

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, NOVEMBER 6, 1996  
7:00 P.M.**

1. ROLL CALL

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

Absent: Council Members - None

Also Present: City Manager Flynn, Interim Deputy City Manager Christofferson, Public Works Director Ronsko, City Engineer Prima, Community Development Director Bartlam, Finance Director McAthie, Electric Utility Director Vallow, Police Chief Hansen, City Attorney Hays and City Clerk Perrin

2. INVOCATION

The invocation was given by Reverend David Hill, Grace Presbyterian Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Warner.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Police Chief Hansen announced that Lodi Police Department's Crime Prevention Unit received an award for the City of Lodi's participation in the 13th Annual National Night Out Program. The City of Lodi placed second out of 40 other entries in the category of cities and counties with a population of 30,000 to 99,999. In the last three years, the City of Lodi has ranked in the top three. Police Chief Hansen credited Mary Fuhs, City of Lodi Community Service Officer, who coordinates this program.  
FILE NO. CC-152

b) Mayor Warner presented a proclamation to Paula Soto with the Lodi Community Service Center kicking off the "Mayor's Annual Holiday Child Share Program". Paula Soto and several volunteers announced the upcoming events during the holiday season. The kickoff for the "Mayor's Annual Holiday Child Share Program" will be held at City Hall on November 15, 1996 from 11:00 a.m. - 1:00 p.m. People are encouraged to bring wrapped or unwrapped toys on the 15th. Gifts will be distributed to approximately 2,000 children on December 18, 19 and 20. Other programs this holiday: "Feed the Hungry for Christmas"; "Blanket the City" starting November 5, bring good, usable blankets to any barrel site; "Warm Clothing Drive", bring used, but good condition winter clothing which will go to needy families who register for the program; "Children's' Christmas Party" at Tokay Bowl from 4 p.m. to 6 p.m. on December 16, 1996; and "Annual Christmas Dinner" which will feed about 600 people. Mayor Warner showed the posters which will appear on the barrels for the toys, food, blankets, etc. and the fliers for the November 15 kickoff. Everyone was encouraged to participate in these worthwhile programs.  
FILE NO. CC-37

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5. COMMENTS BY PUBLIC ON CONSENT CALENDAR ITEMS

- a) Virginia Lahr, 311 East Elm Street, Lodi, commented on agenda item #E-31 entitled, "Set Public Hearing for December 18, 1995 to consider the Planning Commission's recommendation that the City Council adopt the rezone and General Plan Amendment for 319, 323, 327, 331, 335, 339, 343, 346, 347 and 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and the residentially zoned portion of 353 North Washington Street, etc." Ms. Lahr expressed concern that this will bring more duplex and triplex units into the area. Further, Ms. Lahr questioned how the east side residents will be notified of this meeting. Community Development Director Bartlam explained that notification will happen by mailed notices to all properties within 300 feet of all affected areas and a notice published within the Lodi New Sentinel.  
FILE NO. CC-53(a)
- b) Colleen Dixon, 333 Hilborn, Lodi, commented on agenda item #E-8 entitled, "Reject bid for sale of surplus City property at 1775 South Church Street". Ms. Dixon questioned if the money that is being refunded from the gas tax funds and being used for street purposes, could be used for lighting in non block grant areas. Public Works Director Ronsko responded that it could be used for a project of that nature. Ms. Dixon would like to see a priority list created for neighborhoods that lack lighting. For example the 1800 blocks of Mariposa and Locust Streets do not have proper lighting. Further, Ms. Dixon commented on agenda item #E-31 and questioned when the moratorium for building multiple units is up on the east side. This rezoning would compromise the integrity of the neighborhood by allowing the building of multiple units, and the City should put limits on how many units can be put in there. It would defeat the purpose of downzoning the east side residential.  
FILE NO. CC-53(a)

6. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Sieglock, Pennino second, unanimously approved the following items hereinafter set forth **except those otherwise noted** (Note: Council Member Pennino abstained on items 19, 20 and 22):

