

- E-6 Adopted Resolution No. 2008-107 awarding the purchase of 25,000 feet of #4/0 AWG 15kV underground cable to The Okonite Company, of San Ramon, CA, in the amount of \$59,935.94.
 - E-7 Adopted Resolution No. 2008-108 approving one-year extension of lease of Maple Square, 2 East Lodi Avenue, for the period of July 1, 2008 to June 30,2009, to Alcoholics Anonymous.
 - E-8 Adopted Resolution No. 2008-109 authorizing the extension of agreement with Unifirst Corporation for rental and cleaning of uniforms for certain field and warehouse employees in the amount of \$21,000.
 - E-9 Adopted Resolution No. 2008-110 approving the master lease agreement between the City of Lodi and Lodi Grape Festival and National Wine Show Association for use of various Festival ground facilities that will serve both indoor and outdoor recreational programs, which will run for the period July 1, 2008 to June 30, 2009, at a lease rate of \$25,000 per year.
 - E-10 Adopted Resolution No. 2008-111 authorizing renewal of support agreement for electronic customer information billing system from Alliance Data Systems, of Dallas, TX, in the amount of \$62,456.62.
 - E-11 Adopted Resolution No. 2008-112 rescinding Policy for Transit Services Outside of Regular Service Operations and adopting new Charter Policy in accordance with changes by the Federal Transit Administration regarding charter service.
 - E-12 Approved waiver of conflict of interest for Meyers Nave's representation of Northern California Power Agency.
 - E-13 Adopted Resolution No. 2008-113 authorizing the City Manager to execute Northern California Power Agency Letter of Agreement for long-term energy procurement services in the amount of \$40,832.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Steve Nilssen presented a prepared statement (filed) regarding the Eilers Lane annual Fourth of July celebration, which has taken place every year since 1987. The Public Works Department denied this year's request for an encroachment permit to block off the street from Lower Sacramento Road on the east to Lilac Street on the west, and he requested that this matter be placed on the July 2 City Council agenda for approval to continue this annual event.

Mayor Mounce requested that the matter be placed on the next agenda.

- Esperanza Ortiz stated that, due to the new mobile food vendor requirements, she is no longer permitted to operate her taco truck business at her current location. Despite her attempts, she has been unsuccessful in finding a new site and requested Council permission to continue to operate at her present location.

In response to Mayor Mounce, Deputy City Manager Krueger stated that Community Improvement Manager Joseph Wood has communicated with Ms. Ortiz on a number of occasions.

Mayor Pro Tempore Hansen disclosed that he met with the City Manager and Mr. Wood regarding her issue, as well as visited the current site. He believed there was nothing that could be done to allow Ms. Ortiz to continue at that location because it does not comply with the code requirements relating to number of parking spaces, in addition to the fact that the owner does not want the operation on his property. He believed the only solution was to find an alternate location.

Eilers Lane 4th of July Chronology

Started in 1987 – continuous event since then without a single incident requiring intervention from any City of Lodi department

We block off the street from Lower Sacramento Road on the east to Lilac Street on the west. This is an area that encompasses 11 lots on each side of the street. There is access to any destination that anybody wishes to travel one block or less in any direction. In other words, no inconvenience of any significance is created for any citizen driver. No foot traffic has ever been inhibited.

At the time of the fireworks there are consistently over 200 Lodians congregated into the middle of our street. You will find that less than half of the people that watch the fireworks display from this location are from the street or know anybody from the street. They just use the vantage point for their own safe family enjoyment to view the fireworks show.

For roughly the first 10 years we were issued our permit without any stipulations. We closed the street to auto traffic beginning at 8:00AM and left it closed until well after traffic dispersed.

We were then asked to remove the traffic barricades immediately after the show. We have complied ever year since.

Then we were asked to leave the street unblocked until noon. We complied.

Then we were asked to leave the street unblocked until 3:00PM. We complied.

Then we were asked to leave the street unblocked until 5:00PM. We complied.

Then we were asked to post the street closing the day prior. We complied.

Then we were told that ZERO cars could remain parked on the street after closure. We complied.

We have ALWAYS co-operated with the city's requests and again, this has been a tradition in continuous operation since 1987 without a single incident requiring any intervention from any City of Lodi department.

When we encountered our first refusal to issue our permit from Public Works approximately 5 years ago, we came before the city counsel and asked for intervention. Counsel agreed and instructed staff to work it out which they did. Again, this has been a continuous event since inception without a single incident requiring any intervention from any City of Lodi department.

Now we have again been denied by Public Works. The primary reason given is that when the police department checked on us last year around 5:00PM "there wasn't anybody on the street, therefore closure is not necessary".

When we first started this event in 1987 and closed the street for the day, there were people in the street virtually all day. We had ball games, kids rode skateboards & bikes, flew kites and had water balloon fights. We barbequed from late morning to late afternoon. As the demands from the city squeezed the closure times to later and later the activities dwindled. Now, we use this mainly as a place to safely view the fireworks for our families, neighbors and friends as well as numerous other Lodi citizens who have also made this an annual event as a place to congregate and safely observe the 4th of July show.

Our preference would be to get it back to the original intent which was a day-long block party, but that appears unlikely. We do respectfully request however that we at least be allowed to continue the tradition of supplying a convenient and safe viewing platform for the fireworks that any city of Lodi citizen is welcome to attend.