

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, SEPTEMBER 17, 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, City Engineer Prima, Community Development Director Bartlam, Finance Director McAthie, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Paul E. Tarbell, Salvation Army.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. ANNOUNCEMENT

Mayor Pennino announced that Agenda item #H-2 entitled, "Remove left-turn restriction on Lilac Street at Eilers Lane was pulled from the agenda pursuant to citizen request and will be rescheduled for the meeting of October 15, 1997.

5. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Pennino announced that September, 1997 is hereby proclaimed as "School's Open - Drive Carefully Month" in the City of Lodi at the request of the California State Automobile Association (AAA).  
FILE NO. CC-37
- b) Suzanne Radotic with the Greater Lodi Area Youth Commission presented the Teen of the Month Award to Aaron Lange, Senior at Lodi High School. The Honorary recipient is Megan August from Tokay High School.  
FILE NO. CC-2(t)
- c) Richard Jones, Executive Director of the Lodi Boys and Girls Club, presented the City Council with an update of the Teen Center which is located at Hale Park.  
FILE NO. CC-6 AND CC-27(c)
- d) Mayor Pennino presented Certificates of Appreciation to the Lodi Lions Club for their part in constructing a picnic shelter at Legion Park. Accepting the Certificates of Appreciation were Corey Wright, President, and Scott Keithly and Mike Locke, Members of the Lodi Lions Club. Member Kenneth Heffel was not present to receive his Certificate of Appreciation.  
FILE NO. CC-6 AND CC-27(c)
- e) Bob Whitmire, Chairman of the 1996 and 1997 Field and Fair Day, presented the City Council with a report on this year's Field and Fair Day and recognized the hard work of the 24 volunteers and their helpers who chaired the committees that included a teen dance, pancake breakfast, 10K run and hot air balloons. Mr. Whitmire also presented a check to the Mayor in the amount of \$10,500 from the proceeds of Field and Fair Day

toward repayment of the loan to the Old Lodi Union High School Site Foundation. Further, Dennis Bennett with the Old Lodi Union High School Site Foundation presented the Mayor with a check in the amount of \$14,500 toward repayment of its loan.  
FILE NO. CC-6

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6. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$3,189,826.17 and Disbursements Through Wire Transfer in the amount of \$129,314.13.  
FILE NO. CC-21(a)
- b) The minutes of September 3, 1997 (Regular Meeting) were approved as written.
- c) Authorized advertisement for bids for Lodi Lake North Side Irrigation Materials.  
FILE NO. CC-12.1(b)
- d) Agenda item #E-4 entitled, "Specifications and advertisement for bids for a sedan for Police Investigations Division" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
- e) Approved the specifications for one set of two portable basketball backstops for use by the Parks and Recreation Department at the Grape Pavilion basketball courts and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- f) Approved the specifications for janitorial services and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- g) Approved the specifications for sewer hydrocleaner truck for Water/Wastewater Division and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- h) Agenda item #E-8 entitled, "Specifications and advertisement for bids for boiler replacement at White Slough Water Pollution Control Facility" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
- i) Adopted Resolution No. 97-137 awarding the bid for 20 Colt .223 AR-15 rifles to the low bidder, Botach Tactical of Los Angeles, in the amount of \$12,759.76.  
FILE NO. CC-12.1(c)
- j) Adopted Resolution No. 97-138 authorizing purchase of one Harley-Davidson Police motorcycle for the Police Department.  
FILE NO. CC-12(a) AND CC-300
- k) Adopted Resolution No. 97-139 authorizing the purchase of permit/project tracking software and professional services agreement with Sierra Computer Systems and appropriated \$54,909.70 for the project.  
FILE NO. CC-12(a), CC-90 AND CC-300

