

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 3, 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, Economic Development Coordinator Goehring, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Youth Pastor Brian Siken, Temple Baptist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Pennino presented Dorean Rice with the Mayor's Community Service Award for her service and dedication to this community. Following receipt of the award, Mrs. Rice introduced her family and expressed her sincere appreciation for receiving this prestigious award.
FILE NO. CC-6
- b) Patty Steward, Parks and Recreation Commission member and president of the Lodi City Swim Club, presented Mayor Pennino with a check in the amount of \$2,500 towards repayment of its \$24,000 loan from the City of Lodi. To date, the City has received \$12,500 as partial repayment of the loan, leaving a balance of only \$9,000.
FILE NO. CC-6

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:

- a) Claims were approved in the amount of \$2,050,877.49 and Disbursements Through Wire Transfer in the amount of \$173,641.46.
FILE NO. CC-21(a)
- b) The minutes of November 19, 1997 (Regular Meeting) were approved as written.
- c) Adopted Resolution No. 97-196 authorizing the purchase of an automated records management program, File Magic Plus, for the City Clerk's office from Appleby & Company, Inc., of Fresno, California, in the amount of \$19,838.
FILE NO. CC-12(a) AND CC-300

- d) Adopted Resolution No. 97-197 awarding the contract for the rental and cleaning of uniforms for certain field and warehouse employees to Ameripride Uniform Services in the amount of \$14,377.00 per year.
FILE NO. CC-12(a) AND CC-300
 - e) Approved the encroachment permit and hold harmless agreement for 800 South Cherokee Lane and directed the City Manager and City Clerk to execute the agreement on behalf of the City.
FILE NO. CC-90
 - f) Took the following actions with regard to the Towne Ranche, Unit No. 6 development:
 - Approved the final map for Towne Ranche, Unit No. 6, Tract No. 2810, and directed the City Manager and City Clerk to execute the Improvement Agreement on behalf of the City.
 - Appropriated funds for required fee credits.FILE NO. CC-46 AND CC-90
 - g) Set Public Hearing for December 17, 1997 to receive a report of the cost of the abatement of weeds in the City of Lodi during 1997 and to hear any objections of the property owners liable to be assessed for the abatement.
FILE NO. CC-24(b)
 - h) Set Public Hearing for December 17, 1997 to consider the Planning Commission's recommendation that the City Council adopt the 1997 Growth Management Allocations.
FILE NO. CC-35(b)
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6. 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 Government Code Public Hearing to consider adoption of resolution making findings regarding the establishment of the Lodi Business Improvement Area No. 1 and introduction of an ordinance establishing "Lodi Business Improvement Area (BIA) No. 1".

Economic Development Coordinator Goehring reminded the City Council that at its meeting of October 15, 1997, the City Council adopted Resolution No. 97-179 declaring its intention to establish Lodi Business Improvement Area No. 1 and setting Public Hearing/Public Meeting dates for November 5, 1997 and December 3, 1997 to consider the matter. On November 5, 1997, the first Public Hearing/Public Meeting was held during which testimony of all interested persons, for or against the establishment of the Area, was heard. One protest was received and recorded at the November 5, 1997 meeting. At this meeting, Council also endorsed staff's recommendation that the City's Finance Department assume the responsibility for billing of BIA assessments and that the City of Lodi, through its Economic Development Department budget, provide a matching fund subsidy in an amount not to exceed \$40,000 as a means of "kick starting" the BIA formation and operation.

The purpose of this Public Hearing is twofold. First of all, the Council will again hear and consider all testimony, for or against the establishment of the Area. A protest against the Area, or any aspect of it may, again, be made orally or in writing. If at the conclusion of the Public Hearing there are of record, written protests by the owners of the businesses within the Area that will pay fifty percent (50%) or more of the total assessments of the entire Area, no further proceedings to create the Downtown Lodi Business Improvement

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Area shall occur. If at the conclusion of the Public Hearing there are less than 50% protest, Council will then proceed with introduction of the resolution and ordinance. Secondly, Council is to consider the adoption of resolution making findings regarding the establishment of the "Lodi Business Improvement Area No. 1". The second reading to consider adoption of the ordinance will occur at the December 17, 1997 Council meeting.

Hearing Opened to the Public

1. Mike Lapenta, 1718 Edgewood Drive, Lodi, spoke in support of the formation of the BIA.

There were no persons wishing to speak in opposition.

