

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 19, 1997
7:00 P.M.**

1. ROLL CALL

Present: Council Members - Land, Mann, Sieglock, Warner and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Ronsko, City Engineer Prima, Community Development Director Bartlam, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Dr. Diana Garga, Member of the BAHA'I of Lodi.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Pennino presented a proclamation to David Marshall, Public Issues Chair of the Board of Directors for the Cancer Society, Lodi Unit, proclaiming Thursday, November 20, 1997 as "American Cancer Society's Great American Smokeout Day" in the City of Lodi.
FILE NO. CC-37
- b) Mayor Pennino presented a proclamation to Paula Soto with the Lodi Community Service Center celebrating the "Mayor's Annual Holiday Child Share Program".
FILE NO. CC-37
- c) Mayor Pennino presented a proclamation to Kevin Stephens proclaiming November 23 - 29, 1997 as "American Christian Heritage Week" in the City of Lodi".
FILE NO. CC-37
- d) Barbara Button and Terri Whitmire with the Lodi Memorial Hospital Adult Day Care Center made a presentation to the City Council. They passed out the pumpkins that had been painted by the City Council Members and City staff members who had recently attended a joint meeting with the Lodi Memorial Hospital Adult Day Care Advisory Board and participated in roll playing as patients and care givers.
FILE NO. CC-6
- e) Aaron Lange with the Greater Lodi Area Youth Commission introduced the Teen of the Month, Jennifer Garcia from Lodi High School. Ms. Garcia was not able to attend the meeting to receive the presentation.
FILE NO. CC-2(t)
- f) Mayor Pennino presented a Certificate of Recognition to the Lodi and Woodbridge firefighters for its World Firefighter Combat Challenge achievement. Fire Chief Kenley showed a VCR tape of the team in action. Team members thanked those businesses and individuals who helped sponsor their efforts.
FILE NO. CC-37
- g) A number of Boy Scouts from Troop 199, who are earning their Citizenship in the Community Merit Badge, were in attendance at the meeting and were introduced.

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Sieglock, Warner second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- a) Claims were approved in the amount of \$2,591,331.21 and Disbursements Through Wire Transfer in the amount of \$2,354,551.51.
FILE NO. CC-21(a)
- b) The minutes of October 29, 1997 (Joint Meeting with Lodi Memorial Hospital Adult Day Care Advisory Board) and November 5, 1997 (Regular Meeting) were approved as written.
- c) Approved the specifications for 1 1/2-ton cab and chassis with hydraulic, articulating, telescoping aerial device for Street Division and authorized advertising for bids.
FILE NO. CC-12.1(b)
- d) Approved the plans and specifications for Lodi Lake fishing dock and authorized advertising for bids. (The City Manager noted this project will be plan-checked with permits issued prior to bidding.)
FILE NO. CC-12.1(b)
- e) Approved the plans and specifications for Lodi Lake Park wading pool and authorized advertising for bids. (The City Manager noted this project will be plan-checked with permits issued prior to bidding.)
FILE NO. CC-12.1(c)
- f) Agenda item #E-6 entitled, "Replacement of Ford Tauruses for various City departments" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- g) Authorized water service to Woodbridge Middle School, which is outside the City limits.
FILE NO. CC-51(b) AND CC-183(h)
- h) Agenda item #E-8 entitled, "Approve Transfer Agreement between City of Lodi and San Joaquin Regional Transit District and authorize City Manager to execute said Agreement" was pulled from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- i) Agenda item #E-9 entitled, "Increase in septic tank dumping fees" was pulled from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- j) Standardized on "Robbins & Myers, Inc. Moyno Pumps" as the manufacturer for all future positive displacement pumps used by the City of Lodi.
FILE NO. CC-20 AND CC-47
- k) Authorized fee title acquisition of an existing 20-foot storm drain easement adjacent to Roget Park.
FILE NO. CC-2(c) AND CC-176
- l) Authorized the City Manager to execute the Improvement Agreement for Millsbridge Subdivision, Phase 1, and appropriated \$355,000 for the project.
FILE NO. CC-46 AND CC-90