- l) Adopted Resolution No. 97-140 awarding the contract for White Slough Water Pollution Control Facility Holding Pond No. 4 Embankment Rehabilitation to A.M. Stephens Construction Company, Inc. in the amount of \$81,119.00 and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a) AND CC-300
- m) Adopted Resolution No. 97-141 awarding the contract for Kofu Park Tennis Court Resurfacing, 1145 South Ham Lane, and Legion Park Tennis Court Resurfacing, 835 South Hutchins Street to Sequoia Surfacing in the amount of \$26,733 and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a) AND CC-300
- n) Adopted Resolution No. 97-142 awarding the contract for Lane Line Painting, Various City Streets, 1997 to Traffic Limited of Lodi, in the amount of \$20,856.78.  
FILE NO. CC-12(a) AND CC-300
- o) Agenda item #E-15 entitled, "Contract award for Tree Trimming (Power Line Clearing)" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
- p) Adopted Resolution No. 97-144 awarding the contract for Van Buskirk Park Improvement Project to P & M Cioli Landscape, of Lone, in the amount of \$114,077.50 (base bid only) and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a) AND CC-300
- q) Accepted the Improvements under the "Candy Cane Park Playground Improvements, 1324 Holly Drive, and English Oaks Common Park Playground Improvements, 2184 Newbury Circle" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90
- r) Agenda item #E-18 entitled, "Authorize City Manager to execute Standard Fee Payment Agreements" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
- s) Approved the reallocation of \$22,565.47 in remaining Federal Community Development Block Grant funds from the completed Salvation Army Center of Hope project to the new Salvation Army/Lodi Memorial Hospital Free Health Clinic project.  
FILE NO. CC-55
- t) Approved the donation of used and unserviceable Police equipment to Chihuahua, Mexico Police Department.  
FILE NO. CC-6 AND CC-20
- u) Adopted Resolution No. 97-145 approving the following class specification and salary range for Senior Plant and Equipment Mechanic:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$2,821.47	\$2,962.47	\$3,110.64	\$3,266.20	\$3,429.54

FILE NO. CC-34 AND CC-300
- v) Adopted Resolution No. 97-146 approving the revised class specification for Plant and Equipment Mechanic.  
FILE NO. CC-34 AND CC-300

*Continued September 17, 1997*

- w) Agenda item #E-23 entitled, "Approve class specification and salary range for Water Conservation Coordinator" was pulled from the agenda pursuant to the City Manager's request.
  - x) Agenda item #E-24 entitled, "Approve reclassification of two Building Service Workers to Building Maintenance Workers in the Public Works Department" was pulled from the agenda pursuant to the City Manager's request.
  - y) Agenda item #E-25 entitled, "Approve Resolution on Safety Disability Retirement Procedure and rescinding Resolution No. 92-179" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
  - z) Agenda item #E-26 entitled, "Approve funding for Flexible Spending Account" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
  - aa) Agenda item #E-27 entitled, "Approve third party administrator for Flexible Spending Plan" was pulled from the agenda pursuant to staff's request.
  - bb) Agenda item #E-28 entitled, "Renewal of contract for General Liability Claims Administration" was removed from the Consent Calendar and discussed and acted upon following approval of the Regular Calendar.  
FILE NO. CC-34, CC-90 AND CC-300
  - cc) Approved the Request for Proposals and authorized advertisement for proposals for an Advisory Radio System.  
FILE NO. CC-6 AND CC-12.1(c)
  - dd) Agenda item #E-30 entitled, "Introduce Traffic Ordinance Section 10.44.020 (F) and adopt Resolution No. 97-153 to repeal and reenact Traffic Resolution No. 87-163 to authorize Public Works Director to approve various traffic control items and parking limits" was removed from the Consent Calendar and discussed and acted upon following the Regular Calendar.
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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 Council Member Mann, Sieglock second, unanimously rejected the following claim:
  - 1. Tomas and Jennifer Barela, date of loss 6/24/97  
FILE NO. CC-4(c)
- b) The following report was presented to the City Council:
  - 1. Planning Commission report of September 8, 1997  
FILE NO. CC-35(c)

9. REGULAR CALENDAR

- a) Parks and Recreation Director Williamson reminded the City Council that the Lodi Unified School District (LUSD) contacted City staff to apprise the City of a proposal from the Woodlake Little League to improve the grounds at Woodbridge Middle School. Subsequently, the School Board agreed to defer final decision on this matter pending an evaluation of the impact on the Booster of Boys and Girls Sports (BOBS) program and general City use of the facilities. The BOBS and the Parks and Recreation Commission met on Wednesday, September 10, 1997 to discuss the potential impact of the proposal.

