

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 21, 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, Public Works Director Ronsko, Community Development Director Bartlam, City Attorney Hays and Acting City Clerk Reimche

2. INVOCATION

Pastor Bill Crabtree of the Emanuel Lutheran Church presented the invocation.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Mr. Dan Parises presented the City with the Lodi, Italy flag in celebration of the upcoming Festa Italiana III event being held June 7, 1997 at the Lodi Grape Festival Grounds. Mr. Parises outlined the many activities being held in conjunction with Festa Italiana event and invited the citizens of this community to attend. Mr. John Ferrero of the Lodi Sister City Committee also participated in the presentation to the City Council of the Lodi, Italy flag. The City Council indicated that the flag will be placed on a stand in the forum entry.

b) Jessica Williams of the Greater Lodi Area Youth Commission advised the City Council that the Greater Lodi Area Youth Commission, in conjunction with the Lodi Sunrise Rotary Club, is sponsoring a program entitled, "Honoring Teens". The Lodi Youth Commission Leadership Committee selects one teen to be awarded the "Teen of the Month" from the applications submitted to the Commission from the general public, various schools and church groups. This month's "Teen of the Month" is Tiffany Farnsworth, a senior at Bear Creek High School. Ms. Farnsworth was in the audience and received the award from Ms. Williams and Mayor Pennino.

In addition, this month an "Honorable Mention, Teen of the Month" Award is being presented to Pat Snow, a senior at Lodi Academy. Mr. Snow was not able to attend the Council meeting.

c) Deputy City Manager Keeter advised the City Council that the City of Lodi Parks and Recreation Department staff members were responsible for improving Tony Zupo Field in preparation for the Modesto A's professional baseball games which were played during the month of April. City staff had not only limited time, but also limited resources to improve the field to a standard acceptable to the California League of Professional Baseball. In addition, staff worked to accommodate the Lodi High School Baseball team by ensuring that they had fields prepped for practices as well as for the DeBenedetti Baseball Tournament at Kofu Park.

The following Parks and Recreation Department staff members received special recognition for their hard work and dedication toward making the Modesto A's series a success at Tony Zupo Field:

Park Renovation Coordinators	Field Renovation
Dwight Dauber Steve Virrey	Dave Brown Pete Melendez John Falos Benito Coba
Field Preparation and Overall Field Renovation	Field Preparation and Cleanup
Tim McGeorge Aaron Roehrich Daniel Murnan Hector Huipe	Alejandro Avina Felipe Arroyo Jose Chavez Rafael Tapia

Parks and Recreation Director Ron Williamson, Dwight Dauber, Steve Virrey and Tim McGeorge appeared before the City Council accepting this special recognition on behalf of the involved Parks and Recreation employees.

Mr. *Tim Marting, Vice President/Special Projects, of the Modesto A's addressed the City Council stating what a very positive experience this had been and also complimented both Deputy City Manager Janet Keeter and Secretary to the City Manager Barbara Reed on their outstanding assistance in this matter.

- d) Mr. Al Colon, President of the Sacramento American Public Works Association (APWA) Chapter presented the City of Lodi with the National Award of Merit and the Chapter Project of the Year Recognition for the City Hall Remodel.

The Sacramento Chapter of APWA had a local competition which encompasses the northern 25 counties, and Lodi's City Hall remodel project won in the \$2-10 million category.

- e) Chief of Police Larry Hansen presented the following 1997 awards for Officer of the Year, Police Employee of the Year, Volunteer of the Year, and various service medals:

Officer of the Year	Ken Melgoza
Employee of the Year	Julie Wall
Volunteer of the Year	Partner Don Roe
Meritorious Service	Officer Dale Joe
Meritorious Service	Officer Lee Patterson
Chief's Award	Officer Doug Chinn
Chief's Award	Officer Chris Pombo

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Sieglock, Land second, approved the following items hereinafter set forth on the Consent Calendar.

At the request of Council Member Mann, agenda item 9 entitled, "Ratification of San Joaquin County of Governments (COG) budget for fiscal years 1997-98 and 1998/99" was removed from the Consent Calendar and discussed and acted upon on another point on the agenda.