Public Portion of Hearing Closed

ACTION:

The City Council, on motion of Council Member Mann, Sieglock second, adopted Resolution No. 97-198 entitled, "A Resolution of the Lodi City Council Making Findings Regarding the Establishment of the Lodi Business Improvement Area No. 1" and introduced Ordinance No. 1654 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 12 - Streets, Sidewalks and Public Places Adding Chapter 12.06 to the Lodi Municipal Code Establishing the Downtown Lodi Business Improvement Area".
FILE NO. CC-10(e), CC-72, CC-149 AND CC-300

7. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Mayor Pro Tempore Sieglock, Land second, rejected the following claims:
 1. Kelly A. Roberts, date of loss 4/18/97
 2. Sharla J. Kersh, date of loss 8/9/97
 3. American Store Properties
FILE NO. CC-4(c)
- b) City Clerk Reimche read the following ABC Licenses:
 1. Christian J. Knox to Christian J. Knox & Associates, Inc., Applebees, 2442 West Kettleman Lane, On-Sale General, Person to Person Transfer
FILE NO. CC-7(f)
- c) The following report was presented to the City Council:
 1. Planning Commission report of November 12, 1997
FILE NO. CC-35(c)

8. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Contract award for Mokelumne River Tree Removal" was not discussed and was continued to an Adjourned Regular Council Meeting on Tuesday, December 9, 1997 at 7:00 a.m.

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9. ORDINANCES

None.

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

There were no comments made by the public under this agenda item.

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

- a) City Manager Dixon Flynn reminded the community that the Lighting of the Hospice Tree will take place in front of City Hall on December 4, 1997 at 5:30 p.m., followed by the Parade of Lights at 6:17 p.m.

City Manager Flynn announced that City Engineer Prima will be celebrating his birthday on December 30, 1997.

City Manager Flynn announced that Administrative Assistant to the City Manager Kirk Evans had tendered his resignation to take a position in Ventura County.

- b) Mayor Phil Pennino addressed the City Council and the viewing audience about his past year as serving as Mayor. He indicated how very much he had enjoyed being Mayor and serving on the City Council.

Mayor Pennino talked about all the things that had been accomplished in the City the past year and about the City Council's goals and objectives.

Mayor Pennino commended the City on having an outstanding staff and on the team effort that is involved.

Mayor Pennino expressed his appreciation to various City Departments and their staff, to the B.O.B.S., Boys and Girls Club, all the various Boards and Commissions of the City, the Lodi/Woodbridge Winegrape Commission, the Lodi District Chamber of Commerce, and to the various service clubs for their contributions to the City in making it the very special place that it is.

Mayor Pennino then thanked his wife, daughter, and son for all their support.

The Mayor concluded his remarks by expressing his appreciation to his employer PG&E for allowing him the time to fulfill his duties as Mayor of the City of Lodi.

FILE NO. CC-6

12. REORGANIZATION OF THE LODI CITY COUNCIL

City Clerk Reimche presented outgoing Mayor Pennino with a gift from the City of Lodi for his untiring dedication during his year as Mayor of the City of Lodi.

City Clerk Reimche conducted the election for the office of Mayor. Council Member Warner, Mann second, nominated Mayor Pro Tempore Sieglock for the office of Mayor. The motion carried by a unanimous vote of the City Council. Mayor Sieglock was then handed the gavel by City Clerk Reimche.

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Mayor Sieglock conducted the election for the office of Mayor Pro Tempore. Council Member Pennino, Mann second, nominated Council Member Land to serve as Mayor Pro Tempore. The motion carried by unanimous vote of the City Council.

Mayor Sieglock then addressed the City Council and the viewing audience stating that he takes the responsibility of being Mayor very seriously and thanked his colleagues for their support.

Mayor Sieglock indicated how very grateful he was to his friends who were in the audience.

Mayor Sieglock stated that his door is always open and that citizens should always feel free to contact him with concerns.

Mayor Sieglock indicated that last year had been fantastic and that the City has a lot to look forward to. He talked about the City dealing with electric deregulation and the important role the City's Electric Utility Department plays.

Mayor Sieglock indicated that he is looking forward to working with a wonderful staff and Council Members, who are very independent, but who all have the same goal of doing what's right for the City.

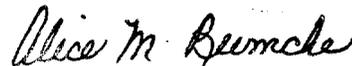
Mayor Sieglock then recognized outgoing Mayor Phil Pennino on the outstanding job that he had done this past year in serving as Mayor.

Mayor Sieglock then introduced his wife and family.
FILE NO. CC-6 AND CC-18

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 7:50 p.m. to an Adjourned Regular Meeting on Tuesday, December 9, 1997 at 7:00 a.m.

ATTEST:



Alice M. Reimche
City Clerk