

CITY COUNCIL, CITY OF LODI
 COUNCIL CHAMBER, CITY HALL
 NOVEMBER 21, 1956

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, November 21, 1956; Councilmen Fuller, Hughes, Katzakian, Robinson and Mitchell (Mayor) present; none absent. City Attorney Mullen and City Manager Weller also present.

PUBLIC HEARING

EUREKA-LOUIE AVE. STREET LIGHTING DISTRICT ASSESSMENT CONFIRMED RES. NO. 1981 ADOPTED Mayor Mitchell opened the meeting to the hearing of protests on the installation of street lights in the Eureka-Louie Avenue Lighting District and the proposed assessments for said lights. There being no protests offered, Resolution No. 1981, confirming the assessment, was adopted on the motion of Councilman Hughes, Katzakian second.

PARKING DISTRICT NO. 1 Mayor Mitchell recalled that at the meeting of September 19, 1956, action on the adoption of Ordinance No. 568, relating to the formation of Parking District No. 1, was deferred to the meeting of November 21, to permit those persons wishing to enlarge the district to provide evidence to the City Council that such an enlarged district was desired on the part of the property owners involved. The City Clerk read a letter from Mr. Kenneth Jones of the law firm of Kirkbride, Wilson, Harzfeld, and Wallace explaining that at the meeting of September 19 he had advised the City Council that action to reopen the public hearing, for the purpose of expanding the district, would not jeopardize the district already formed. After further consideration it was the opinion of his firm that if the hearing were reopened a protest from the majority of the property owners involved would terminate the proceedings for the entire district. The City Clerk then read a letter from Secretary-Manager John E. Hoggatt of the Chamber of Commerce explaining that those persons attempting to enlarge the proposed parking district had met with Mr. Hoggatt and had determined that the benefit to be gained by the expansion of the district was not sufficient to warrant further delay or complication of the procedure. They therefore wish to withdraw their protest to the district boundaries as originally proposed. Mr. H. E. Looser addressed the Council stating that he was in agreement with the letter from the Chamber of Commerce. He stated that he had agreed to this on the following conditions: (1) He wanted it understood that the 1/3 requirement for the off-street parking in the Zoning Ordinance should be waived in the parking district; (2) all money from on-street parking meters should be committed to paying off the bond service charges; (3) that the present off-street parking fund be utilized to retire the bonds; and (4) that the parking district boundaries be distinguished from the central business district so that there will be no confusion about the contemplated growth of the central business district. Councilman Katzakian replied that the definition of the central business district and the waiver of the off-street parking requirements should be taken up at a later date. He stated he was willing to discuss the matter in an attempt to reach a reasonable

decision. Councilman Robinson stated that he had always felt that the 1/3 parking requirement could be lifted after the district was formed; however there was still some question as to whether the parking district would sufficiently fulfill the parking needs of the downtown district. He pointed out that the City Planning Commission is considering amendments to the parking requirement in the Zoning Ordinance, generally with the view of increasing them. He added that when the parking district is operated, he would be willing to give consideration to lifting part of the parking requirements or in some way give equitable treatment to the property owners in the downtown parking district. Mr. Looser stated that the fair thing to do would be to remove the 1/3 parking requirement. Mr. Robinson pointed out that \$450,000 worth of parking would not satisfy all parking requirements within the central business district. Mr. Hoegerman addressed the Council to state that he had been told that a means had been found for securing property through a lease-purchase arrangement rather than by condemnation of property. Attorney Jones stated that they had found no basis for lease-purchase arrangement within the 1951 Parking District Act. Mr. Looser asked if the present leases held by the City such as the Southern Pacific lots, the hole-in-the-ground and Peirano lot would be maintained by the City. Mr. Jones replied that unless the leases with the property owners definitely committed the City for specified periods, his answer is no, they could not be maintained with revenues from parking meters. On the basis of his understanding that the Council would be willing to review the off-street parking requirements in the Zoning Ordinance after completion of the district, Councilman Katzakian then moved the adoption of Ordinance No. 568 entitled "AN ORDINANCE RELATING TO THE FORMATION OF PARKING DISTRICT NO. 1". The motion was seconded by Councilman Robinson and passed by the following vote:

After the reading of the title and waiver of further reading by motion, unanimously carried,

ORD. NO. 568
ADOPTED

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Mr. Ed Barbera told the Council that he felt the final action on the ordinance was taken too fast; that he did not believe property owners fully understood the implications of the parking district.

COMMUNICATIONS

COMPLAINT FOR
DAMAGES TO
TRACTOR

The City Clerk presented a complaint for damages which had been served on the City Clerk November 19, 1956, naming the City among the defendants, for damages to a tractor owned by Mr. Frank T. Taylor. The complaint was referred to the insurance carrier.

