

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MAY 7, 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, Community Center Director Lange, Finance Director McAthie, Electric Utility Director Vallow, City Attorney Hays and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Greg Myers, Cornerstone E.F.C.A.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Mayor Pennino presented a proclamation to Boyd Lambertson, Dave Haro and Amanda Solway with the U.S. Post Office proclaiming Saturday, May 10, 1997 as "National Letter Carrier Food Drive Day" in the City of Lodi. Mr. Lambertson thanked Continental Cablevision, Lodi News Sentinel, and The Record for their assistance with advertising, Stockton Blueprint for the signs, General Mills for their donation of boxes and food, Pacific Coast Producers for their food donation, US Rentals for the use of trucks to move the food, Lodi Store-All for the storage space and forklifts, volunteers who will assist with the event on Saturday, May 10, 1997 and the people of Lodi for their support. Last year Lodians donated 3,200 lbs. of food. Ms. Solway announced the Lodi Community Service Center will be the benefactor of the food this year and encouraged citizens to place at least one can of food in their mailbox. Mr. Haro thanked the citizens of this community for their support. Paula Soto of the Lodi Community Service Center presented Boyd Lambertson with a plaque in appreciation to all letter carriers for their support of the program.  
FILE NO. CC-37

b) Mayor Pennino presented a proclamation to Public Works Director Ronsko proclaiming the week of May 18 - 24, 1997 as "National Public Works Week" in the City of Lodi. Mr. Ronsko presented City Council Members with Public Works buttons which Council will wear when they cook breakfast for the Public Works employees. During this week, Public Works will conduct tours for school age children, and the Lodi Public Works Department will play a softball game against the Stockton Public Works Department. Mr. Ronsko expressed how proud he is of all of the employees and acknowledged the recognition the department received this year, including Plant of the Year Award for the White Slough Water Pollution Control Facility, Secretary of the Year Award for employee Diana Gonzales, first place for the Dial-A-Ride system and 3rd place for the fixed-route transit system in a performance audit performed by the San Joaquin County Council of Governments, and National Award of Merit for the City Hall remodel project. Mr. Ronsko thanked the employees for their hard work during the recent storm and acknowledged those who volunteered in Manteca to help fight their storm problems. This is the largest

construction year by year with projects such as the Downtown Revitalization Project, Cherokee Lane Revitalization Project, the Hutchins Street Square Performing Arts and Conferencing Center, and the water tank. All in all there is \$20 million worth of construction going on right now! City Manager Flynn, in addition to recognizing the employees, acknowledged Public Works Director Ronsko for all he does for his department.

FILE NO. CC-37

- c) The City Council heard a presentation regarding Summer Jobs '97, which is a community-wide effort to provide summer jobs for youth, ages 16 - 21. Les Dabritz with the Lodi District Chamber of Commerce introduced the Lodi team including Denise Schenone, Branch Manager of Fidelity National Title Insurance, Jay Baker with San Joaquin County Private Industry Council, Kirk Evans, Administrative Assistant to the City Manager and Stacy Torkelson who is also helping with the program. Ms. Schenone asked for support for the Summer Jobs '97 program. So far throughout the County there are 77 jobs pledged, 13 of which are in the City of Lodi. An employer can specify if it wants someone between a certain age in order to work later hours, and it is requested that the employer pay at least minimum wage. An employer is not required to hire someone from the group of applicants sent to interview; however, feedback is requested if no one is hired. The City Council was presented with a copy of the letter that is being sent to Chamber members and a pledge form. The goal this year is to fill 60 jobs in the City of Lodi. Mr. Evans indicated the City has provided jobs in the Parks and Recreation Department, Public Works Department and the Library, and he will be working with Parks and Recreation to fill a few more positions.

FILE NO. CC-6

- d) Phil Lenser with the Old Lodi Union High School Site Foundation made a presentation to the City Council regarding the Hutchins Street Square theater chairs. One of the fundraising opportunities at the Square is the sale of the theater seats in the new Performing Arts and Conferencing Center now under construction. The nearly 800 seats in the "first class section" will sell for \$250, and feature engraved armrests personalized with the buyer's name. The theater chairs are burnished red mohair covered seats surrounded by a mahogany wood back. Individuals who purchase seats will be invited to a one-time "Wiggle In Your Seat" recognition party with entertainment and a photograph of the friends of Hutchins Street Square enjoying their first class position (this is the only night the purchaser is guaranteed to sit in this special seat). Anyone interested in making a donation was urged to call Hutchins Street Square at 333-6782 or complete and return the form in the Hutchins Street Square newsletter.