Both the BOBS (16-0 vote) and Parks and Recreation Commission (5-0 vote) recommended that the City Council not support Mr. Bill Spencer's proposal to create a long-term agreement of property use at Woodbridge Middle School and the development of the Woodlake Little League.

BOBS and Parks and Recreation Commission cited the following:

- This proposal would significantly impact already severely crowded practice and game facilities at both school and City facilities.
- The concept by LUSD of creating a maintenance program that would pull school facilities out of use for rest periods, thereby further impacting available facilities for youth sport programs seeking practice and game sites.
- The need to address current and past joint-use agreements between LUSD and City of Lodi, improvement of facilities for both parties, and sound working relationships without interrupting priority uses of City and School District properties.
- The need to support long-standing City programs that offer across-the-board unrestricted participation and opportunities for all children within the LUSD boundaries.
- The need to continually support BOBS willingness to put in thousands of hours of volunteer services by over 1,000 active volunteers; their Board of Directors which oversees an annual operating budget of \$300,000, fundraising efforts which generates \$100,000+ each year; programs and their sponsors which serve 4,000 participants annually with a need to form a national little league program.
- To realize that, as understood by BOBS, the National Little League Baseball District Eight (Morada, Kennedy and Foothill leagues) serves the LUSD boundaries. Any young person currently residing within the LUSD boundaries wishing to play the National Little League organization has an opportunity to do so without the need to create another league in the Lodi area.

Speaking in support of the City's position in not supporting the proposal was Max Steinheimer, 1410 Mettler Road, Lodi.

The City Council, on motion of Mayor Pro Tempore Sieglock, Land second, unanimously upheld the recommendation of the BOBS and the Lodi Parks and Recreation Commission to not support the request of Mr. Bill Spencer to develop a long-term agreement for use of Woodbridge Middle School and the creation of Woodlake Little League with the Lodi Unified School District. Further, the City Council directed staff to amend a proposed letter to the Lodi Unified School District Board of Education.

FILE NO. CC-6 AND CC-40

- b) Agenda item #H-2 entitled, "Remove left-turn restriction on Lilac Street at Eilers Lane" was pulled from the agenda pursuant to citizen request (postponed until October 15, 1997).

10. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-4 entitled, "Specifications and advertisement for bids for a sedan for Police Investigations Division".

Police Chief Hansen informed the City Council that this vehicle will replace a 1990 Pontiac 6000 sedan currently used by an officer assigned to the Investigation Unit of the Lodi Police Department.

The 1990 Pontiac 6000 is over seven years old and has 104,000 miles, thereby meeting the minimum replacement criteria of 4 years/60,000 miles. Further, the new vehicles are safer to operate and are dependable. Anti-locking brakes and air bags are another safety feature that is lacking in the existing unit.

It is estimated that the vehicle will cost approximately \$21,500 plus an additional \$5,300 for the undercover radio and emergency equipment. Total cost is estimated at \$27,300 which includes \$500 for contingencies.

Following discussion, the City Council, on motion of Mayor Pro Tempore Sieglock, Warner second, unanimously approved the specifications for one 1997, or 1998, undercover sedan for the Police Investigations Division, authorized advertising for bids, and further, amended the background report to say (amended language underlined) "...thereby meeting the minimum replacement criteria of 4 years/90,000 miles.". FILE NO. CC-12.1(c)

- b) Agenda item #E-8 entitled, "Specifications and advertisement for bids for boiler replacement at White Slough Water Pollution Control Facility".

Purchasing Officer Harris informed the City Council that until earlier this year, the facility at White Slough operated two methane-fired boilers which supplied hot water to the plant's anaerobic digestion system. (The boilers also provide heat to the plant's operations building in winter.)

During last year's annual inspection it was discovered that one of the 13-year old units (Boiler #2) was on the verge of failure, and that the second unit (Boiler #1) was also failing and would need replacement within a year. In February of this year Special Allocation #114 was approved and replacement for Boiler #2 was ordered under an emergency contract. (The emergency condition was declared when it was determined that failure or partial failure of both units could result in non-compliance with state and federal regulations for solids treatment at the facility.)