Agenda item 12 entitled, "Approve reallocation of one Police Officer position to Police Lieutenant" was removed from the agenda on recommendation of staff.

- a) Claims were approved in the amount of \$2,295,859.31 and Disbursements through Wire Transfers in the amount of \$28,279.29.
FILE NO. CC-21(a)
- b) The minutes of April 22, 1997 (Special Meeting), May 6, 1997 (Special Meeting), and May 7, 1997 (Regular Meeting) were approved as written.
- c) Approved the specifications for (1) covered truck service body for the Electrical Utility Department, and authorized advertising for bids to be received June 4, 1997.
FILE NO. CC-12.1(b)
- d) Approved the specifications for Rock and Sand Material for Fiscal Year 1997/98 and authorized the advertising for bids to be received June 5, 1997.
FILE NO. CC-12.1(c)
- e) Approved the specifications for Asphalt Material for Fiscal Year 1997/98 and authorized the advertising for bids to be received June 5, 1997.
FILE NO. CC-12.1(c)
- f) Approved the specifications for Maintenance of Landscape Areas for Fiscal Year 1997/98 and authorized the advertising for bids to be received June 5, 1997.
FILE NO. CC-12.1(c)
- g) In accordance with the Contract Change Order Policy, the City Council was informed of the following change orders approved by the City Manager for Well 4R Water Storage Tank and Pump Station Project, 1215 Thurman Street:
 - o Change Order No. 11 - This change order covers the cost of over excavation and recompaction of the pump building and steel water tank foundation footings to meet structural requirements (\$12,796.05)
 - o Change Order No. 13 - This change order covers the additional cost of caulking at the inside joints of the steel water tank roof. This should make the interior paint system last longer and require less maintenance (\$3,409.82)FILE NO. CC-12(a) AND CC-90
- h) Accepted the improvements under the "White Slough Water Pollution Control Facility Emergency Automatic Transfer Switch Replacement" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's Office.

The subject project was awarded to Con J. Franke Electric, of Stockton, on November 6, 1996 in the amount of \$142,424. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.
FILE NO. CC-12(a) AND CC-90
- i) Agenda item 9 entitled, "Ratification of San Joaquin County Council of Governments (COG) budget for fiscal years 1997/98 and 1998/99" was removed from the Consent Calendar and discussed and acted upon at a later point of the agenda.
- j) Adopted Resolution No. 97-57 - A Resolution of the Lodi City Council Approving the Special Service Payment Agreement for Extension of Electrical Facilities and Authorizing the City Manager to Execute Said Document.
FILE NO. CC-51(d) AND CC-90

- k) Adopted Resolution No. 97-59 - "A Resolution Of the Lodi City Council Authorizing the Reallocation of Nature Area Trail Grant funds at Lodi Lake Park" on the following three projects:
 - 1. Repairs to the decomposed granite trail; and
 - 2. Twenty-two station interpretive signs and brochure; and
 - 3. Information CenterFILE NO. CC-27(c)
 - l) Agenda item 12 entitled, "Approve reallocation of one Police Officer position to Police Lieutenant" was removed from the agenda on recommendation of staff.
 - m) Adopted Resolution No. 97-61 - A Resolution of the Lodi City Council Approving the Amended Class Specifications and Title Change from Manager of Adult Services to Supervising Librarian.
FILE NO. CC-29 AND CC-34
 - n) Authorized the issuance of subpoenas based upon the recommendation of the Contamination Advisory Committee as set forth in information presented to the City Council.
FILE NO. CC-30
 - o) Set a Public Hearing for June 4, 1997 to consider the City-initiated request to approve the Downtown Development Standards and Guidelines for property generally located south of Lockeford Street, west of the Southern Pacific Railroad right-of-way, and parcels along Lodi Avenue to the south and east of Pleasant Avenue.
FILE NO. CC-72
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6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Consent Calendar Item No. 9, entitled "Ratification of San Joaquin County Council of Governments (COG) budget for fiscal years 1997/98 and 1998/99" was removed from the Consent Calendar on request of Council Member Mann.