ABC LICENSE Application for the transfer of Alcoholic beverage License for Off Sale General to Elmo E. Jenner and Henry R. Jenner, Owl Liquors, 355 East Lodi Avenue.

REPORTS OF THE CITY MANAGER

LIABILITY INSURANCE Specifications for liability insurance for the calendar year 1957 were approved on the motion of Councilman Robinson, Kätzakian second.

SPECS FOR TEN AUTOMOBILES Specifications for the purchase of ten automobiles and the trade-in of ten automobiles were approved on the motion of Councilman Kätzakian, Hughes second.

RECREATION PROGRAM AGREEMENT WITH SCHOOL BOARDS Mr. Weller then submitted a proposed agreement with the Lodi Public Schools for the joint operation of the Recreation program in the City. Mr. Weller explained that the agreement formalized the present operations and that there were no changes in the basic program. Resolution No. 1983, approving the proposed agreement and authorizing the Mayor to sign on behalf of the City was adopted on the motion of Councilman Robinson, Fuller second.

RES. NO. 1983 ADOPTED

CROSS WALKS Mr. Weller reported that the City had received recommendations for location of cross walks from the various school authorities. He explained that they had been checked by the City Engineer and he recommended that they be adopted by the City Council. Councilman Hughes then moved, Robinson second, the adoption of Resolution No. 1982, designating cross walks at certain specified locations. The motion passed by unanimous vote.

RES. NO. 1982 ADOPTED

S.P. PIPE LINES REQUEST Mr. Weller reported that he had a request from the Southern Pacific Pipe Lines, Inc. for permission to cross City streets and encroachment areas for the purpose of building a pipe line. The line is to be on the Southern Pacific right-of-way and is proposed to transmit automotive and aviation fuels through town. The City Engineer recommended that the City Council approve the request subject to the following conditions:

- (1) Installation within the City should meet the "Recommended Good Practice Requirements of the National Board of Fire Underwriters" and that the Lodi Fire Department should have the keys to the valves which are within the corporate limits of the City.
- (2) The top of the casing at the crossing on Lodi Avenue should be five feet below the bottom of the ties in order to permit the City to place additional utilities in that street.
- (3) The encasement for the pipe at the crossing of Lodi Avenue should be enlarged to seventy-two feet clear and at Lockeford Street to eighty feet clear in order to permit widening to the full widths in these locations.

- (4) The contractor should be permitted to close no more than two City streets at one time, and should be required to refill the trench with compacted material to the original subgrade in a manner acceptable to the City Engineer, and to pay the City of Lodi 60¢ per square foot for the restoration of the pavement in City streets and parking areas.
- (5) The crossings at Turner Road and Kettleman Lane should be placed in such a manner as to provide for future underpasses at these locations insofar as this is now possible.

The agreement was approved subject to the conditions recommended by the City Engineer on the motion of Councilman Fuller, Hughes second.

EXTENSION OF
CATCH BASIN
CONTRACT

Mr. Weller presented a request from Rice Brothers Inc. for an extension of their contract for catch basin installations. The request was based on delays experienced due to unforeseen developments and obstructions encountered. The City Engineer reported that some of the delay was due to a change in the design of the connection between the new catch basin and old catch basin lines. This change was made by the City of Lodi. The City Engineer recommended that the contract be extended until December 7, 1956. Extension of the contract to December 7, 1956 was authorized on the motion of Councilman Hughes, Fuller second.

BIDS FOR INSTALL-
ATION OF STORM
SEWER LINES

Mr. Weller presented tabulations of bids opened November 20, 1956 for the installation of 1,310 feet of 30" storm sewer lines in the extension of Tokay Street between Ham Lane and Hutchins-Sunset Park. The low bid was submitted by W. M. Lyles Co. at a total of \$3,013. The next lowest bid was submitted by William Burkhardt for \$3,733. The Engineering Departments estimate was \$2,610. The contract was awarded to W. M. Lyles at the contract price of \$3,013 with the adoption of Resolution No. 1884.

RES. NO. 1884
ADOPTED

VACATION OF POR.
OF ORANGE AVE.
IN CRESCENT
MANOR # 2

ORDINANCE NO. 576, ENTITLED "ORDERING THE VACATION OF THAT PORTION OF ORANGE AVENUE LYING NORTH OF SYLVIA DRIVE," having been introduced at the November 7, 1956 meeting, was brought up for passage on the motion of Councilman Robinson, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

ORD. NO. 576
ADOPTED

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson, and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 576 was then signed by Mayor Mitchell in approval thereof.

CLAIMS

Claims in the amount of \$60,217.00 were approved on the motion of Councilman Fuller, Katzakian second.

The meeting was then adjourned on the motion of Councilman Robinson, Fuller second.

ATTEST: 
HENRY A. GLAVES, JR.
City Clerk