Boiler #2 has now been replaced with a fire-tube type unit which is longer-lasting and more efficient than the old water-tube boiler. If approved by the City Council, Boiler #1 would be replaced by a like unit. Replacement includes removal of the old boiler and installation of the new boiler, along with all required piping, electrical, drains and exhaust stack, and installation of all required air pollution control equipment.

The City Council, on motion of Mayor Pro Tempore Sieglock, Land second, unanimously approved the specifications for replacement of Boiler #1 at the White Slough Water Pollution Control Facility, authorized advertisement for bids and authorized an allocation of \$80,000 (not \$85,000 as was originally requested by staff). FILE NO. CC-12.1(c)

- c) Agenda item #E-15 entitled, "Contract award for Tree Trimming (Power Line Clearing)".

The Electric Utility Director reminded the City Council that the Electric Utility Department has utilized a tree trimming contractor for its line clearing requirements since November 1988. The current contract was awarded by the City Council on June 2, 1993 for a one-year period with an option to extend yearly thereafter, at the City's sole discretion for a maximum of three additional years. The extension option was exhausted on June 30, 1997. To maintain continuity of the line clearing program, a new contract needs to be awarded. This contract, like the current one, has provisions for yearly extensions up to a maximum of three years.

This contract will provide the City with two three-person (backyard) crews for twelve months and one two-person (street) crew for twelve months, including vehicles, equipment and other expenses for the three crews. This level of activity represents an effort to maintain the 130+ circuit miles of overhead lines clear of growth in accordance with the new Eighteen Inch Rule mandated by the California Public Utilities Commission.

Under this provision, the Electric Utility Department is seeking Council approval to extend the second climbing crew for the 1998-99 fiscal year.

The specifications for this contract were approved on June 4, 1997 with bid opening on August 27, 1997.

The City Council, on motion of Council Member Warner, Pennino second, unanimously adopted Resolution No. 97-143 awarding the contract for Tree Trimming (power line clearing) to the low bidder, Arbor Tree Surgery of Paso Robles, California, at an annual cost of \$354,661 (evaluated cost of \$170.51 per hour) and further directed that staff return to the City Council in one year to review the programs need.

FILE NO. CC-12(a) AND CC-300

- d) Agenda item #E-18 entitled, "Authorize City Manager to execute Standard Fee Payment Agreements".

City Engineer Prima informed the City Council that the City's development policies and ordinances provide for various capital facility fees to be paid at the time of development. As an economic development incentive, the City Council has approved various fee deferral arrangements, allowing for the fees to be paid over time. As our economic development efforts become more successful, the number of such arrangements is increasing.

These agreements have been individually approved by the City Council. This arrangement requires staff time to prepare the Council report and, more importantly, can lead to project delay. Therefore, staff is recommending that approval of such agreements be delegated to the City Manager. The City Manager, through the Economic Development Coordinator, shall determine eligibility for commercial and industrial projects. This eligibility also applies to the amount to be deferred. For example, if fees are being used to pay for improvements being built directly by the project, that portion may not necessarily be deferred. Residential projects are not eligible unless specifically approved by the City Council.

Although the approval refers to "standard" agreements, there are some variables for each project. To remain flexible and accommodating to new businesses, staff has prepared the following standard elements to be incorporated into these fee payment agreements; however, additional elements may be necessary depending on project details.

- The term shall be from one to seven years;
- For terms of one year or less, a lump sum administrative fee, as determined by the City Manager, shall be added (the amount used in recent agreements has been \$100);
- For terms over one year, interest shall be charged. The interest rate shall be fixed at 1% above the current Local Agency Investment Fund (LAIF) rate (the LAIF interest paid to the applicable fee fund and the 1% portion paid to the General Fund for administration);
- The payment method shall be monthly, quarterly, semi-annually or annually, as arranged. (One typical arrangement for wastewater capacity fees has been to adjust the monthly service charge to include this fee.)
- The fees apply to the property, not the tenant (although the agreement may be with a tenant) and may be recorded.
- Delinquent payments are handled per the City Code.
- If the business leaves with an unpaid balance, the property will not have credit for the unpaid portion and any subsequent use will be subject to applicable fees.
- The agreement shall be approved as to form by the City Attorney.