- m) Set Public Hearing for noon to 1:00 p.m. and continued to the regularly scheduled meeting of December 17, 1997, to consider unmet transit needs in the City of Lodi.
FILE NO. CC-50(a)
- n) Authorized the appropriation and payment of \$50,000 to the East San Joaquin Parties Water Authority for its test injection/extraction project.
FILE NO. CC-6 AND CC-183(c)
- o) Adopted Resolution No. 97-191 awarding the contract for Pleasant Avenue Telecommunications Conduit, Elm Street to 300 Feet North of Locust Street to Richard A. Heaps Electrical Contractor, Inc. of Sacramento, in the amount of \$24,012.50 and appropriated funds in accordance with staff recommendation.
FILE NO. CC-12(a) AND CC-300
- p) Adopted Resolution No. 97-192 authorizing the City Manager to sign Contract No. 96-SNR-00110 with the Western Area Power Administration and Bureau of Reclamation and Contract Amendment No. 1 for the funding of Operation and Maintenance for the Central Valley Project.
FILE NO. CC-51(d), CC-90 AND CC-300
- q) Adopted Resolution No. 97-193 approving the class specification for the position of Public Works Director.
FILE NO. CC-34 AND CC-300
- r) Adopted Resolution No. 97-194 authorizing the reclassification of two Dispatcher/Jailer positions to two Lead Dispatchers/Jailers and approved the revised class specification and salary range as shown below:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$2,565.95	\$2,694.26	\$2,828.99	\$2,970.43	\$3,118.95

FILE NO. CC-34 AND CC-300

- s) Adopted Resolution No. 97-195 approving the class specification, title change from Building and Equipment Maintenance Superintendent to Fleet and Facilities Manager and salary range as shown below:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$4,140.91	\$4,347.98	\$4,565.36	\$4,793.62	\$5,033.34

FILE NO. CC-34 AND CC-300

- t) Agenda item #E-20 entitled, "Approve class specification and salary range for Graffiti Abatement Coordinator" was pulled from the agenda pursuant to staff's request.
- u) Agenda item #E-21 entitled, "Approve class specification and salary range for Water Conservation Coordinator" was pulled from the agenda pursuant to staff's request.
- v) Approved the specifications and authorized the Electric Utility Department and Finance Department's Purchasing Division to advertise for bids as necessary to meet the Electric Utility Department's requirements for polemount and padmount transformers through the Fiscal Year ending June 30, 1999.
FILE NO. CC-12.1(b)

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-6 entitled, "Replacement of Ford Taurus for various City departments".

Public Works Director Ronsko informed the City Council that the Equipment Maintenance Division is responsible for maintaining and repairing almost all of the City's vehicles and equipment. In early 1996, it became evident that the eleven Ford Taurus the City owned, in four different departments, were incurring higher than normal repair and maintenance costs. Regardless of age or mileage, most of the Taurus had experienced transmission repairs or problems. Several had transmissions replaced two or three times.

A Capital Improvement Budget Request was prepared in March 1996 requesting that the Taurus be replaced in a two-year process. At that time, it was estimated that \$103,250 would be needed the first year, and \$110,750 the second year, to replace ten sedans (the eleventh Taurus was a car donated to the Police Partners Program, which would be the responsibility of the Police Department to replace).

The City Manager requested that the Taurus replacement program not be included in the budget until the Fleet Policies and Procedures, which were then under development, were completed.

Since affected departments knew that a request had been submitted for these vehicles to be replaced on a systematic basis, most departments did not submit duplicate budget requests for the 1997/99 budget years. Some departments did, however, and those requests have already been approved by the City Council with the adoption of the 1997/99 Financial Plan and Budget. These include two by the Police Department (vehicles #05-001 and #05-039 at \$24,000 each) and one by the Electric Utility Department (vehicle #09-008 at \$15,000).

Now that a year and a half has passed since the original request was made, several things have occurred:

- One Police Department Taurus, the donated Partners car #05-101, has already been removed from service.
- The accumulated repair and maintenance costs for the ten Taurus still in service have continued to grow.
- Several cars that would not have met the replacement criteria adopted in the Fleet Policies and Procedures now do.
- The amount of moneys the City might receive for selling these sedans has been reduce due to higher mileage and increased age.

The Fleet Management Committees discussed, and concurred, that the Ford Taurus need to be replaced fleet wide. The recommendation to the City Council is that the Fleet Management Committees and the City Manager be authorized to consider and recommend replacement of Ford Taurus on an individual basis, in exception to the replacement criteria adopted in the Fleet Policies and Procedures, if necessary, and authorize additional replacement funds.

Mayor Pro Tempore Sieglöck indicated that he removed this item for discussion because he would like staff to evaluate the mileage on the vehicles and if it is advantageous to pay mileage to employees rather than furnishing a vehicle. Further, he asked staff to look into whether or not we need as many vehicles. Council Member Land suggested that instead of purchasing sedans, that we buy trucks which have a better trade-in value. Council Members voiced their concern on the poor performance and increased major problems encountered with the Ford Taurus.

