

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
APRIL 5, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, April 5, 1967 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,  
KIRSTEN and WALTON (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Administrative Assistant Peterson and City Attorney Mullen.

MINUTES Minutes of March 15, 1967 were approved as written and mailed on motion of Councilman Brown, Kirsten second, after making the following corrections: On page 2 change the number "50" in the 15th line of the second paragraph to "100" and on page 5 the end of the last sentence in the paragraph entitled "Destruction of Certain Finance Dept. Records" add "subject to approval by the City Attorney."

PUBLIC HEARINGS

APPEAL - Notice thereof having been published in accordance with law, Mayor Walton called for hearing on the appeal of Wells Fargo Bank from the decision of the Planning Commission in denying the Bank's request for a variance to increase the maximum allowable sign area from 36 sq. ft. to 79 sq. ft. at 14A South School Street in a C-2 zone. Mr. Don Nelson of the Bank's construction department, San Francisco, spoke in behalf of the appeal. He stated the Bank has a standard type sign, 4' x 9' in size, which they wished to use. He acknowledged that a standard sign flush with the building which conforms to City regulations was being used at the present time. There was no one else in the audience who wished to speak for or against the appeal and the public portion of the hearing was closed. Stating that there was no hardship involved, Councilman Kirsten moved that the Planning Commission be upheld and the appeal denied. His motion was seconded by Councilman Culbertson and carried unanimously.

N. GENERAL Notice thereof having been published in accordance with law, Mayor Walton called for hearing on the intention to annex the North General Mills Addition. There was no one present who wished to speak for or against the annexation and no communications concerning this matter. The public portion of the hearing was closed. Councilman Brown moved the introduction of Ordinance No. 836 annexing the North General Mills Addition to the City. The motion was seconded by Councilman Hunnell. Councilman Culbertson mentioned that there had been a little difficulty about the boundary and the Local Agency Formation Commission had required that the area include a triangular parcel on the north and the entire width of Main Street had been included. The motion carried by unanimous vote.

SUPER MOLD Notice thereof having been published in accordance with law, the Mayor called for hearing on the intention to annex the Super Mold Addition. Mr. Lemoin Frey of Super Mold Corporation spoke in behalf of the annexation and thanked the Council for the City's help in regard

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to this site. There was no one else who wished to be heard and no communications so the public portion of the hearing was closed. Councilman Brown moved the introduction of Ordinance No. 837 annexing the Super Mold Addition to the City of Lodi. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

REZONING NE  
COR OF HAM &  
SYLVIA TO R-3  
  
ORD. NO. 838  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Walton called for public hearing on the proposal to rezone property at the northeast corner of Ham Lane and Sylvia Drive from R-1 Single Family Residential to R-3 Limited Multiple Family Residential as recommended by the Planning Commission. Mr. Harry Goertzen, 140 South Fairmont Avenue, representing the Bethel Open-Bible Church, spoke in favor of the rezoning. There were no communications concerning this matter and no one else in the audience who wished to be heard thereon; the public portion of the hearing was therefor closed. Councilman Culbertson moved the introduction of Ordinance No. 838 rezoning property at the northeast corner of Ham Lane and Sylvia Drive from R-1 to R-3. The motion was seconded by Councilman Brown and carried by unanimous vote.

#### PLANNING COMMISSION

The following actions of the Planning Commission at its meeting of March 27, 1967, were reported:

1. Determined that a zoning hardship exists and approved the request for a yard variance to permit expansion of an existing garage at 215 North Crescent Avenue.
2. Continued the review of the General Plan until the City's Traffic Consultant submits his final recommendations.

#### COMMUNICATIONS

L. J. NORRIS  
APPEAL RE  
SIGN

A letter was read from L. J. Norris appealing the decision of the City Planning Commission in denying his request for a use permit to install a flashing-arrow sign at a restaurant located at 322 North California Street in a C-2 zone. The matter was set for public hearing on April 19, 1967, on motion of Councilman Culbertson, Kirsten second.