The recommended approval also provides for cases in which a project needs a public improvement agreement. These standard agreements spell out the developer's and City's responsibilities regarding installation of public improvements. These agreements often involve impact fees, payment for work by the City for the developer, payment for work by the developer for the City, and miscellaneous fees and credits. The City Manager's authority to execute these improvement agreements is limited to those in which the net cost of all fees and payments is \$50,000 or less. For higher amounts, City Council authorization will be requested.

Mayor Pro Tempore Sieglock indicated that he pulled this item from the Consent Calendar because he prefers that the process remain the same in that Standard Fee Payment Agreements be approved by the City Council.

Following discussion, the City Council, on motion of Council Member Mann, Warner second, authorized the City Manager to execute standard fee payment and improvement agreements for development impact mitigation fees, including wastewater capacity fees by the following vote:

Ayes: Council Members - Land, Mann and Warner  
Noes: Council Members - Sieglock and Pennino (Mayor)  
Absent: Council Members - None  
FILE NO. CC-56 AND CC-90

- e) Agenda item #E-25 entitled, "Approve Resolution on Safety Disability Retirement Procedure and rescinding Resolution No. 92-179".

City Attorney Hays provided the City Council with the following staff report.

In October of 1992, the City Council adopted Resolution No. 92-179. That Resolution, like this Resolution under Council consideration, established a delegation of authority relative to industrial and nonindustrial disability retirements. Since the adoption of Resolution 92-179, the particular Government Codes that provide for the delegation and procedures previously adopted have been changed. Additionally, Resolution 92-179 in the procedures called out that the Assistant City Manager had certain functions.

Presently the City of Lodi does not have the job classification of Assistant City Manager. Further we have changed the classification of Personnel Director to Human Resources Director.

With that background, you can see that what is being presented to you is basically housekeeping with regard to all our underlying documentation relative to the manner in which the City handles determinations regarding industrial and nonindustrial disability retirements. The changes that are being recommended do not change the substance of the previously adopted resolution, but instead represent housecleaning changes in order to have a resolution in place that more appropriately models the City's present position.

The City Council, on motion of Mayor Pro Tempore Sieglock, Pennino second, unanimously adopted Resolution No. 97-149 delegating authority pursuant to the California Government Code regarding the making of determinations of Industrial and Nonindustrial retirements and establishing procedures for such determinations, further with the Resolution being amended to read (amended language underlined) "...Said determination shall be made by the City Manager or his designee".  
FILE NO. CC-34 AND CC-300

- f) Agenda item #E-26 entitled, "Approve third party administrator for Flexible Spending Plan".

The City Manager informed the City Council that L & H Administrators were the third party administrator for the City's flexible spending account. L & H had a multi-state public and private sector client base for which they administered various health plans. Their public sector clients include the State of Nevada, cities and counties in California, Nevada and Arizona, school districts, and closer to home, the University of Pacific and locally, the Bank of Lodi.

We were recently informed that L & H defaulted in its obligations. The City of Lodi has contacted the Fresno County District Attorney's office (L & H's California office was in Fresno) and was informed that the matter has been referred to the United States Attorney. Currently the United States Attorney in Fresno, in conjunction with the Department of Labor and the Federal Bureau of Investigation (Phoenix office) is conducting an investigation into this matter.

The financial impact to the participants from the City of Lodi is \$15,506.27. The City is requesting that the City Council approve the restoral of this money which was deducted from employees pay checks but not returned by L & H, to the employee accounts, subject to the City's right to recoup the funds from L & H.

Additionally, checks sent to four employees from L & H, totaling \$1,261.33 were returned for insufficient funds ("bounced check"). Due to the financial hardship caused by this unexpected event we are reimbursing these employees for their loss.

The City intends to continue with the plan and is in the process of contracting with a qualified new administrator to assume administration of it.