Following a brief introduction by staff, Mr. Barton Meays, Executive Director of the San Joaquin County Council of Governments (COG) was in the audience and responded to questions regarding the matter as were directed by members of the City Council.

Following discussion, on motion of Council Member Warner, Pennino second, the City Council ratified the San Joaquin County Council of Governments (COG) budget for fiscal years 1997-98 and 1998/99 as presented.

FILE NO. CC-7(m)

- b) Consent Calendar Item 12 entitled, "Approve reallocation of one Police Officer position to Police Lieutenant" was removed from the agenda on recommendation of staff.

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to receive input on possible changes in the Dial-a-Ride and Fixed Route systems as follows:

GRAPELINE; Fare and Route changes to fixed-route system:

1. Reduce senior/disabled fare from \$.50 (9.00 a.m. to 4:00 p.m.) to \$.25 all day
2. Change all four existing routes
3. Add a fifth route to serve east Lodi as set forth in an exhibit presented to the City Council
4. Limit free passes to four (4) children, under 5 years of age, per paying adult

All the GrapeLine changes to take effect June 23, 1997.

DIAL-A-RIDE; Fare and service changes:

1. Eliminate "three-persons-to-ride-for-one-fare" policy. Each person pays, including infants and children. This new policy is to take effect June 23, 1997.
2. Operate Dial-A-Ride on Sundays, 8 a.m. to 4 p.m., effective June 1, 1997.

The staff report was given by Carlos Tobar, Transportation Manager. Also addressing the City Council regarding the matter was the City's Consultant, Jim Brown. Mr. Brown reviewed the various proposed fare and route changes to the GrapeLine (fixed-route system) and the proposed fare and service changes for City Council.

Also addressing the City Council regarding the matter was Ms. Claudia Campos, DAVE Transportation.

Ms. Campos, Mr. Tobar, and Mr. Brown then responded to questions as were posed by the Council.

Hearing Opened to the Public

1. The following persons addressed the City Council regarding the matter:
 - a. Evelyn DeWalt, 406 North Ham Lane, Lodi, asked if the bus will run all the way down Lockeford Street. She was advised that it would run all the way down to Mills.

Following an inquiry by Mrs. DeWalt, she was informed that in order to make a reservation for Dial-A-Ride, she needs to call the day before; However, without a reservation, she can call on the same day she wants a ride. Mr. Tobar then added that their goal is not to have more than 10% on demand calls for this type of service.

Public Portion of Hearing Closed

ACTION:

The City Council, by motion of Mayor Pro Tempore Sieglock, Mann second, approved changes to the City of Lodi's transit system as heretofore set forth in Staff's recommendation.

FILE NO. CC-50(b)

- b) Notice thereof having been published according to law, a copy of which affidavit is on file in the Office of the City Clerk, Mayor Pennino continued the Public Hearing to consider the Planning Commission's recommendation to adopt additions to Section 17.57 of the Zoning Ordinance of the Lodi Municipal Code.

The matter was introduced by Community Development Director Konradt Bartlam. The staff report was given by Joseph Wood, Community Improvement Manager.

A very lengthy discussion followed with numerous questions being directed to Mr. Bartlam and Mr. Brown by members of the City Council.

Numerous concerns regarding the language of the proposed ordinance were voiced by members of the Lodi City Council. Also, Mayor Pro Tempore Sieglock indicated his concern that enforcement be delayed in order not to cause a financial hardship on citizens who would be impacted by adoption of the provisions of this ordinance.

Hearing Open to the Public

1. The following persons addressed the City Council regarding the matter:
 - a. Virginia Snyder, 303 Louie Avenue, Lodi, indicated her concerns for declining neighborhoods where parking is limited and stated that the City has a very professional staff who do a great job. She feels that the City Council should give staff the tools needed to accomplish their jobs.
 - b. Jack Ronsko, 1242 Devine Drive, Lodi, stated that, in response to the Council's concerns regarding inadequate noticing, it has been his experience when such problems occur in a neighborhood, although neighbors of the problem situation may come to a City Council meeting, they are reluctant to address the Council regarding the matter. He felt the owners of the offending vehicles would probably be the only persons addressing the Council regarding the matter.