CHAMBER OF  
COMMERCE RE  
PLANNING  
ALLIANCE

A letter was read from the Lodi District Chamber of Commerce endorsing the action of the City Council which had indicated public hearings would be held on the proposed formation of an Intergovernmental Planning Alliance for San Joaquin County.

ABC  
LICENSE

The following applications for Alcoholic Beverage License were noted:

1. Original Application by Leland W. Yip, King Yin Cafe, 10 South Main Street, for On Sale Beer.
2. Application for Transfer to Lodi Cosmopolitan, a corporation, Lodi Cosmopolitan, 100 S. Main Street, On Sale General Eating Place.
3. Application for Transfer to Raymond O. Bennett, Bennett's Concession, Lawrence Park, On Sale Beer Seasonal.

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REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$470,082.12 were approved on motion of Councilman Culbertson, Kirsten second.

BIDS -  
SANITARY SEWER  
OUTFALL #2 City Manager Graves reported on the bids which had been received for the Sanitary Sewer Outfall Pipeline #2 as follows:

Wittman Contracting Co., Phoenix Ariz.	\$646,160.75
Stockton Construction Co.	682,362.45
W. H. Ebert Co.-Spartan Cons., San Jose	691,602.50
W. M. Lyles, Co., Avenal	704,883.60
A. Teichert & Son, Stockton	724,160.00
Lentz Const. Co., Sacramento	730,045.50
B & R Pipeline, Hayward	742,890.00
McGuire & Hester, Oakland	758,760.00
Granite Const. Co., Sacramento	760,370.00
Charles J. Dorfman Co., Los Angeles	762,596.50
C. J. Montag & Sons, Portland, Ore.	767,385.25
Ernest E. Pestana, Inc., San Jose	789,780.00
Hood Corp., San Jose	821,848.50
Crooks Bros. Const. Co., Fair Oaks	857,599.50
Prodanovich & Kettlewell, Oakland	859,615.00
R. Goold & Son, Stockton	881,964.19

On motion of Councilman Kirsten, Brown second, consideration of the bids was continued to April 19, 1967.

AWARD -  
3/4-TON TRUCK The following bids were received on the 3/4-ton truck:

Tokay Motors	\$2,112.00
Loewen Auto Company	2,290.80

RES. NO. 3038

On motion of Councilman Brown, Kirsten second, the City Council adopted Resolution No. 3038 awarding the contract for the 3/4-ton truck to the low bidder, Tokay Motors.

AWARD -  
BASIN B-1  
FENCING Bids received on the B-1 Retention Basin Fencing, Unit No. 2, were reported as follows:

U. S. Steel Corp., Oakland	\$10,433
San Jose Steel Co., Fresno	10,440

RES. NO. 3039

On motion of Councilman Kirsten, Brown second, the City Council adopted Resolution No. 3039 awarding the contract for the Basin B-1 Fencing, Unit No. 2, to the low bidder, U. S. Steel Corporation.

SPECS -  
PUBLIC SAFETY  
BUILDING  
FURNISHINGS Specifications for the furniture, carpets and drapery for the Public Safety Building were presented for Council consideration. Mr. Graves stated the specifications had been reviewed by four local dealers who considered them well done. The carpeting and drapes for the Court have been included. These will be paid for by the County. Mr. Marion J. Varner showed the Council illustrations of the types of furniture, etc., being requested. On motion of Councilman Brown, Kirsten second, the City Council approved the specifications for the furnishings for the Public Safety Building and authorized calling for bids thereon.

SPECS -  
BLAKELY PARK  
WALKWAYS &  
BASKETBALL  
COURT The Council reviewed plans and specifications for Blakely Park walkways and basketball court. The specifications do not include sidewalk around the perimeter of the park. Councilman Culbertson felt that the City should install such sidewalk and Mr. Graves stated

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it would be included in the 1967-68 budget. Councilman Culbertson moved that the plans and specifications for the Blakely Park project be approved. The motion was seconded by Councilman Hunnell and carried.