Discussion following among the City Council. Mayor Pro Tempore Sieglock expressed his concern about whether or not this money is the City's responsibility. Council Member Warner indicated his concern about any future 3rd party administrator and feels employees should enter any future plans at their own risk. City Attorney Hays shared with the City Council that the City can protect itself in future contracts with 3rd party administrators by including an errors and omissions policy.

*Continued September 17, 1997*

The City Council, on motion of Mayor Pro Tempore Sieglock, Warner second, unanimously adopted Resolution No. 97-150 approving the funding of \$16,767.60 from the Contingency Fund for the Flexible Spending Account.

- g) Agenda item #E-28 entitled, "Renewal of contract for General Liability Claims Administration".

In her Council Communication regarding the matter, Human Resources Director Narloch reminded the City Council that Insurance Consulting Associates (ICA) has been providing claims administration services for the City of Lodi since December 20, 1993. The renewal of this contract will allow ICA to continue its services through December 20, 1999.

Billing for services is on a time and expense basis, which has not changed for the seven years that ICA has provided these services, along with certain annual fees. Future increases are provided for in the contract under mutual agreement between the parties.

The City Council agreed to go along with the renewal, but to keep in mind the language in Section V of the contract which states "...This contract may be terminated by either party for any reason upon sixty (60) days' written notice...".

The City Council, on motion of Mayor Pro Tempore Sieglock, Pennino second, unanimously adopted Resolution No. 97-147 approving the Self-Insured Claims Management General Risk Management Consulting Contract for liability administration services with Insurance Consulting Associates (ICA) and further directed staff to prepare a Request for Proposals (RFP) to be submitted to other vendors.  
FILE NO. CC-34 AND CC-300

- h) Agenda item #E-30 entitled, "Introduce Traffic Ordinance Section 10.44.020 (F) and adopt Resolution No. 97-153 to repeal and reenact Traffic Resolution No. 87-163 to authorize Public Works Director to approve various traffic control items and parking limits".

City Engineer Prima reminded the City Council that at its May 7, 1997 meeting, the City Council directed staff to proceed with the necessary ordinances and resolutions to allow the Public Works Director to establish parking limits. The goal was to provide more timely responses to business changes and parking needs. At that meeting, staff indicated we would return with these modifications and other traffic items to meet the same goal.

The Traffic Engineering Section receives an average of 125 requests per year, or approximately 10 traffic requests per month. The majority of these requests require Council action under our current rules. To improve efficiency, staff requested Council review the following four sections of Traffic Resolution #87-163 for which staff recommended authorization to act be changed from City Council to Public Works Director. This coincides with the changing parking needs in the Downtown area by allowing staff to modify the parking to meet the Downtown customers' and business owners' needs in a timely manner. In addition, safety issues can be addressed timely and efficiently by allowing the Public Works Director authority to modify the various traffic controls and parking items. As done presently, Public Works staff will continue to work with police, economic development and other City staff on these actions. Of course, any action requested but not taken by staff can always be brought to the City Council.

#### Traffic Resolution

Section 2 - Through Streets, Stop Intersections, and Yield Intersections

This section has four subsections and basically includes traffic controls, such as stop and yield signs. Currently, Council designates certain streets as through streets and that allows stop signs to automatically be installed by staff on new intersecting cross streets without further Council action.

The other items in this section are the stop intersections and yield intersections. Staff follows the State-approved warrants in determining the installation of stop signs based on requests and upon our own initiative. Staff proposes to continue this process and, if not approved, the action would be reported to the requester along with the appeal process to the City Council.

### Section 3 - Street Parking Restrictions

Subsection A (time-limit parking) involves five subsections and covers all the various time-limit parking. Most of these time-limit restrictions are in the Downtown area. As discussed with the Council in May, staff proposes to modify these limits to accommodate new businesses. This concept has received support from the Lodi Downtown Business Association (LDBA). Staff has received traffic requests from some property owners and businesses to have one or two parking spaces identified as short-term spaces. By authorizing the Public Works Director to approve parking-limit restrictions, staff will be able to modify parking with efficiency to meet the parking demands. Staff will continue to work with the LDBA and affected businesses on this issue.