The City Council, on motion of Mayor Pro Tempore Sieglock, Pennino second, unanimously adopted Resolution No. 97-189 allowing the City Manager and the Fleet Management Committees to proceed with a fleet-wide replacement of Ford Taurus sedans.

FILE NO. CC-20, CC-37 AND CC-300

- b) Agenda item #E-8 entitled, "Approve Transfer Agreement between City of Lodi and San Joaquin Regional Transit District and authorize City Manager to execute said Agreement".

Public Works Director Ronsko indicated that the City of Lodi, in an effort to make riding transit more attractive and economical, has proposed a transfer agreement with SMART to provide easier connections to and from the GrapeLine. The agreement will be for a pilot program (January 1998 through June 1998). Similar to the one we currently have with South County LINK, staff will provide Council with quarterly reports similar to reports we will be doing on the LINK pilot program. GrapeLine shares many stops with SMART already, which makes this program very workable. The staff of both agencies had no difficulty reaching a consensus regarding this proposal.

On November 4, 1997, SMART's Board of Directors authorized its General Manager to direct, finalize and execute a transfer agreement. The agreement will be written around the details of this program. The agreement needs to be executed before January 1998.

Mayor Pro Tempore Sieglock pulled this item because he feels that we are in a transition period. We should look at the amount of revenue we are losing and try to recover some funds. Further, the City needs to look at the overall value of the program.

Following additional discussion, the City Council, on motion of Mayor Pro Tempore Sieglock, Pennino second, unanimously approved the transfer agreement concept between the City of Lodi and San Joaquin Regional Transit District (SMART) and authorized the City Manager to execute said agreement.

FILE NO. CC-50(a) AND CC-90

- c) Agenda item #E-9 entitled, "Increase in Septic Tank Dumping Fees".

Public Works Director Ronsko informed the City Council that staff began discussions of this item with the City Council in May of this year. Since that time, City staff has had two meetings with County personnel. The last meeting with the County took place on Thursday, September 11, 1997. At this meeting, the County representatives concurred that the rate proposal was fair and equitable and that they had verified the accuracy of the fees with their own independent experts. Supervisor George Barber indicated that the County was supportive of the proposed fee increase.

This increase will not affect the costs of loads of grease hauled from businesses within the City limits that have grease interceptors (i.e. restaurants, grocery stores, meat markets, cafeterias, etc.).

We are asking the City Council to adopt a new fee at this time for waste originating outside the City limits; however, it is not planned to implement the fee until January 1, 1998. This will provide the existing haulers adequate time to adjust to the new rates. The existing haulers will be notified as soon as the City Council adopts this fee increase.

This item was removed from the Consent Calendar at the request of Mr. Shon Steale, G & C Septic Service, 13405 Herald Road, Galt. Mr. Steal indicated that he believes they have become fee collectors and suggested that if he services a residence perhaps he could collect his fee and then collect the fee for the City. Mr. Steale further stated that the average fee is now approximately \$90.00, but this proposal would raise it to about \$200.00. He feels that the percentage of their type of dumping is a very small amount compared to the City's flow rate.

A lengthy discussion followed with questions being directed to Mr. Steale by members of the City Council. It was pointed out that the materials brought in by sewage disposal companies is not the same concentration as regular sewage flow.

The City Council was also in receipt of a letter from D. A. Parrish and Sons, Inc., which indicated their opposition to the proposed increase in septic tank dumping fees.

Following additional discussion, the City Council, on motion of Council Member Warner, Sieglock second, unanimously adopted Resolution No. 97-190 increasing the septic waste dumping fee from \$62.96 per thousand gallons to \$133.67 per thousand gallons for all waste originating outside the City limits, and adding subparagraph "B" to "Holding Tank Wastes".

FILE NO. CC-44, CC-56 AND CC-300

7. PUBLIC HEARINGS

None.

8. COMMUNICATIONS (CITY CLERK)

a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Mayor Pro Tempore Sieglock, Warner second, unanimously rejected the following claims:

1. Shelley Buck, date of loss 3/22/97
2. Pacific Bell, date of loss 2/10/97
3. Denise Enos, date of loss 8/29/97
4. Vito Ranuio, date of loss 9/5/97
FILE NO. CC-4(c)

b) City Clerk Reimche read the following ABC Licenses:

1. Pargat Singh Gill to Santokh Kaur Gill, BJs, 548 South Sacramento Street, Lodi, On-Sale Beer and Wine, Person to Person Transfer
2. Gertrud Schultze to Lori A. Smith and Raymond G. Smith, Gerties Place, 105 West Pine Street, Lodi, On-Sale General, Person to Person Transfer
FILE NO. CC-7(f)

c) The City Clerk informed the City Council that her office was in receipt of a notice from the Public Utilities Commission instituting a rulemaking and companion investigation proceeding into the design and implementation of a program to provide for publicly available telecommunications devices capable of servicing the needs of the deaf or hearing impaired (TDDS) in existing buildings, structures, facilities, and public accommodations.