FILE NO. CC-6, CC-14(e) AND CC-27(e)

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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Sieglock, Mann second, unanimously approved the following items hereinafter set forth **(due to a conflict of interest, Mayor Pennino abstained from discussion and voting on agenda item #E-24)**:

- a) Claims were approved in the amount of \$3,941,277.35 and disbursements through wire transfers were approved in the amount of \$1,968,238.32.  
FILE NO. CC-21(a)
- b) The minutes of April 7, 1997 (Joint Meeting with Lodi Arts Commission) and April 16, 1997 (Regular Meeting) were approved as written.

*Continued May 7, 1997*

- c) Accepted the quarterly report of the City of Lodi pooled money investment account as required by SB564.  
FILE NO. CC-21(a)
- d) Received report of the sale of surplus property in the amount of \$1,165.50.  
FILE NO. CC-20 AND CC-47
- e) Approved the plans and specifications for bids for signal modifications at various locations and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- f) Approved the plans and specifications for bids for Century Boulevard, Ham Lane to Church Street; and Turner Road, Beckman Road to east end of Turner Road, street overlays and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- g) Approved the specifications for bids for 40 Class 3 wood utility poles (20 each of 45-foot; 10 each of 50-foot and 10 each of 55-foot) and authorized advertising for bids.  
FILE NO. CC-12.1(b)
- h) Approved the specifications for bids for 20,000 feet of #2AWG jacketed, 17,500 feet of #2/0 jacketed, and 2,500 feet of #2/0 unjacketed 15 KV concentric neutral underground primary conductor for the Electric Utility Department and authorized advertising for bids.  
FILE NO. CC-12.1(b)
- i) Approved the specifications for bids for one Toro Model 120 front-mount rotary mower for the Community Center at Hutchins Street Square and authorized advertising for bids.  
FILE NO. CC-12.1(b)
- j) Adopted Resolution No. 97-49 awarding the bid for one multimedia notebook computer to the sole bidder, Micron Electronics of Nampa, Idaho, in the amount of \$4,391.72.  
FILE NO. CC-12(d) AND CC-300
- k) Adopted Resolution No. 97-50 awarding the contract for purchase of utility vehicle for the White Slough Water Pollution Control Facility to Stockton Ford New Holland, Inc. of Stockton, in the amount of \$7,057.63.  
FILE NO. CC-12(d) AND CC-300
- l) Adopted Resolution no. 97-51 awarding the contract for portable lift system for Equipment Maintenance Division to Municipal Maintenance Equipment, Inc. of Sacramento, in the amount of \$30,453.75, and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a) AND CC-300
- m) Adopted Resolution No. 97-52 awarding the contract for front-loading parts washer for Equipment Maintenance Division to Transtar Industries, Inc. of Sacramento, in the amount of \$5,559.98 and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a) AND CC-300
- n) Adopted Resolution No. 97-53 awarding the bid for purchase of seven padmount transformers to the bidder whose proposal and equipment met City of Lodi specifications, and whose transformers are expected to yield the lowest overall life-cycle costs, Western States Electric of Portland, Oregon, in the amount of \$88,578.05.  
FILE NO. CC-12(d) AND CC-300

*Continued May 7, 1997*

- o) Adopted Resolution No. 97-54 awarding the contract for English Oaks and Candy Cane Playground ground cover material to Mallard Creek, Inc., of Rocklin, in the amount of \$8,518.44.  
FILE NO. CC-12(a) AND CC-300
- p) Received Contract Change Orders for Hutchins Street Square Conferencing and Performing Arts Center, 125 South Hutchins Street.  
FILE NO. CC-90
- q) Approved the donation of surplus office equipment to the Lodi Boys and Girls Club for use in their new teen center.  
FILE NO. CC-20 AND CC-47
- r) Approved the donation of a surplus, unusable light standard for use as a flag pole at the Lodi Community Service Center, 415 South Sacramento Street.  
FILE NO. CC-20 AND CC-47
- s) Took the following actions with regard to the Towne Ranch, Unit No. 5 development:
  - Approved the final map for Towne Ranch, Unit No. 5, Tract No. 2698, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City upon receipt of the required improvement security;
  - Approved the proposed terms of an addendum to the Improvement Agreement for payment for the landscaping and irrigation system to be installed along the reverse frontage fence on Turner Road and authorized the City Manager to execute the addendum without further Council action; and
  - Appropriated \$96,535.59 for payment of the following items:

a) Oversize water mains	\$17,482.34
b) Turner Road landscape irrigation service	\$ 1,557.60
c) Turner Road landscaping and irrigation system (future)	\$10,000.00
d) Turner Road reconstruction	\$ 2,587.20
e) Storm drainage basin purchase agreements (E-Basin)	\$64,908.45
- t) Adopted Resolution No. 97-55 accepting the water main improvements for Lodi West, Unit No. 2, Tract No. 2658.  
FILE NO. CC-46, CC-90 AND CC-300
- u) Accepted the improvements under the "Library Generator, 201 West Locust Street" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90
- v) Accepted the improvements under Mistletoe Removal and Associated Tree Trimming contract, and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90

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- w) Set Public Hearing for May 21, 1997 to consider changes to the Dial-A-Ride and fixed-route systems.  
FILE NO. CC-50(a)
  - x) Adopted Resolution No. 97-56 authorizing the Mayor Pro Tempore to enter into a confidentiality agreement with Enron Capital & Trade Resources Corp. and Enron Marketing, Inc. **(Due to a conflict of interest, Mayor Pennino abstained from discussion and voting on this matter.)**  
FILE NO. CC-51(d) AND CC-90
  - y) Approved letter to Governor Wilson regarding Educational Revenue Augmentation Fund.  
FILE NO. CC-6 AND CC-21(a)
  - z) Approved the Lodi Downtown Business Association (LDBA) Board's request for the City of Lodi to retain and fund the services of Mr. David Kilbourne of Downtown Revitalization Consultants for the purpose of conducting a Business Improvement Area (BIA) formation feasibility study.  
FILE NO. CC-6, CC-72 AND CC-400
  - aa) Authorized the issuance of subpoenas based upon the recommendation of the Contamination Advisory Committee.  
FILE NO. CC-4(f) AND CC-6
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6. PUBLIC HEARINGS

None.

7. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City Attorney, Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Mann, Sieglock second, unanimously rejected the following claims:
  - 1. Trinidad and Catalina Talaro, request to file a late claim, date of loss 5/25/96
  - 2. Gerties Place, date of loss 2/11/97
  - 3. Linda French and Brian Crank, date of loss 8/26/96
  - 4. Richard Campa, date of loss 3/1/97
  - 5. David Moore, date of loss 3/3/97  
FILE NO. CC-4(c)
- b) City Clerk Perrin read the following ABC Licenses:
  - 1. Gallien Inc., Mountain Mikes Pizza, 550 South Cherokee Lane, Suite E, Lodi, On-Sale Beer and Wine, Original License; and
  - 2. Mahmoud Bazaz to Cherokee Mini Mart and Liquor, Inc., Cherokee Mini Mart and Liquor, 401 South Cherokee Lane, Lodi, Off-Sale General, Person to Person Transfer.  
FILE NO. CC-7(f)

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- c) The following report was presented to the City Council:
  - 1. Planning Commission report of April 14, 1997  
FILE NO. CC-35(c)

8. REGULAR CALENDAR

- a) The City Council, on motion of Council Member Warner, Mann second, unanimously directed staff to prepare the necessary ordinance and traffic resolution amendments to implement Downtown parking limit changes. Council asked that staff take into consideration, timing for the Express Parking and a grace period of 30 days or so for issuance of warnings instead of parking tickets.

Speaking on the matter were the following persons:

- 1. Richard Linton, 110 North School Street, Lodi, expressed his support for the limited 30-minute parking with the flexibility to make changes if it is not working. Most of the complaints he has received from his customers is finding a place to park. One of his fellow merchants has three employees that take up three stalls in front of or near his business. This reduces the number of parking for customers. His neighbor says he will not buy the parking permits, because they are too expensive. Mr. Linton would like to see the signs installed as the new streets open, instead of waiting until the entire project is done. Unfortunately people will walk a quarter of a mile from their parking space into a shopping mall; however, they will not walk one block to a store downtown. Mr. Linton also suggested that the City consider reducing the number of permit parking stalls and open it to two or four hour parking;
- 2. Mike Locke, owner of Christensen's Clothing Store, 5 North School Street, Lodi, spoke in opposition to installing 30-minute parking. The City is spending \$7 million to fix downtown Lodi, and now it is turning around and penalizing the customers by giving them tickets for parking downtown. His store caters to the elderly, and they do not shop for less than 30 minutes, so they will be ticketed. Once this project is done, there will be less parking as it is. The 30-minute parking will not help this problem. Further, people will not see the Express Parking signs and will get ticketed;
- 3. Tony Segale, President, Lodi Downtown Business Association (LDBA), P.O. Box 1027, Lodi, spoke in support of adding a limited number of 30-minute parking. LDBA came away from its meeting with a general consensus that it is a downtown shopping mall, and everyone will benefit in the long run if we have a number of two-hour and a number of 30-minute parking. Some businesses have a high turnover, such as repair and service shops. The whole idea is customer convenience. The restaurants will obviously need two-hour parking, but sometimes those customers take away from the service customers. Mr. Segale suggested that the 30-minute parking last until 6:00 p.m. or 7:00 p.m., so that the restaurants will have adequate parking in the evening. It is detrimental when employees park in front of its own or other businesses, and fortunately the City is looking at constructing a parking structure that would help with this problem. Mr. Segale would like to see staff have the ability to make changes in the 30-minute parking without having to return to Council every time, and that the parking be installed immediately as the streets are completed; and

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4. Barbara McWilliams, Posers TV and Radio, 208 South School Street, Lodi, also spoke in favor of installing limited 30-minute parking downtown. This is a diversified downtown, we have sales, retail and service businesses. There are various lengths of times used for the different businesses. Staff has done an excellent job of polling downtown. The program as outlined is a great start, and she encouraged Council to move forward as the streets are finished instead of waiting until the entire project is completed. Ms. McWilliams feels that people are intelligent, and they will see the Express Parking signs.  
FILE NO. CC-6, CC-48(k) AND CC-72
- b) The City Council, on motion of Council Member Mann, Sieglock second, unanimously continued to June 4, 1997 the matter regarding the Hutchins Street Square After School Playground fees so that a complete program may be presented to the City Council and so that parents receive adequate notification.

Speaking on the matter were the following persons:

1. Susan Bjork, 1230 South Hutchins Street, Lodi, spoke in opposition to raising the After School Playground fee. She received notification on Monday, May 5, 1997 that the fees were going to increase. The notice neglected to say that the snacks will be eliminated and when the fees will go into affect. The notice also said that this is a recreational program, however, staff is now saying that this is strictly a day care program. According to the City's budget figures, the City is subsidizing recreational programs such as baseball, softball, soccer, Lodi City Swim Club program and, until now, the After School Program. Now parents are being asked to pay more for the program with the elimination of the snack, when originally the fee was raised due to the addition of a snack. Why aren't some of the other programs being asked to pay increased costs. The 1995/97 budget indicates that cost recovery should be relatively low and participation should be at a high level for youth and recreational activities. If this program is recreational, why does it need to be self-sufficient. Ms. Bjork encouraged the Council to deny this request and find the real need to generate additional revenue. Is the reason to generate additional money to offset the General Fund in the Leisure category. If so, increase the fees for other services, don't just target one; and
2. Yolanda Bernasconi, 312 Evergreen Drive, Lodi, is an active supporter of the Camp Hutchins and After School Playground Program; however, is not in support of this requested fee increase. She understands that programs need to be reviewed, but she does not agree with the manner in which parents were advised. She received her memo on May 5, 1997; however, the memo did not address the issue of the elimination of the snack and the reduction in services. The snack was the main reason for the original increase. She found out only because she called and specifically asked the questions. More parents would be here if they knew. Ms. Bernasconi urged the City Council not to move forward with this request until parents are advised appropriately.  
FILE NO. CC-56 AND CC-300

9. ORDINANCES

None.