8. RECESS Midway through this public hearing at approximately 9:25 p.m., Mayor Pennino declared a five minute recess. The City Council reconvened at approximately 9:35 p.m.

9. PUBLIC HEARING (Continued)

Public Portion of Hearing Closed:

ACTION

The City Council, on motion of Council Member Mann, Warner second, introduced Ordinance No. 1648 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 - Zoning, Chapter 17.57, Thereby Adding Sections 17.57.170, 17.57.180 and 17.57.190 Relating to General Regulations and Exceptions", with Section 17.57.190 Commercial Vehicles Parking in Residential District amended to read as follows:

"Vehicles which are strictly commercial in nature, such as two trucks, ambulances mini buses, large delivery and/or service trucks, or similar vehicles, which have a gross load capacity greater than one and one-half (1 1/2) tons shall not be allowed to park on private property in residential zones unless the vehicle is placed out of public view and located behind the designated front setback line, or for the immediate loading or unloading of goods or people."

Implementation of this Ordinance is to be delayed one year as to not cause a hardship to citizens impacted by the provisions of this ordinance.

FILE NO. CC-53(a)

10. COMMUNICATIONS (CITY CLERK)

- a) Acting City Clerk Reimche read the following ABC License:
1. Elizabeth Montgomery to John and Lori Denigris, El Papagallo Mexican Restaurant, 1024 Victor Road, Lodi, On-Sale General, Person to Person Transfer FILE NO. CC-7(f) AND CC-132
- b) The City Council, on motion of Mayor Pro Tempore Sieglock, Mann second, unanimously directed the City Clerk to post for the following vacancy:
- SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS (COG) CITIZENS
ADVISORY COMMITTEE
- Richard Blackston term to expire June 30, 1997
- FILE NO. CC-2(a) AND CC-7(n)
- c) Mayor Pennino urged the citizens of Lodi to apply to serve on the Year 2000 Steering Committee. The committee will plan activities in our community in the year 2000/2001. Applications can be obtained from the City Clerk's office.

11. REGULAR CALENDAR

- a) The City Council was advised that now that the Central City Revitalization construction has started on Cherokee Lane, the City has received a number of questions and comments about the new median design. The owner of 800 South Cherokee Lane, Ron Dancer, requested that the City Council approve a reduction in the length of the median south of Hale Road to allow access to his property from both directions. An exhibit was presented showing the location of the new median and the existing median which is being renovated for the entire length of Cherokee Lane. Another exhibit was presented showing a detail of the median near Hale Road.

The following person addressed the City Council regarding the matter:

1. Ron Dancer, 603 Turner Road, Lodi. Prior to the Council meeting, presented to Council for review, documents concerning requested change in length of median on Cherokee Lane between Vine Street and Hale Road, Lodi. In his presentation before the Council, Mr. Dancer gave the following supporting reasons to change the median between Vine Street and Hale Road:
 - a. Allow safer U-turn of northbound traffic. This would be especially true, according to Mr. Dancer, if traffic is stopped on Cherokee Lane at the Hale Road traffic signal. You could have a problem with large vehicles, i.e., motor homes pulling boats.
 - b. Allow access from Maple Street to northbound Cherokee Lane.
 - c. Allow better visibility of traffic on Hale Road, Maple Street and Cherokee Lane.
 - d. Improve the visual character of the median on Cherokee Lane by having an equal distance between the center of Hale Road and the start of the north/south median.

City Engineer Richard Prima gave the staff report advising that there are sixteen openings in the median, not counting the two ends. This represents more openings than originally proposed in the planning workshops. The original proposal was to provide openings at the signalized intersections. Along the new median, this would have provided only five locations - Hale Road, Lodi Avenue, Pine Street, Victor Road and Lockeford Street. This proposal was not well received and staff suggested that additional openings could be provided at other major locations that had been considered for future traffic signals when the installation at Hale road was proposed. Providing openings at every intersection was not possible due to the length required for turn pockets and the resulting shortened median segments would not have provided the aesthetic improvement desired for the street. The approved concept plan provided for the additional openings heretofore described. The final design provided minimum turn pockets of 80 feet in length and longer openings at major streets where left-turn volumes would be higher.

