

Minutes of July 15, 1964 continued

Street (northwest corner of Lockeford Street and Neplus Court). The proposal was set for public hearing on August 5, 1964, on motion of Councilman Dow, Culbertson second.

PLANNING
COMMISSION
ACTIONS

1. Denied the request of Mr. C. L. Jones for a change zoning for the R-1 one-family residential zone to the C-P commercial-professional office zone for property located at 1651 West Lodi Avenue (north-east corner of Lodi Avenue and Corinth Avenue).
2. Approved the request of Mr. Herb Helwig for a use permit to establish an off-street parking lot on property located at 1016 South Hutchins Street in the R-3 multiple-family residential zone.

JUNK YARDS

Mr. Graves stated that the Planning Commission was recommending that the Council reconsider the proposed amendment to the zoning ordinance requiring a use permit for all junk yards or wrecking yards. There is much concern by the Commission that failure to enact this amendment leaves all industrially-zoned areas open for the possible establishment of future junk yards. The Commission feels strongly that the control of this type of business is necessary if other industrial uses are to be attracted to the Lodi area. At the present time the zoning ordinance requires the issuance of a use permit prior to the establishment of some fifty specified uses in the industrial zone. Councilman Kirsten said that until the Cockerham request had come up, the Planning Commission had considered that it had jurisdiction over junk yards and the proposed amendment would take care of this omission. Councilman Dow said he would not object to having junk yards controlled by a use permit until an ordinance could be written which would set forth specific regulations. Councilman Walton wanted to know how long it would be before the Planning Commission would have an ordinance ready which would set forth specific regulations. Mr. Robert D. Houston, 824 Mariposa Way, Chairman of the Planning Commission, said the Commission did not adopt the regulations suggested by the Planning Director for junk yards at the Commission meeting of July 13, as at the present time there are some 50 types of business that must have a use permit under the present ordinance and one business should not be singled out. He felt the Planning Commission would be able to complete its study of industrial uses in six or eight months. Councilman Dow suggested that an ordinance requiring a use permit for junk yards be adopted which would be effective for one year only. Councilman Dow then moved that the proposal to amend the zoning ordinance in regard to junk yards be set for public hearing on August 5, 1964. His motion was seconded by Councilman Walton and carried.

COMMUNICATIONS

ABC LICENSE

Notice of Application for Alcoholic Beverage License was received re the application of Albert M. and Pauline M. Unternaehner, for Retail Package Off-Sale, Lakewood Liquors, Lakewood Shopping Center.

Minutes of July 15, 1964, continued

RAY
APPEAL

An appeal was received from Maurice O. Ray, Jr., on the action taken by the Planning Commission which denied his request for variance in order to enclose a proposed swimming pool at 1201 Edgewood Drive. On motion of Councilman Dow, Culbertson second, the matter was set for public hearing on August 5, 1964.

PARTAIN
APPEAL

A letter was received from June S. Partain appealing the decision of the Planning Commission in denying her request for a variance to permit the re-establishment of a non-conforming use in a building located at 408 East Locust Street. On motion of Councilman Kirsten, Walton second, the appeal was set for public hearing on August 5, 1964.

LAKE-LOMA
RESIDENTS RE
650 LOMA DR.

A petition was read from property owners residing in the vicinity of Loma Drive and Lake Street requesting the Council to initiate the installation of curb, gutter and sidewalk at 650 Loma Drive. On motion of Councilman Dow, Kirsten second, the petition was referred to the administration.

HOTEL-MOTEL
ROOM TAX

A communication was read from the Executive Board of the Central Valley Division of the League of California Cities urging the city councils in the Central Valley Division and the supervisors of Merced, Stanislaus, San Joaquin, Tuolumne and Calaveras counties to adopt a hotel-motel room tax ordinance. The Executive Committee is of the opinion that if cities and counties do not take advantage of this enabling legislation which permits cities and counties to impose a hotel occupancy tax, the State may enter this field of taxation. The committee suggested that such funds collected should be ear-marked for purposes as determined by each individual city or county, but felt that the hotel and motel proprietors would be more favorable toward such tax if the revenue were used primarily for promotion purposes. Councilman Culbertson suggested that the Council meet with local hotel and motel owners to discuss the proposed tax. Mr. Graves said he would make arrangements for a breakfast meeting.

