

CITY COUNCIL CITY OF LODI  
 CITY HALL COUNCIL CHAMBERS  
 MAY 20, 1953

This regular meeting of the City Council of the City of Lodi held at 8:05 o'clock p.m. of Wednesday, May 20, 1953. Councilmen Haskell, Preszler, Rinn and Richey (Mayor) present; absent, Councilman Robinson.

Minutes of the previous meeting, May 6, 1953, were approved as written and mailed.

COMMUNICATIONS

RATE  
 REDUCTION  
 FOR STANDBY  
 WATER SERVICE  
 DENIED

A letter signed by representatives of the Community Grape Corporation, East Side Winery, Shewan-Jones, Inc., and Wine Growers Guild was presented to the Council. The letter pointed out that several years ago three of the above wineries entered into an agreement with the City for standby water service to be used in event of fire. At this time the fee for such service was set at \$500 per year. This fee was subsequently reduced to \$375 per year when the fourth winery entered into an agreement with the City. The letter then stated that due to the generally depressed wine market, the insurance savings to the wineries has been decreased, and suggested that the rates be reduced to the following service charges:

\$150 annually for a 6-inch connection

\$175 annually for an 8-inch connection

Councilman Rinn stated that if the service was worth \$500 at the time the City made the agreement with the wineries, and this was later lowered to \$375 by the City Council, and in the absence of evidence indicating that the present charge was unreasonable, he would move that the service be continued at the \$375 rate. Councilman Haskell seconded the motion. Councilman Rinn pointed out that the City Council has no yardstick to use in setting the rates other than the one furnished by the wineries, the one which they urged the City Council to accept. Councilman Preszler stated that the wineries contributed to the prosperity of the City, and that the grape and wine market had fallen off during recent years and he felt these factors should be given consideration. He further stated that standby water service did not cost the City anything. Mr. Weller replied that the City should take a selfish view in that respect. He pointed out that the Board of Fire Underwriters were particularly critical of the standby agreements and charged the City with deficiency points on that account. He also pointed out that the City Council had recently considered the annexation of the Shewan-Jones property, and the winery had protested the annexation. This protest was partly based upon the fact that the winery already has the important City services at rates which make annexation unprofitable. Councilman Preszler pointed out that the East Side Winery had deeded land to the City for use as potential well site, and he stated that he thought this should be considered of some value. Councilman Haskell stated that insurance rates have fluctuated and there is a possibility that the reduction in fire insurance due to standby service has not been as large as it was at the time the agreement was first signed, but he doubted if any winery has an insurance saving of less than \$375. The question was called, and the motion passed by the following vote:

AYES: Councilmen - Haskell, Rinn and Richey

NOES: Councilmen - Preszler

ABSENT: Councilmen - Robinson

It was then suggested that the City manager take the matter up with representatives of the wineries in an effort to arrive at a better basis for setting the rates for standby service.

SPECIAL  
CENSUS

Letter from the City of Ripon, in response to the suggestion of the City of Lodi for a special census to be carried out county-wide, indicating its willingness to participate in the special census. Mr. Weller reported that the City of Stockton had taken favorable action on the suggestion, and he had been informed that the City of Manteca was also favorably inclined.

TRANS-SIERRA  
HIGHWAY

A telegram from the Placer County Chamber of Commerce urging support of State Senate Bill 1977 which provides for expenditure of 25 million dollars over three fiscal years for a Trans-Sierra Highway. The wire was tabled on the motion of Councilman Rinn.

REQUEST  
OPENING OF  
CHERRY DRIVE

Letter from the Ebenezer Congregational Church requesting information and suggestions from the City Council as to the procedures involved in the opening of Cherry Drive between Central Avenue and Washington Street. On the motion of Councilman Rinn, Haskell second, the Council voted to instruct the City Attorney or City Manager to reply to the letter, setting forth the Council's policy relating to street openings, and explaining the means of initiating a special assessment district.

CITY  
EMPLOYEES'  
PICNIC

Letter from Lodi City Employees' Association extending an invitation to the organization's annual picnic to be held on June 7, 1953, at Lawrence Park. The picnic is to be a breakfast held from 8:00 a.m. to 11:00 a.m. Councilman Rinn suggested that a reply be sent to the Employee's Association stating that all members of the City Council will attend.

TRUCKS ON  
TOKAY STREET

Letter from H. C. Reiswig, 620 South Central Avenue, stating that he had noted that the matter of prohibiting truck travel on Tokay Street had been before the Council, and it had again failed to pass an ordinance which would enable the police to keep the street free of truck travel. In his letter, Mr. Reiswig noted that Councilman Robinson had complained that grape trucking would be hampered by the posting of signs which would apply to all trucks. Mr. Weller was asked to inform Mr. Reiswig that the Council intended to prohibit all trucks from using Tokay Street from Cherokee Lane to Stockton Street, and to explain that Councilman Robinson's remarks were intended to apply only to Lodi Avenue.