The approved concept plan also called for the renovation of the existing median south of Delores Street. The plan did not address changing the two existing openings located at the Lodi Truck Service/Ben's Electric and Sanborn Chevrolet/Perko's Cafe driveways. In the final design, they were modified to provide turn pockets as described.

The result is that in the segment with the existing median south of Delores Street, the total length of the openings is being increased by about 400 feet. Of the total street length south of Delores Street, 19% is open. North of Delores Street is open for 41% of the length due to the additional number of openings. The openings will be striped the way the previous center two-way turn lane was striped to allow for maximum access.

Engineer Prima further advised that staff reviewed the request from Mr. Dancer and determined that the modification would reduce the length of the median by 150 feet. The additional cost would be about \$2,000, but could be higher depending on how much other work (irrigation system, median preparation, etc.) the contractor accomplishes before the change is made.

Mr. Prima further stated that staff is recommending that the design not be changed. Doing so would be unfair to other property owners who voted on the assessment district for the project. It would also open the door to similar changes along the entire street. There are many locations along Cherokee Lane where shortening the median will open up access to another driveway. The result would be the elimination of the median in all but a few locations. Should the Council wish to approve the change, a decision on funding the work should be made.

A lengthy discussion followed with questions being directed by staff and Mr. Dancer.

Following additional discussion on motion of Council Member Mann, Warner second, Council denied the request to modify the Cherokee Lane median under construction.
FILE NO. CC-45(a)

- b) On motion of Mayor Pennino, Sieglock second, the City Council adopted Resolution No. 97-60 - A Resolution of the Lodi City Council Approving a Temporary "No Parking" Zone and Traffic Study for Turner Road, Beckman Road to Cluff Avenue per staff recommendation and to include a crosswalk to be placed north to south at the intersection (Turner Road at Casa de Lodi).
FILE NO. CC-48(e) AND CC-66

The staff report was given by City Engineer Richard Prima who indicated that the following two issues related to the segment of Turner Road from Beckman Road to the east end of Turner Road are being reviewed:

- Traffic study based on request for marked pedestrian crosswalk across Turner Road at Casa de Lodi
- Installation of a 700-foot long no-parking zone to accommodate striping modifications consisting of the addition of a two-way left-turn lane and Class II bicycle lanes

Mr. Prima's in depth report included information regarding the following and included numerous visual exhibits:

- Turner Road Traffic Study
- Existing Conditions
- Accident History
- Traffic Controls
- Pedestrian Crossings
- Roadway Striping/Speed Limit

Mr. Prima stated that staff's recommendation is that since Caltrans guidelines for the consideration of multi-way stop controls are not satisfied at Beckman and Turner roads, staff does not recommend they be installed. Staff does not recommend the installation of marked pedestrian crosswalks along this segment since studies indicate the false sense of security perceived by pedestrians can make marked crosswalks more hazardous. However, staff believes the striping modification performed will lower vehicle speeds as well as reduce the distance time pedestrians will be exposed to traffic due to the narrowed lane widths. All of these factors should improve the ability of pedestrians to cross in this area. Staff recommends that City Council direct staff to review the speed limit on this segment after the striping modifications are performed to see if a reduced posted speed limit is warranted.

Additionally, Mr. Prima indicated that based on the current undeveloped status of the area affected by the no-parking zone, and that parking will be allowed when the area is developed, staff recommends City council approve the installation of the temporary no-parking zone as described.

A lengthy discussion followed with questions directed to Mr. Prima. City Council members discussed the need for bicycle lanes and a pedestrian crossing in the subject area.

There were no persons in the audience wishing to speak on the matter.