STATE TEST  
HOLES AT  
WHITE SLOUGH  
DISPOSAL AREA  
  
RES. NO. 3040

Mr. Graves stated that the State Department of Water Resources has requested permission to install three test holes at the White Slough Disposal Area for the purpose of monitoring the ground water conditions. This would be for a period of 15 years. The Public Works Department has checked into the request and is of the opinion that the test holes will not cause any problems to the City. On motion of Councilman Hunnell, Kirsten second, the City Council adopted Resolution No. 3040 authorizing the Mayor to execute the "Survey and Exploration Permit" allowing the State to install and monitor instruments for survey of ground water conditions at the White Slough Disposal Area.

1966-67  
TAX FUNDS  
  
RES. NO. 3041

The City Manager presented the budget proposal for State Allocated Funds for the 1966-67 fiscal year for the Council's approval before submission to the State Division of Highways. On motion of Councilman Hunnell, Culbertson second, the City Council adopted Resolution No. 3041 adopting the budget for expenditure of funds allocated from the State Highway Fund to cities.

PUBLIC SAFETY  
BUILDING  
CHANGE ORDER  
NO. 11

Change Order No. 11 for the Public Safety Building was presented for Council approval. Changes requested are in the lathing and plastering for the Watch Command and changes in the apparatus room, the total amount of the change order being an addition in the amount of \$250. On motion of Councilman Culbertson, Hunnell second, the City Council approved Change Order No. 11.

\$4,000 MINIMUM  
FOR FORMAL BIDS  
  
ORD. NO. 839  
INTRODUCED

Mr. Graves recommended that the Purchasing Ordinance be amended in regard to the minimum amount required for formal bid. Present regulations require that all purchases in excess of \$2,000 must be made under the formal bidding procedure. This figure was the amount required by the Government Code on public works projects at the time the ordinance was adopted (December 1958). At the present time the Government Code requires a minimum of \$4,000 and Mr. Graves recommended that the City adopt the same amount as its minimum. The Council discussed the methods used in informal bidding and there was some question that some firms might be favored over others with this type of purchasing. The City Manager said there have been no problems in the past in this regard. Councilman Hunnell moved the introduction of Ordinance No. 839 amending the City Code to provide for a minimum of \$4,000 on formal bids. The motion was seconded by Councilman Kirsten and carried with Mayor Walton voting no. The City Manager is to give the Council a report on the policy used in requesting informal bids.

SIGNS IN FRONT  
OF CITY HALL

Mayor Walton stated that the sign in front of the City Hall commemorating the founding of Lodi which had been put up by the Native Sons a number of years ago was in need of repair and should either be fixed up or removed. He also felt that the Marine Recruitment sign by the City Hall front steps was out of place. It was suggested that the Native Sons might put up a bronze plaque in lieu of the present sign. Councilman Kirsten moved that the Native Sons' sign be returned to that organization with the request that they either refurbish or destroy it. The motion was seconded by Councilman Culbertson and carried. Councilman Kirsten moved that

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the Marine Corps be informed that their sign was considered out of place in front of the City Hall and that its removal was requested. The motion was seconded by Councilman Culbertson and carried.

POLICY RE R/W  
ACQUISITION &  
ST. IMPVTS.