BUS STOPS  
APPROVED

Letter from the Lodi Transit System requesting approval of the following bus stops: northeast corner of Pine and School Streets, southwest corner of Pine and Central Streets, and the northwest corner of Central and Poplar Streets. Councilman Haskell moved, Preszler second, to approve the new bus stops subject to the approval of the Chief of Police and the Superintendent of Streets, and to abandon the present bus stop on the southeast corner of Pine and School Streets. The motion passed by a unanimous vote.

JUNIOR TRAFFIC PATROL PICNIC Letter from Russell French, Juvenile Officer, extending an invitation to the City Council to attend the Fifth Annual Junior Traffic Patrol Picnic to be held May 23, 1953 at Lodi Lake Park. The Council accepted the invitation and expressed the intention to attend the picnic if possible.

PUBLIC HEARINGS

ANNEXATION IREY ADDN. ORD. NO. 489 INTRODUCED Mayor Richey opened the meeting to the public for the hearing of protests to the proposed annexation of the "Irey Addition" after ascertaining that all provisions of law had been complied with regarding the giving of notice. There being no protests to the proposed annexation, Councilman Haskell moved, Rinn second, the introduction of Ordinance No. 489, "APPROVING THE ANNEXATION OF THE IREY ADDITION TO THE CITY OF LODI AND DECLARING THAT THE SAME IS ANNEXED TO AND MADE PART OF THE CITY OF LODI". Reading of the ordinance in full was omitted, after reading by title. The motion carried by a unanimous vote.

REPORTS OF THE CITY MANAGER

SEWER BIDS REJECTED RES. #1745 ADOPTED Mr. Weller reported that the City had received one bid for the installation of sewers in the Costa and Vinewood Tracts and in South Lee and South Crescent Avenues. The single bid was by William Burkhardt in the amount of \$16,284.50. He stated that the City Engineer recommended that the bid be rejected because the installation can be performed by force account at a substantial savings. On the motion of Councilman Rinn, Haskell second, the Council voted to adopt Resolution No. 1745, rejecting all bids and ordering the work done by force account. Councilman Haskell then asked the City Manager to report the actual costs of installation when the job was completed.

STREET MATERIALS AWARD A tabulation of bids for the furnishing of approximately 2500 tons of plant mix surfacing to be used on the City's secondary street program was presented. The bids were as follows:  
 Claude C. Wood Co., Lodi \$5.30 per ton  
 A. Teichert & Sons, Stockton \$5.65 per ton  
 On the motion of Councilman Preszler, Rinn second, the Council voted to adopt Resolution No. 1744, awarding the contract to Claude C. Wood Co., the low bidder.

AWARD OF RADIO EQUIPMENT DEFERRED Mr. Weller presented the tabulation of bids for the installation and maintenance of radio communication equipment for the Police, Fire and Utility Departments. The bids received were as follows:

	Equipment	Maintenance
R.C.A.	\$13,849.28	\$290.00 per month
MOTOROLA	\$13,896.26	\$285.00 per month
WATSON COMMUNICATION ENGINEERS	\$15,128.85	\$288.00 per month
BENDIX RADIO COMPANY	\$19,093.11	\$301.00 per month

Mr. Weller explained that there was only \$46.98 difference between the two lowest bidders, and some doubt had been raised as to the adherence to the specifications by either of the bidders, therefore he recommended that the award be set-over to the June 3 meeting to allow time for the department heads to investigate the bids, and if necessary to meet with the representatives of the firms in question. The City Manager's recommendation was adopted on the motion of Councilman Preszler, Haskell second.

SPECIFICATIONS LEGAL ADVERTISING

Specifications for legal advertising for the 1953-54 fiscal year were approved on the motion of Councilman Haskell, Rinn second. The City Clerk was authorized to publish the notice calling for bids.

PETITION DOWNTOWN STREET LIGHTS

A petition requesting the formation of a special assessment district bounded on the east by the properties facing on the east curb of Sacramento Street; on the west by the properties facing on the west curb of Church Street; on the south by the properties facing on the north corner of intersections of Lodi Avenue; and on the north by the properties facing on the south curb of Locust Street; and also including both the north and south side of Pine Street from Church Street to and including Lee Street for the purpose of installing in said area standard street lighting. The petition expressly waived the investigation called for by the Special Assessment Investigation, Limitation and Majority Protest Act of 1931. On the motion of Councilman Haskell, Preszler second, the Council voted to accept the petition and to direct the City Clerk to check the signatures for validity and conformance of the petition to law.