- c) *The City Council, on motion of Mayor Pro Tempore Sieglock, Land second, declined to adopt Resolution No. 97-63 entitled "A Resolution of the Lodi City Council Approving Parking Modifications to Accommodate Class II Bicycle Lanes On Century Boulevard, Ham Lane to Church Street, and referred the matter back to staff." The modifications under consideration would have included:

Modification of unrestricted parking to no parking at any time

- Ham Lane to 340 feet east of Ham Lane (north side)
- 100 feet east of Scarborough Drive to Hutchins Street Frontage Road (north side)
- 300 feet east of Scarborough Drive to Hutchins street (south side)

Modification of no-parking zones from 9 - 10 a.m. and 12:30 - 2:30 p.m. to no-parking at any time

- Ham Lane to 230 feet west of Scarborough Drive (south side)
- 210 feet west of Scarborough Drive to Scarborough Drive (north side)

Modification of no-parking zone for vehicles 6 feet or more in height to no parking at any time

- Scarborough Drive to 100 feet east of Scarborough Drive (North Side)

FILE NO. CC-45(a) AND CC-48(a)

The staff report was given by City Engineer Richard Prima. Various diagrams regarding the subject area were presented for Council's review. In his comments, Mr. Prima indicated that although removing parking can be unpopular, the Bicycle Transportation Master Plan (BTMP) calls for a Class II bicycle lane on Century Boulevard. Due to limited roadway widths in many areas, to accomplish the goals of the BTMP, parking will be affected. Staff considered reducing the number of through-travel lanes to two, separated by a two-way left-turn lane to eliminate the need to remove parking; however, due to high peak hour volumes, it was determined that the existing four-lane configuration should be maintained.

The potential for bicycle use on this segment of Century Boulevard from Ham Lane to Church Street is favorable due to attractions such as the high school grounds, Beckman Park on the west end and Century Park on the east end. Since most of the uses along Century Boulevard have on-site parking and the striping layout addresses areas of concern, staff recommends that City Council approve the parking modifications as shown to accommodate the Class II bicycle lanes.

A very lengthy discussion followed with questions being directed to Mr. Prima regarding the matter with concerns again being expressed by members of the City Council regarding bicycle lanes.

Addressing the City Council regarding the matter was:

1. Bob Johnson, 1211 Midvale Road, Lodi, expressed his concern regarding the bicycle lane master plan previously adopted by the City Council. Specifically, the Council may become negative about it. Mr. Johnson encouraged citizens favoring the plan to come before the Council to speak openly in support of it.
 2. Marvin Frey, 1000 Dartmoor Circle, Lodi, addressed the City Council concurring with various segments of the staff recommendation and indicated he saw a problem in the area of Scarborough and West Lane because of the narrowing configuration of the street in that area.
- d) City Manager Flynn introduced agenda item H-4 entitled, "Discussion regarding installation of basketball courts at Legion Park". The City Council was advised that the installation of basketball courts at Legion Park has been in discussion by the department staff, Parks and Recreation Commission, and City Council for some time. In the past, other priorities left this project unfunded. It is anticipated that in the 1997/98 Parks and Recreation capital budget, there will be sufficient funds to construction this project.

Staff had prepared two possible options for discussion. One exhibit that was presented for Council consideration provides a one-court facility that fits well in the park with little impact. An alternative exhibit provides a two-court facility that significantly impacts available open space in the park. Mitigation of this impact could be softened by mounding and tree planting.

City Manager Flynn indicated that it would be staff's recommendation that the City Council approve the installation of the basketball court(s) at Legion Park.

City Manager Flynn further advised that in the proposed budget there is \$150,000 set aside for general park projects and an additional \$50,000 for playground projects for a total of \$2100,000 which is an increase of \$75, 000 from this year's budget.

The staff report was introduced by Parks and Recreation Director Ron Williamson. An in depth report was given by Parks Superintendent Dwight Dauber, who presented numerous exhibits depicting various project sizes, configurations and location within the subject area.

Addressing the City Council regarding the subject was Recreation Commissioner Bob Johnson, 1311 Midvale Road, Lodi. Mr. Johnson indicated that this agenda item was Council activated; that although the Parks and Recreation Commission has discussed basketball courts at Legion Park in the past, it was always passed over because of a lack of funding. Mr. Johnson requested that, in light of the new budget information, the matter be referred to the Recreation Commission for review and recommendation; indicating that these funds may be recommended to be used in another way.