STATE TO
RELINQUISH
CHEROKEE LANE

A letter was read from the State Division of Highways stating the State would be relinquishing to the City all right, title and interest to Cherokee Lane within the City, along with access rights. It was urged that the City maintain and protect these access rights after the relinquishment becomes effective. Mayor Brown asked if the State was going to do anything about the pavement. He said in some places there was a 1½" jump off from the curb and in some places the curb was broken. The Director of Public Works said he would investigate.

TRAFFIC
REGULATIONS
ON CHEROKEE
LANE

A second letter from the Division of Highways informed the Council that after Cherokee Lane is relinquished to the City, the speed zones and stop signs along this street shall have no legal authority after the relinquishment. The Division of Highways will be glad to advise the City with regard to traffic control along this street. City Manager Graves said a traffic study of the area would be made.

Minutes of July 15, 1964 continued

REPORTS OF THE CITY MANAGER

- CLAIMS Claims in the amount of \$59,202.30 were approved on motion of Councilman Culbertson, Dow second.
- SPECS - STREET MATERIALS On motion of Councilman Dow, Walton second, specifications for street materials were approved and calling for bids authorized.
- DEED FOR PORTION OF CLUFF AVE. Mr. Graves presented a deed from Lodi Door and Metal Company for the east half of Cluff Avenue south from a point approximately 175 feet south of Victor Road. He said no consideration was to be given in exchange for this right of way. The parcel of land fronting on this portion of street is being developed by the Lodi Door and Metal Company whose access to the property is on Victor Road and since the City did not have the right of way on Cluff, it cannot require the street improvements. The Council approved acceptance of the deed on motion of Councilman Kirsten, Dow second.
- LAKWOOD SCHOOL WALKWAY AND CROSSWALK Mr. Graves presented a recommendation accompanied by a sketch from Director of Public Works Jones in regard to the children crossing Turner Road on the west side of Ham Lane and proceeding to and from Lakewood School. After consultation with Mr. Ezra Ehrhardt of the Lodi Safety Council and Mr. James Arieda, Superintendent of the Woods School District, the solution as shown on the sketch was considered the most feasible at this time. The recommendation is that an oiled walkway be installed along the westerly side of Ham Lane up to a point adjacent to the school and that a school crosswalk be painted from the walkway across Ham Lane to the school. The Council concurred in the recommendation, and on motion of Councilman Kirsten, Culbertson second, the Council approved the installation of an oiled walkway on the westerly side of Ham Lane to the Lakewood School in accordance with the sketch submitted. Councilman Dow then moved the adoption of Resolution No. 2745 establishing a school crosswalk across Ham Lane in front of the Lakewood school. The motion was seconded by Councilman Walton and carried.
- RES. NO. 2745 ADOPTED
- AWARD - POLICE CAR Mr. Graves explained that after the last Council meeting it had been discovered that in order to get a 1964 model car for the police department, informal bids would need to be taken and that since the cars available would not meet all police car specifications, the Police Chief would take the new car and his car would be used for the patrol. The following bids were received:
- | | |
|-----------------------|------------|
| Loewen Auto Company | \$2,332.44 |
| Krieger Motor Company | 2,380.95 |
| Weil Motors | 2,425.25 |
| Mitchell & Koenig | 2,540.72 |
- The City Manager recommended that the low bid be accepted. On motion of Councilman Dow, Culbertson second, Loewen Auto Company was awarded the contract for the furnishing of one car in the amount of \$2,332.44.
- HOUSTON LANE The City Manager stated that a letter had been received from Mrs. Ida E. Lunsford to the effect

Minutes of July 15, 1964 continued

that Houston Lane in the Westway Subdivision was in a dangerous and defective condition. Mrs. Lunsford would be willing to dedicate a small portion to complete the widening of the street on the condition that the City install curb and gutter, provide a driveway to her property and round off the existing bluff. According to Mr. Graves, Mrs. Lunsford has access to her property on Victor Road, but now that Houston Lane is improved she would like to be able to use that street. However, the curb is lower than her property creating a bluff. The Director of Public Works has determined that it would cost the city approximately \$300 to comply with her request, which would place the price of the property she would dedicate to \$3.30 per square foot. He suggested the following:

1. The City accept her offer and pay the price;
2. Wait until the property is developed from its present residential use to an industrial use, at which time these improvement would be made by the developer of the property; or
3. Acquire the property through a negotiated value or eminent domain proceedings and order improvements installed as permitted under State law when in excess of 50% of improvements exist.