FILE NO. CC-6

9. REGULAR CALENDAR

a) Agenda item #H-1 entitled, "Overview of Winter and Flood Preparedness actions and activities by City staff".

The City Council received the following report from Deputy City Manager Keeter regarding the City winter preparedness activities.

In anticipation of an intense winter as a result of the likely El Niño phenomenon, City staff members have initiated a multitude of activities to prepare for winter storms. Staff described to Council in detail the following activities:

- December publication of a winter preparedness article in the City-wide newsletter
- Meeting with County Emergency Services representatives
- Meeting with East Bay Municipal Utilities District representatives
- MediaOne commitments
- Emergency Operations Center activation drill/exercise
- Acquisition of sandbags
- City facilities assessment

In addition, staff discussed the El Niño predictions as described by National Weather Service and EBMUD officials.

FILE NO. CC-6 AND CC-102

- b) Agenda item #H-2 entitled, "Winter Preparedness - Storm Drain System Presentation".

Public Works Director Ronsko informed the City Council that from the phone calls received during last year's flood at the City's Emergency Operations Center, it was clearly evident that many of the citizens of Lodi are not aware of the City's storm drain system and how it operates, and the possibilities of the Mokelumne River flooding. Staff made a presentation outlining the three ways Lodi could possibly experience flooding; i.e., a break in Camanche Dam, the City's storm drain system and retention basins reaching capacity, and Mokelumne River overflowing.

The informative flier entitled, "Flooding in Lodi?!?", prepared by Richard Prima, will be included in the next City newsletter. This presentation at the City Council meeting will be recorded by MediaOne for playback at different times during the winter.

Following the presentation by Public Works Director Ronsko, there was a brief discussion by members of the City Council, with questions being directed to Mr. Ronsko regarding the subject.

FILE NO. CC-6, CC-102 AND CC-176

- c) Agenda item #H-3 entitled, "Presentation regarding Executive Management Statement of Benefits" was pulled from the agenda pursuant to staff's request.

10. ORDINANCES

- a) Ordinance No. 1653 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 10.44, Section 10.44.160 Relating to the Public Works Director Designating Public Carrier and School Bus Stops and Stands" having been introduced at a regular meeting of the Lodi City Council held November 5, 1997 was brought up for passage on motion of Council Member Mann, Warner second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Land, Mann, Sieglock, Warner and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

FILE NO. CC-48(a) AND CC-149

Continued November 19, 1997

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

12. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Land reminded staff that at the last Council meeting it had been requested that a letter be prepared for the Mayor's signature expressing concern that the crosswalk at Highway 12 and Crescent Avenue had not been replaced. It was requested that this letter be sent out as soon as possible.
FILE NO. CC-48(b)
- b) Mayor Pro Tempore Sieglock wished everyone a Happy Thanksgiving and cautioned everyone to drive carefully.
- c) Council Member Warner reminded the citizens that the annual Hutchins Street Square Christmas function will be held on December 6, 1997, and its theme is "An Old Fashioned Christmas". Many citizens in the community have been involved in making antique doll houses that will be auctioned that evening. It should be a wonderful and exciting event, and he urged the citizens of Lodi to attend.
- d) City Manager Flynn reminded the citizens of Lodi that tomorrow evening, November 20, 1997 at 5:30 p.m. is the Downtown Ribbon Cutting and Celebration and urged all citizens to attend. A brief overview of the program was given including the names of the various musical groups that will be involved. It was announced that Michael Freedman with Freedman, Tung and Bottomley and Diede Construction each contributed \$5,000 toward this event.
FILE NO. CC-72

13. CLOSED SESSION

Mayor Pennino adjourned to a Closed Session to discuss the following matters:

- a) Conference with labor negotiator, City Manager Dixon Flynn, regarding United Firefighters of Lodi (UFL) pursuant to Government Code §54957.6.

14. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Mayor Pennino reconvened the City Council meeting at approximately 9:50 p.m. and disclosed the following action.

No final action taken in this matter.
FILE NO. CC-200(a)

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 9:50 p.m.

ATTEST:

Alice M. Reimche
City Clerk