A lengthy discussion followed with questions being directed to staff and to Mr. Johnson.

On motion of Mayor Pro Tempore Sieglock, Pennino second, the City Council referred to the Recreation Commission for review and recommendation the proposed installation of basketball court(s) at Legion Park.

FILE NO. CC-40

12. ORDINANCES

None.

13. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

14. VOTE TO CONTINUE COUNCIL MEETING BEYOND 11:00 P.M. DEADLINE

On motion of Mayor Pro Tempore Sieglock, Pennino second, the City Council voted to continue the City Council meeting beyond the 11:00 p.m. deadline.

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

- a) Mayor Pro Tempore Sieglock reminded the City Council that Tuesday, June 3, 1997 an election will be held in Lodi regarding a bond issue for the Lodi Unified School District. Council Member Sieglock encouraged all voters in the City of Lodi to vote on this very important issue.

Acting City Clerk Reimche reminded the public that the City Clerk's Office will be open on Election Day from 7:00 a.m. to 8 p.m. to assist voters in locating their polling place.

- b) Council Member Land reminded the citizens of Lodi that this weekend is Memorial Day weekend, and suggested that we all remember the men and women of this Country who gave the ultimate sacrifice to defend our Country to give us the **GREAT AMERICAN LIFE** we have today. Further, Council Member Land acknowledged the passing of a great public servant of this community, James Culbertson. He will truly be missed by this community!

Also, Council Member Land extended congratulations to all the senior graduates of Lodi High and Tokay High, and cautioned them to have a safe all-night party, to drive safely, and to be sure to buckle up.

- c) Council Member Mann proposed to have the Electrical Utility Department look at the possibility of discounting electrical rates to the customers both downtown and on Cherokee Lane while construction is on-going. It is a known fact that many of these businesses are

hit hard by the construction. Council Member Mann stated that he felt that if the City could do this legally, it would at least be a token gesture of the City's concern regarding the involved businesses.

At the suggestion of Mayor Pennino, Council tacitly concurred that the discounting could also include water and sewer, and that the discounting could be continued for as long as these businesses frontages are torn up.

- d) Council Member Warner also expressed his condolences to the Culbertson family.

Council Member Warner expressed his concerns about the yellow concrete in the downtown improvement area, thinking that the City had made a huge mistake. Council Member Warner added that now that the Contractor has more or less finished the sidewalk area and street area from Locust Street to Elm Street, it's looking pretty good and that he will pass on making a final judgment regarding the matter until later. He also complimented Diede Construction for taking a rather messy project and keeping it as clean as possibly can be done and yet accomplish the work. He feels they are doing a good job in trying to assist people in getting in and out of the construction area.

- e) Mayor Pennino stated that he had not heard any complaints from downtown businesses and has thus far received compliments about Diede Construction and the work they and City staff are doing down there.

Mayor Pennino asked a question regarding the size of trees being planted in the improvement area. City Engineer Richard Prima responded that the trees being planted in the area of Cherokee Lane are 24 inch box trees and those being planted in the downtown area are 36 inch box trees. Mayor Pennino indicated that his first impression was that the trees being planted in downtown area were awfully small.

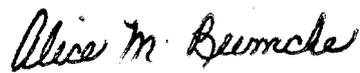
- f) City Manager Flynn indicated that he felt sure both Richard Prima and John Borelli, who had been taking the brunt of the blame for the yellow concrete in the downtown area, are feeling much better these days. Further, City Manager Flynn acknowledged two staff birthdays this past week; that of Joanne Narloch and Tony Goehring, and congratulated the Public Works Department on their week-long celebration, and on a fantastic Public Works Breakfast.

City Manager Flynn reminded everyone that the original name given to Memorial Day was Decoration Day and that it originated in 1868 to commemorate the Civil War dead.

16. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 11:40 p.m.

ATTEST:


Alice M. Reimche
Acting City Clerk