGE

On motion of Councilman Kirsten, Schaffer second, the Council approved an expenditure of \$651 to provide screening on the east side of the Golf Driving Range as recommended by the Parks and Recreation Director and the City Manager.

FUNDS TO
EQUIPMENT
FUND

The City Manager recommended transfer of funds in the amount of \$12,500 from the Unappropriated Surplus Fund to the Equipment Fund. Councilman Culbertson moved the approval of transfer of funds as recommended by the City Manager. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

FUNDS TO
POLICE DEPT.

Mr. Graves explained that the current Police budget failed to provide funds for depreciation of the police cars. The error occurred as a result of keeping the first Dodges the City purchased through the State for a period of two years and depreciation being provided for only one year. He recommended appropriating \$12,000 to provide for the depreciation of the cars. On motion of Councilman Kirsten, Brown second, the Council authorized appropriation of \$12,000 to the Police Department budget as recommended.

SPECS -
STATION
WAGON

On motion of Councilman Brown, Kirsten second, the City Council approved specifications for a station wagon for the Police Department and authorized advertising for bids thereon.

PURCHASE
KAYAKS &
PADDLEBOARDS

The City Manager read a memorandum from the Director of Parks and Recreation recommending purchase of kayaks and paddleboards for use at Lodi Lake. He reported that the private operator who operated the concession at the Lodi Lake last summer had offered to sell 30 kayaks and 20 paddleboards to the City for \$1,500. The City Manager also noted that the City's insurance agent could foresee

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no problem with the City operating the concession, and he therefore recommended purchase of the equipment. Councilman Kirsten then moved Council approval of the purchase of 30 kayaks and 20 paddleboards for a total of \$1,500. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

WATER QUALITY
CONTROL BOARD

City Manager Giaves expressed concern in regards to the standards being adopted by the Regional Water Quality Control Board for discharge of water from sewer plants. He suggested the Mayor appear before the Board and state the City's position on the matter. The Council felt it would like to be represented at the next meeting. Councilman Culbertson then moved Mayor Hunnell be authorized to represent the City at the next meeting of the Regional Water Quality Control Board and voice objection to unreasonable requests being made by the Board. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

SUPT. OF
UTILITIES

Councilman Kirsten congratulated Superintendent of Utilities Royal Newman, who was in the audience, for having been selected as one of 20 members on a Power Supply Planning Committee of the American Public Power Association.

ORDINANCES

UNIFORM
BUILDING CODE.
1967 EDITION

ORD. NO. 878.
ADOPTED

ORDINANCE NO. 878, entitled "AN ORDINANCE ADOPTING THE 'UNIFORM BUILDING CODE, 1967 EDITION,' VOLUME I AND THE SECONDARY CODE REFERRED TO THEREIN, NAMELY THE "UNIFORM BUILDING CODE STANDARDS, 1967 EDITION," WHICH CODES REGULATE THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH," having been introduced at the meeting of January 15, 1969, was brought up for passage on motion of Councilman Kirsten, 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 - Brown, Culbertson, Kirsten,
Schaffer and Hunnell
Noes: Councilmen - None
Absent: Councilmen - None

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UNIFORM PLUMBING
CODE , 1967 EDITIONORD. NO. 879
ADOPTED

ORDINANCE NO. 879, entitled "AN ORDINANCE ADOPTING THE 'INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS UNIFORM PLUMBING CODE, 1967 EDITION,' PROVIDING FOR THE ESTABLISHING OF MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING SECTIONS 18.1 TO 18.4 INCLUSIVE OF THE CODE OF THE CITY OF LODI AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH," having been introduced at the meeting of January 15, 1969, was brought up for passage on motion of Councilman Brown, 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 - Brown, Culbertson, Kirsten,
Schaffer and Hunnell
Noes: Councilmen - None
Absent: Councilmen - None

UNIFORM
MECHANICAL
CODE, 1967
EDITIONORD. NO. 880
ADOPTED

ORDINANCE NO. 880, entitled "AN ORDINANCE ADOPTING THE 'UNIFORM MECHANICAL CODE,' 1967 EDITION, WHICH PROVIDES FOR MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, INSTALLATION, QUALITY OF MATERIALS, LOCATION, OPERATION, AND MAINTENANCE OF HEATING, VENTILATING, COMFORT COOLING, REFRIGERATION SYSTEMS, INCINERATORS AND OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH," having been introduced at the meeting of January 15, 1969, was brought up for passage on motion of Councilman Culbertson, 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 - Brown, Culbertson, Kirsten,
Schaffer and Hunnell
Noes: Councilmen - None
Absent: Councilmen - None

ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at approximately 10:20 p.m.


ATTEST: BESSIE L. BENNETT
City Clerk