#### CITY PLANNING COMMISSION

FINAL MAP "VINEWOOD TRACT"

A final map entitled "Vinewood Tract" of lands west of South Hutchins Street and south of Vine Street, certified by the City Engineer as substantially complying with the tentative map filed with the City Planning Commission, was approved for recordation and the streets and easements therein accepted as City streets on the motion of Councilman Haskell, Preszler second. This acceptance of the streets is subject to their improvement to City standards before acceptance for maintenance by the City. Mayor Richey then signed the final map.

FINAL MAP "WESTWOOD HOMES NO.3"

A final map entitled "Canepa Tract" of lands at the intersection of Park and Crescent Streets, certified by the City Engineer as substantially complying with the tentative map filed with the City Planning Commission, was approved for recordation and the streets and easements therein accepted as City streets on the motion of Councilman Haskell, Rinn second. This acceptance is subject to the improvement of streets to City standards before they will be maintained by the City. Mayor Richey then signed the map.

FINAL MAP "KIRST ESTATES"

A final map entitled "Kirst Estates" of lands at the corner of Cross and Lockeford Streets, certified by the City Engineer as substantially complying with the tentative map filed with the City Planning Commission, was approved for recordation and the streets and easements therein accepted as City streets on the motion of Councilman Haskell, Rinn second. This acceptance is subject to the improvement of streets to City standards before they will be maintained by the City. Mayor Richey then signed the map.

TENTATIVE MAP "WELLINGTON PARK"

The Council then considered the tentative map approved by the City Planning Commission entitled "Wellington Park". City Attorney Mullen explained that the High School had cooperated with the developers of the subdivision to the extent of dedicating land for Pacific Avenue. He explained further that the Planning Commission had determined that a 55-foot width would be sufficient for Pacific Avenue. The Council found no objections to the tentative map as submitted.

## CITY GROWTH

Councilman Rinn pointed out the large number of subdivisions being developed at the present time, and stated that he would be very interested in learning source of the demand for the new housing. He stated further that he would like to know where the purchasers of the new homes work and that if Lodi is becoming the "bedroom community" for Stockton, he would like to know it. It was suggested that questions be included in the proposed special census which would reveal this information.

LAKE STREET  
ABANDONMENT  
DEFERRED

The City Manager presented the recommendation of the Planning Commission for the abandonment of Lake Street from Pacific Avenue to Holly Drive. Mr. Weller recommended that this action be deferred until more information was available relative to the development of this area. The recommendation was accepted.

The minutes of the City Planning Commission for the meeting of May 11, 1953 were read by the City Manager.

ORD. NO. 487  
ADOPTEDUNIFORM  
BUILDING  
CODE

ORDINANCE NO. 487, "AN ORDINANCE REGULATING 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, CALIFORNIA, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ORDINANCE NO. 346 AND ALL OTHER ORDINANCES IN CONFLICT HERewith IN SO FAR AS SUCH CONFLICT MAY EXIST", having been introduced at the regular meeting of May 6, 1953, was brought up for passage on the motion of Councilman Haskell, Rinn second. Second reading was omitted by unanimous consent after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Haskell, Preszler, Rinn  
and Richey

NOES: Councilmen - None

ABSENT: Councilmen - Robinson

Mayor Richey then signed Ordinance No. 487 in approval thereof.

ORD. NO. 488  
ADOPTEDUNIFORM  
ELECTRICAL  
CODE

ORDINANCE NO. 488, "REGULATING THE INSTALLATION, OPERATION AND MAINTENANCE OF ELECTRIC WIRING AND ELECTRICALLY OPERATED APPLIANCES TO BE CONNECTED THERETO BY ADOPTING A CODE THEREFOR, REPEALING ORDINANCE NO. 395 AND ALL OTHER ORDINANCES IN CONFLICT HERewith IN SO FAR AS SUCH CONFLICT MAY EXIST", having been introduced at the regular meeting of May 6, 1953, was brought up for passage on the motion of Councilman Haskell, Rinn second. Second reading was omitted by unanimous consent, after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Haskell, Preszler, Rinn  
and Richey

NOES: Councilmen - None

ABSENT: Councilmen - Robinson

Mayor Richey then signed Ordinance No. 488 in approval thereof.

## CLAIMS

Claims in the amount of \$25,734.71 were approved and ordered paid on the motion of Councilman Preszler, Rinn second.