Subsection B includes the section on streets with no parking for the duration indicated and designated by signs. This section should still be approved by Council action; however, an additional section should be included that allows the Public Works Director authority to install no parking of vehicles for sale. In the past, Council has approved these restrictions; however, as these problems move to other areas, it will be more efficient if staff can restrict the vehicles for sale in a timely manner.

Subsection C includes the section for no parking of vehicles 6 feet or more in height within 100 feet of the intersections. This restriction is installed to improve visibility at intersections where commercial vehicles or large vans frequently park. Some of these items have been part of other requests, such as stop sign requests. For example, stop signs were requested at Beckman Road and Kettleman Lane because trucks were making it difficult for motorists to see cross traffic. Installing the no-parking restriction improved visibility. These items have usually been on City Council's regular calendar, since there was some discussion on related issues. However, if we receive a request from a Lodi citizen that an intersection has a visibility problem, and the adjacent property owner does not object to the parking restriction, and there was no controversial issues, staff would be able to install this restriction in a timely manner given the Public Works Director's authorization.

Subsections D and E include designating spaces as parking for physically-handicapped persons and emergency vehicles, respectively. Staff has designated handicapped parking spaces on the street in areas that would be more convenient and closer to the front door. An example is on School Street near the Senior Center where they have a high demand for this type of parking use and the alternative would be in the parking lot. The emergency parking spaces have been designated near the Police Department on Elm Street and are used for vehicle inspections and Fire Department vehicles. These items are usually handled as consent calendar items and are approved with no discussion. Allowing the Public Works Director authority to designate these parking spaces will allow staff to handle these types of requests in a timely manner.

### Section 5 - Parking Lots

This section has four subsections and covers the time-limit parking restrictions in the public lots. Currently, all lots listed in these subsections are in the Downtown area. With the ongoing business changes in the Downtown area, modifications to the public lots can be done with little delay to serve the Downtown patrons and business owners in a timely manner. An example is in Lot 4, at the corner of Pine Street and Church Street. Farmers and Merchants has requested additional permit-parking spaces for their employees since they are renovating the old Security Pacific building and will have employees in the building but no need for customer parking. However, depending on the types of businesses that will be going in on Pine Street, there may be a need for more customer parking in Lot 4. Staff will be able to modify the parking lots in a timely manner to better serve the Downtown customers and business owners. Similarly, with the renovation of the Hotel Lodi, modifications to the parking lot can be made to balance all the parking needs and demands. As with the Downtown street parking, staff will continue to work with LDBA and affected businesses on employee and customer parking, as appropriate.

#### Section 6 - Permit Parking

Permit parking (Zone B - Downtown Area) is included in Subsection A and basically covers the on-street permit parking for the Downtown area. Council has approved Zone B permit parking use on block faces in areas that are adjacent to parking lots. For example, on Church Street south of Pine Street, next to Lot 4, Council approved permit parking in this area since it had low demand and could be better utilized by Downtown employees. These items have been handled on City Council's regular calendar and usually as part of larger projects. Allowing the Public Works Director authority to modify the Downtown area will allow staff to change parking to better serve the parking demands. Council should be aware that this does not include other permit parking programs, such as those around the Pacific Coast Producers cannery and the high schools. New areas, or changes in existing permit areas, would still be handled by City Council.

Staff is also requesting City Council address revisions in Section 4 - Angle-Parking Areas. In the Downtown area, the side of the street that the angle parking was installed has changed and the attached resolution reflects these changes. This change was approved as part of the Downtown Revitalization Project, but amending the Traffic Resolution was overlooked. Staff feels this authority should remain with the City Council.

#### Introduction of Traffic Ordinance - Increased No-Parking Lengths

Another tool Traffic Engineering staff uses to make fairly quick improvements is under the Traffic Ordinance, Section 10.44.020 (F). This section allows the Public Works Director to install twenty (20) feet or less of no parking in areas that constitute a traffic hazard. Staff is able to improve visibility adjacent to driveways or intersections by installing short no-parking zones. To improve efficiency, staff requests amending the Traffic Ordinance to allow the Public Works Director to install 200 feet or less. This will allow us to install no-parking zones as needed to accommodate striping changes, such as installing right-turn lanes as well as installing longer no-parking zones to improve visibility. Staff reviewed over two years of history on Council's approval and lengths of no-parking zones. Since the beginning of 1995 through August 1997, City Council reviewed thirteen requests and six of those items involved approving no-parking zones less than 200 feet. City Council has concurred with staff's recommendations for no-parking zones on all these items brought before Council during this time period.