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Ron Dancer, owner of 800/808 South Cherokee Lane, 603 Turner Road, Lodi, requested to be put on the next City Council meeting agenda to discuss access to Cherokee Lane businesses. Due to the Cherokee Lane Revitalization and the proposed median, access for the southbound traffic for his two parcels will be eliminated. He has tried to work through the appropriate channels by talking with Michael Freedman and staff and has gotten no where. His properties are a convenience store and service station, and is the only service station on Cherokee Lane that does not have northbound and southbound access, so he is in direct competition with the other like businesses. He is currently in the middle of negotiating the lease and possibly redoing the fuel tanks, and it will not be worth doing this if he does not have a convenient service station. Therefore, he would like to request that the median either be backed up to Maple Street or split it further south so people will have access. The City Council directed that this matter be placed on the agenda for May 21, 1997.  
FILE NO. CC-6, CC-16, CC-72 AND CC-400
- b) Mike Locke, 5 North School Street, Lodi, questioned what the City's plan will be to maintain downtown following the construction project. City Engineer Prima indicated the plans include an irrigation system for the new trees so they will be watered automatically, the trees will be put into the City's tree pruning program organized by the city's arborist. Flowers in the flower pots are in the contract for a one-year cycle of replanting; beyond that we are not sure what will happen with the flowers. The streets themselves will take additional work. Unfortunately the street sweeper cannot be used, so the street will have to be hand swept. This will be included in the budget process. Mr. Locke indicated downtown has not been taken care of in the past and business owners have had to plant and water their own bushes. He also suggested that since the street sweeper cannot be used, the City consider using prisoner labor to clean the street.  
FILE NO. CC-16 AND CC-72

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

- a) Council Member Warner offered his condolences to Community Development Director Bartlam and his wife, Nadia, for the loss of their child. Mr. Warner also commended and extended compliments to Dorean Rice, her staff and the Chamber of Commerce for the recent Street Faire, which was a great success. Further, he had the opportunity to attend the American Bungalow Tour on Sunday hosted by the East Side Improvement Committee. It was a great success. There were a number of great homes toured, and many had a long wait to get in. This just shows what can happen with a little time and effort put into a home to help change the flavor of the neighborhood. The owners are to be commended for their efforts. Unfortunately there are some homes in the area that need a lot of work in mowing the lawns and picking up junked items.
- b) Council Member Sieglock echoed his condolences to Rad and Nadia Bartlam. Mr. Sieglock thanked Don Rostomilly and Ed McIntosh with Lodi High School for working with the City in bringing the Modesto A's and professional baseball to Lodi. It was fun while it lasted, and it is too bad it cannot continue further. He recently received a report regarding the Model ACers which indicated that sometime down the road, as their area develops, they will need to find a new home. Mr. Sieglock would like staff to look into the possibility of relocating the basin, so that this prime property, which is adjacent to the freeway, could be sold and used to its highest, best use. Further, the Parks and Recreation Department has indicated its preliminary plans for basketball courts at Legion Park, which he would like to see go in this year. Council concurred to put this matter on for the next City Council meeting.  
FILE NO. CC-6 AND CC-27(c)




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- c) Council Member Land said a special "Happy Mother's Day" to his mother, Marilyn, and his wife, Marcia. His daughter, Stephanie who is in the coast guard in Guam, will be a mother in August. Mr. Land also complimented the Chamber for its success with the Street Faire. There were approximately 560 vendors and 50,000 people who attended. He had an opportunity to go downtown on Church Street on Monday morning, and they did a great job cleaning up from the event. The new Teen Center at Hale Park opened last week. If a teen is looking for something to do, drop in. The Parks and Recreation Department is busy with a lot of projects this summer including Legion Park which is now completed and waiting for the sod to mature; English Oaks and Candy Cane Park which is currently under construction for new equipment, Peterson Park under construction and Van Buskirk Park which has just gone out to bid. Mr. Land enjoyed watching the Modesto A's, and hopefully we can get them back next year.
  
- d) Mayor Pennino received a call from a store on School and Walnut Street with concerns about the trees in the area dropping fruit. Staff was directed to look into the matter. Further, Mr. Pennino announced that this is City Clerk Perrin's last meeting while she is gone on maternity leave. Mrs. Perrin will return in August, and he wished her the best.  
FILE NO. CC-16
  
- e) City Manager Flynn informed the City Council that Parks and Recreation Director Williamson is representing the City of Lodi at the Modesto A's first game on their home field. Further, Gene (Redbird) Larkin has loaned the City of Lodi a collection of Indian artifacts which is on display in the Administration display case. Please stop by and view it.

12. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 9:30 p.m.

ATTEST:

  
Jennifer M. Perrin  
City Clerk