GARBAGE  
RATES  
INCREASED

ORD. NO. 490  
INTRODUCED

The request from the Sanitary City Scavenger Company for an increase in the domestic garbage rates, submitted to the City Council at the April 15 meeting, was again brought up for discussion. In an analysis of operations submitted by Leonard Cain, accountant for the Company, profits from operations indicated a steady decline over the past five-year period. The decrease in profits resulted principally from the loss of revenues from paper salvage and cannery hauls. The Cain report and critical analysis of that report prepared by the City Manager were furnished the members of the City Council for study and discussion prior to this meeting. In a letter dated May 19, 1953 Mr. Cain stated that the Company expects to be \$8,780.00 short of realizing what it considers justifiable earnings for the current year's operations. Mr. Cain's statement indicated a loss of \$5,657.44 in the domestic service during 1952, while the over-all net profit for that year was \$11,755.08. It was Mr. Cain's contention that only the profits derived from the domestic and commercial services should be taken into account in reviewing the request for an increase in rates, and that cannery income should be excluded, since the income from this operation is uncertain and is not protected by City ordinance. Councilman Rinn stated that he would be interested in establishing a formula which would take into account the costs of operation, including such items as equipment, labor, maintenance and repair, etc., then consider the investment of the partners and award a reasonable return on the investment. Mr. Cain replied that a formula was meaningless if based upon hypothetical figures; instead, his statement was based upon actual figures derived from the experience of operation. In pointing out that Mr. Cain wanted the Council to only consider the income from the domestic and commercial service, Mr. Weller called attention to the fact that the Council had not as yet determined that income from the cannery operation should not be considered. Councilman Haskell stated that he felt there was a justification for some increase since the present \$.50 rate had been in effect longer than anyone present could remember, and particularly in view of the fact that the City Council has the responsibility of providing service to the community at a level that is in keeping with the proper standards of health and safety. He then moved the introduction of Ordinance No. 490 to amend Ordinance No. 383, providing for an increase in the domestic service from the present \$.50 rate to \$.65, providing that the rates on commercial service and special hauls remain unchanged, that the present rate of \$.40 for the second can shall remain unchanged, and providing that the new rate shall take effect on all bills prepared on and after the effective day of the ordinance. In seconding the motion, Councilman Rinn stated that he wanted it understood that this action would not open the door to further requests for rate increases in the next year or in the near future. Mr. Cain replied that he could not predict the future, but he assured the council that the Company was only interested in making a living. Councilman Preszler stated that he felt that an increase of 30% was too much. He suggested an increase of 20% as being more reasonable. The motion was then passed by the following vote:

Minutes of May 20, 1953 continued.

AYES: Councilmen - Haskell, Rinn and Richey  
 NOES: Councilmen - Preszler  
 ABSENT: Councilmen - Robinson

Although the income from the cannery hauls was not considered in settling the above rate, a decision regarding its permanent exclusion was not reached. The suggestion of Councilman Rinn that the financial statement of the Company be reviewed annually met with general agreement.

EXTRA  
 WIDTH  
 STREETS

City Attorney Mullen suggested to the Council that the present policy regarding the construction and financing of extra width streets be revised. He explained that it was his understanding that, when Elm Street was opened through the Handel and Fairmont Tracts, the City purchased the extra land from the subdivider and also paid for the extra paving over and above standard 50-foot width. He felt that it would be unnecessary to purchase land from the subdivider because the subdivider should be willing to dedicate the necessary land on the subdivision map. Since some doubt existed as to just what the policy is at present, the matter was set over until the City Manager is able to determine the present Council policy regarding the extra width streets.

RES. #1740  
 ORDERED  
 RECORDED

The City Attorney reported that he had been contacted by St. Anne's Church regarding the conditions specified by the City Council at its meeting of April 15, 1953, relative to the recording of Resolution No. 1740, ordering vacation of the alley lying between Lots 2 and 3 of Block 6, City of Lodi. The officials of the church informed Mr. Mullen that the school property was used for off-street parking during church services and they wished to maintain the driveway at the opening of the abandoned alley for access to the parking space. On the motion of Councilman Haskell, Rinn second, the Council voted to instruct the City Clerk to record Resolution No. 1740.

ORD. NO. 491  
 INTRODUCED

AMENDS  
 SALARY  
 ORDINANCE

The City Manager presented a recommendation to amend the present Salary Ordinance by abolishing the position of "Accountant" and establishing the position of "Assistant Finance Director" at the following salary range: \$395-415-436-458-481. He explained that this was one of the steps necessary in the reorganization of the Finance Department. The reorganization will include the combining of the positions of Finance Director, Purchasing Agent and Accountant into the two positions of Finance Director and Assistant Finance Director. Ordinance No. 491, amending Ordinance No. 465, was introduced on the motion of Councilman Haskell, Rinn second.

COP CONTRACT  
 FOR STADIUM  
 APPROVED

The Council then voted to approve, and authorize the Mayor to sign, a contract between the City of Lodi and the College of Pacific for the use of Lodi Stadium for the purpose of holding a football game during the 1953 season.

The meeting was adjourned on the motion of Councilman Haskell.

ATTEST: *Henry A. Glaves, Jr.*  
 HENRY A. GLAVES, JR.  
 City Clerk