In regard to street improvement projects, Mr. Glaves stated that the policy has been for the City to replace sidewalk, curb and gutter that is already in, but in those instances where there are no improvements, the property owner either dedicates the land in exchange for the improvements or the City pays the property owner for the right of way, including any damages, and then it is incumbent on the property owner to pay for the curb, gutter and sidewalk. He said he wanted to be sure of this policy, since in the matter of the West Lodi Avenue widening project, some of the property owners who have no sidewalk, curb or gutter felt the City should pay for the improvements as well as the right of way. He explained that when people have undeveloped property which they wish to improve, they have to dedicate the right of way and pay for the curb, gutter and sidewalk. A need to study the present policy was expressed, but it was felt the policy should remain as is as far as the Lodi Avenue widening is concerned. Councilman Kirsten moved that the present policy remain in effect, i.e., that all property owners be advised they would be paid the fair value value of the right of way and in those areas where there is no curb, gutter and sidewalk, the property owners will be required to pay for such improvements, but where the improvements are in the City will pay for their replacement, or the property owner can exchange the right of way for the curb, gutter and sidewalk. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

W. LODI AVE.  
R/W

City Attorney Mullen presented a deed from Edward Marchese for right of way on West Lodi Avenue with the condition that the City pay \$862 for the right of way and that Mr. Marchese would be responsible for the cost of the curb, gutter and sidewalk. On motion of Councilman Culbertson, Kirsten second, the deed was accepted in accordance with the above conditions.

SLAB FOR  
BALLCLUB  
OFFICE

Mr. Glaves explained that the Council had approved an 8 x 15-foot slab at the ballpark so that the Lodi Baseball Club could erect an office. The floor plan has been revised so that the slab will be L-shaped in order to eliminate the necessity of cutting a doorway in the west wall of the press box. This wall is not supported by footing so should not be cut into. The L-shape would increase the size of the slab by approximately 80 sq. feet. The total cost of the slab would be \$208.70 including steel and foundation bolts. On motion of Councilman Culbertson, Kirsten second, the City Council approved the revised plan for the concrete slab at the ball park at a total cost of \$208.70.

TOILET  
FACILITIES  
FOR LITTLE  
LEAGUERS

Mayor Walton mentioned there were no toilet facilities in most of the areas where little leaguers play and he felt this was a situation which should be remedied. City Manager Glaves said he would contact the schools about having restrooms open while the youngsters were playing ball at the school grounds and that he would investigate the possibility of using portable toilets at Van Buskirk and Emerson parks and report back to the Council at the next meeting.

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CLEAN UP DAY

Mayor Walton announced that Lodi Clean Up Day, which is being sponsored by the Lodi District Chamber of Commerce, would be held on Saturday, April 8.

ORDINANCES

SIGNS IN  
C-S ZONES

ORD. NO. 835  
ADOPTED

ORDINANCE NO. 835, entitled "AN ORDINANCE AMENDING SECTION 27-13(h)(3) OF THE CODE OF THE CITY OF LODI AND ADDING SECTION 27-13(h)(3A), THEREBY CHANGING THE REGULATIONS FOR SIGNS IN C-S COMMERCIAL SHOPPING DISTRICTS," having been introduced at the regular meeting of March 15, 1967, 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, HUNNELL,  
KIRSTEN and WALTON

Noes: Councilmen - None

Absent: Councilmen - None

REORGANIZATION OF THE CITY COUNCIL

The City Clerk asked for nominations for Mayor. On motion of Councilman Hunnell, Culbertson second, Councilman Kirsten was nominated for Mayor. On motion of Councilman Brown, Hunnell second, the nominations were closed and Councilman Kirsten elected Mayor by unanimous vote. Mayor Kirsten then took the Chair and called for nominations for Vice-Mayor. On motion of Councilman Culbertson, Walton second, Councilman Hunnell was nominated for Vice-Mayor. Councilman Brown, Walton second, moved that the nominations be closed and Councilman Hunnell was then elected Vice-Mayor by unanimous vote.

Councilman Walton was thanked for the work he had done as Mayor during the past year and Councilman Culbertson as Vice-Mayor, and congratulations were expressed to the new Mayor and Vice-Mayor.

ADJOURNMENT

At 10:20 p.m. the Council adjourned on motion of Councilman Walton.



Attest: BEATRICE GARIBALDI  
City Clerk