It was the consensus of the Council that no action be taken on the proposal of Mrs. Lunsford.

AWARD -
REGULATOR

Mr. Graves presented the tabulation of bids received for the voltage regulator as follows:

RES. NO. 2746
ADOPTED

Pennsylvania Transformer Div.	\$50,264.00
Westinghouse Electric Supply	49,918.36
Allis Chalmers	48,839.00
Consolidated Electric	47,999.00
Graybar Electric(General Elect.)	47,427.12
Moloney Electric Company	38,600.00

All bids conform to specifications except that delivery by Moloney Electric Company is 238 days which does not meet the requirement in the specifications which states that delivery is required not later than January 15, 1965. Mr. Graves read a memorandum from the Superintendent of Utilities which said in part: "Time is of the 'essence,' but only for peace of mind in completing phases of the 12 kv program as planned and scheduled. Naturally we do not want to wait 'forever' for a piece of equipment to be delivered. We have a moral obligation to serve our customers with adequate and regulated voltage power, hence the date January 15, 1965 was picked as an arbitrary date. ...Since time is not of the essence as one might interpret the specifications, I suggest the delivery date deadline of January 15, 1965 be waived and the award be made to Moloney Electric Company whose bid is \$38,600 with 238 days for delivery time. This will be saving the City of Lodi \$8,827.12 over the next low bidder and only 51 days delay for installation." The City Manager agreed that time was not essential and that the specified delivery date be considered as of marginal value.

Minutes of July 15, 1964 continued

He therefore also recommended that award be made to the low bidder. Mr. William Wagner, representing Allis Chalmers, said the bid was on the basis of the time requirement and he felt they should have an opportunity to rebid. Mr. Don Frey, General Electric Company, Sacramento, said his company might have been able to bid differently if they had not considered the delivery date. Mr. R.L. Blink, representing the Moloney Company, said there was no reason why the other companies could not have submitted an alternate. He said the reason his company's delivery date was so late was because they had a strike last year and due to more business than expected, felt they could not honestly promise to deliver before the time set in their bid. After some discussion and questions concerning legal aspects of the specifications and the bids, it was moved by Councilman Culbertson that the Council adopt Resolution No. 2746 declaring that the date of delivery set forth in the specifications for the regulator is not of importance in determining the best bid and therefore be waived as a minor deviation from specifications, and awarding the contract for the regulator to Moloney Electric Company, whose bid substantially complies with specifications, for a total of \$38,600, delivery to be made within 238 days. His motion was seconded by Councilman Dow and carried unanimously.

WITHDRAW
OWENS ADDN
FROM RURAL
FIRE DIST.
RES. NO. 2747
ADOPTED

Annexation of the Owens addition to the City of Lodi having been completed, it was moved by Councilman Culbertson, Dow second, that Resolution No. 2747 be adopted withdrawing the Owens Addition from the Woodbridge Rural County Fire Protection District. Motion carried.

ROGERS
ENGINEERING
REPORT ON
ELECTRICAL
SYSTEM

Mr. Fred Dunn, Vice President of Rogers Engineering Company, addressed the Council concerning the organization of his company and the type of services it performs. Mr. John Galat, electrical engineer for Rogers Engineering, then informed the Council that they would be happy to discuss the report on the City's electrical system which the company had recently completed. He stated that this report had been prepared in answer to specific needs for the next five years, and he recommended that it be updated yearly. There was some discussion concerning the funds that would be required to implement the program. The Council thanked Mr. Dunn and Mr. Galat for coming and agreed that a meeting should be held for the specific purpose of reviewing the report.