Following a lengthy discussion, the City Council, on motion of Council Member Mann, Warner second, unanimously adopted Resolution No. 97-148 reaffirming authorization for the Public Works Director to handle the downtown parking issues that were discussed a few months ago and further to dispense with the rest of this matter until there is a need to bring it back.

FILE NO. CC-48(a), CC-149 AND CC-300

11. ORDINANCES

None.

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

There was no one wishing to make comments under this segment.

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

- a) Mayor Pro Tempore Sieglock announced that a new company by the name of DCS, Inc., which is an established and progressive national firm providing loan repayment services to lenders, has placed ads in area newspapers announcing they will be hiring a lot of people. The ad stated they will train new hires to earn over \$20,000 for the first year, over \$30,000 the second year, and over \$40,000 in the third year. They also provide an excellent benefits package. Mayor Pro Tempore Sieglock announced that the City Clerk's office will have information regarding this matter for anyone who is interested.

Mayor Pro Tempore Sieglock further stated that the City Council recently had a joint meeting with the Lodi Unified School District Board of Education. Mayor Pro Tempore Sieglock stated that bond issue matters as well as the Woodlake Little League proposal, which was on tonight's agenda, had been discussed, and that he had shared his thoughts that the Board of Education should consider splitting the District. Mayor Pro Tempore Sieglock encouraged community input with the Board of Education regarding these matters.

FILE NO. CC-7(e) AND CC-400

- b) Council Member Land announced that this Sunday, September 21, 1997 at 12:30 p.m., the Lodi Grape Festival and National Wine Show will be holding its annual parade down Pine Street. This year the Festival will honor all past Festival Queens and their Courts. Council Member Land stated that he felt this parade will be a real treat for old and new Lodi residents alike and urged the citizens of this community to come and enjoy the parade.

Council Member Land stated that his mother and father-in-law, Ed and Calista McMullin, were visiting from Sun City, Arizona; and that this weekend his grandson River will be visiting Lodi for the first time.

FILE NO. CC-7(p)

- c) Mayor Pennino congratulated City Engineer Richard Prima on being named the new City of Lodi Public Works Director, which appointment will be effective January 1998.

Mayor Pennino announced that on Tuesday, September 23, 1997 Assemblyman Larry Bowler is holding a Rail Summit in the Carnegie Forum to discuss passenger rail service coming to Lodi. A "get acquainted" period will be held from 6:30 to 7:00 p.m. and the meeting will begin at 7:00 p.m. The Mayor urged all citizens of the area to attend.

FILE NO. CC-6 AND CC-7(h)

- d) City Manager Flynn advised that Bruce Sasaki, President of the Lodi District Chamber of Commerce, announced that they will be terminating the Chamber's Convention and Visitors Bureau effective December 31, 1997. Mr. Flynn stated that he plans to bring this subject back to the City Council to see if this function could be brought back to the community in another way.

FILE NO. CC-7(k)

*Continued September 17, 1997*

- e) Council Member Warner stated that the City had contributed \$75,000 at the beginning of the year to the Lodi District Chamber of Commerce for this function, and further stated that he felt the City should ask the Chamber for reimbursement.  
FILE NO. CC-7(k)
- f) Council Member Land stated that the Chamber has a Tourism Committee which will continue to look at this type of matter.  
FILE NO. CC-7(k)

14. CLOSED SESSION

Mayor Pennino announced that there was no need for the following Closed Session:

- a) Labor Relations - United Firefighters of Lodi (UFL)  
Negotiator: Human Resources Director of Joanne Narloch  
(Government Code §54957.6)

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 8:50 p.m.

ATTEST:



Alice M. Reimche  
City Clerk