1964-65
UTILITY AND
CAPITAL OUTLAY
BUDGETS

ORD. NO. 767
INTRODUCED

The Council then spent considerable time discussing the Utility Outlay and Capital Outlay Budgets proposed by the City Manager for 1964-65. In regard to carrying over the improvement of East Lodi Avenue, City Manager Graves stated that it could not be done this summer because of other projects having higher priority, mentioning the necessity of improving Ham Lane between Kettleman and Vine first because of the opening of the Senior Elementary School this fall. Mr. Herbert Lehr, 1215 Edgewood Drive, said he had circulated the petition for the street lights on East Lodi Avenue with the understanding the street would be improved this year and that the price would be in

Minutes of July 15, 1964 continued

the neighborhood of \$1.50 per front foot. He was concerned that the price would be higher next year. City Attorney Mullen told Mr. Lehr that the property owners were protected since the bid on the lights could not exceed 10% of the estimate given in the notice of intention to form the district. After further discussion of the budgets, Councilman Walton moved the introduction of Ordinance No. 767 adopting the Capital Outlay and Utility Outlay Budgets for 1964-65 and making the necessary appropriations therefor. His motion was seconded by Councilman Dow and carried.

GAS TAX
(SEC. 2107)
1964-65 BUDGET

RES. NO. 2748
ADOPTED

The budget proposal for State allocated funds (Sec. 2107, S & H Code) for construction and maintenance of certain streets during 1964-65 was presented for Council approval. On motion of Councilman Dow, Culbertson second, the City Council adopted Resolution No. 2748 adopting the budget for use of Sec. 2107 gas tax funds and authorizing the City Engineer to sign the budget proposal for submission to the State.

GAS TAX
(SEC. 2107.5)
1964-65 BUDGET

RES. NO. 2749
ADOPTED

The budget proposal for State allocated funds (Sec. 2107.5, S & H Code) for engineering was submitted for Council consideration. On motion of Councilman Dow, Walton second, the Council adopted Resolution No. 2749 adopting the budget for use of Sec. 2107.5 gas tax funds and authorizing the City Engineer to sign the budget proposal for submission to the State.

SPECS -
CARDINAL ST.
STORM DRAIN

Specifications and plans for storm drain improvements on Cardinal Street were presented to the Council for approval. On motion of Councilman Dow, Walton second, the plans and specifications were approved and advertising for bids authorized.

SPECS -
STADIUM LIGHTS

The City Manager then submitted the specifications for the Stadium lighting. On motion of Councilman Culbertson, Kirsten second, the specifications were approved and advertising for bids authorized.

ORDINANCES

REZONE S/S
W. LOCKEFORD
BTW PLEASANT
& HUTCHINS
TO C-1

ORD. NO. 766
ADOPTED

ORDINANCE NO. 766, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY LOCATED ON THE SOUTH SIDE OF LOCKEFORD STREET BETWEEN PLEASANT AVENUE AND HUTCHINS STREET TO BE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT," having been introduced at the regular meeting of July 1, 1964, was brought up for passage on motion of Councilman Dow, Walton second. Second reading was omitted after reading by title and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - CULBERTSON, DOW,
KIRSTEN, WALTON and
BROWN

NOES: Councilmen - None

ABSENT: Councilmen - None

Minutes of July 15, 1964 continued

WALTON RE
SHERIFF'S
SUBSTATION &
DIST. ATTY
SPACE

RES. NO. 2750
ADOPTED

Councilman Walton proposed that the County Board of Supervisors be sent a resolution suggesting the possibility of having a Sheriff's substation and office space for the District Attorney in Lodi's proposed Public Safety Building. He felt this was the time to make such a consideration when the building is in the preliminary planning stage. Councilman Kirsten felt that it should be up to the Sheriff to make the decision on whether or not to have a substation in Lodi. Stating that he thought it would help Lodi, Councilman Walton moved the adoption of Resolution No. 2750 requesting the San Joaquin County Board of Supervisors to consider the possibility of establishing a Sheriff's substation and space for the District Attorney in the Lodi Public Safety Building. His motion was seconded by Councilman Culbertson and carried.

There being no further business, the Council adjourned at 11 p.m.

Beatrice Garibaldi
Attest: Beatrice Garibaldi
City Clerk