- a) Claims were approved in the amount of \$3,637,515.77.  
FILE NO. CC-21(a)
- b) The Minutes of October 16, 1996 (Regular Meeting) were approved as written.
- c) Approved the plans and specifications for bids for motor control center for water well 4R, 1215 Thurman Street and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- d) Approved the plans and specifications for bids for well 4R pump and motor, 1215 Thurman Street and authorized advertising for bids.  
FILE NO. CC-12.1(c)
- e) Approved the specifications for bids for one 1000KVA and three 500KVA three-phase padmount transformers and authorized advertising for bids.  
FILE NO. CC-12.1(b)
- f) Agenda item #E-6 entitled, "Specifications and advertisement for bids for color laser printer for the Human Resources Department" was pulled from the agenda pursuant to staff's request.

- g) Authorized the Fire Chief to solicit bids for the purchase of water rescue and confined space rescue equipment for the Fire Department Technical Rescue Program.  
FILE NO. CC-12.1(b)
- h) Adopted Resolution No. 96-156 rejecting the bid received for the sale of surplus City property at 1775 South Church Street, set a minimum bid of \$40,000, and authorized the City Clerk to open bids on a continuous basis.  
FILE NO. CC-12(b), CC-161 AND CC-300
- i) Adopted Resolution No. 96-157 rejecting the bids from Central Sierra Electric, Collins Electric and B&H Electric as being nonresponsive and awarding the contract for White Slough Water Pollution Control Facility emergency automatic transfer switch replacement to Con J. Franke Electric of Stockton, in the amount of \$142,424 and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(a), CC-12(b) AND CC-300
- j) Adopted Resolution No. 96-158 awarding the contract for Hutchins Street Square Conference and Performing Arts Center to F & H Construction of Stockton, in the amount of \$8,262,010 and appropriated funds in accordance with staff recommendation.  
FILE NO. CC-12(c), CC-27(e) AND CC-300
- k) Agenda item #E-11 entitled, "Contract award and approval of financing for two 1750 GPM Class A Custom Fire Apparatus" was pulled from the agenda pursuant to staff's request.
- l) Adopted Resolution No. 96-160 authorizing the purchase of one IBM compatible personal computer for the Police Watch Commander's office.  
FILE NO. CC-12(d) AND CC-300
- m) Agenda item #E-13 entitled, "Purchase of Police Department Street Crimes Unit equipment" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport.)
- n) Adopted Resolution No. 96-162 awarding the bid for the purchase of one forms burster/imprinter/output stacker to UARCO, Inc. of Sacramento, in the amount of \$13,845.92.  
FILE NO. CC-12(d) AND CC-300
- o) Accepted the improvements under the "1996 Handicap Ramp Retrofit Project - Various Locations" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90
- p) Accepted the improvements under the "Civic Center Improvements (Phase II), City Hall Remodel" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.  
FILE NO. CC-90
- q) Agenda item #E-17 entitled, "Class specification and salary range for Park Naturalist" was pulled from the agenda pursuant to staff's request.
- r) Adopted Resolution No. 96-164 approving the class specification and the following salary range for the Community Improvement Officer:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$2,550.42	\$2,677.82	\$2,811.74	\$2,952.32	\$3,099.94
FILE NO. CC-34 AND CC-300				

*Continued November 6, 1996*

- s) Adopted Resolution No. 96-165 authorizing the Electric Utility Director to enter a personal services contract with Power Engineers, Inc., for a preliminary 230/60kv West Interconnection scoping study. **(Note: Council Member Pennino abstained from discussion and voting on this item.)**  
FILE NO. CC-51(d), CC-90 AND CC-300
- t) Adopted Resolution No. 96-166 authorizing the Electric Utility Director to approve the economic development Power Supply Contract between the City of Lodi and the Northern California Power Agency (NCPA). **(Note: Council Member Pennino abstained from discussion and voting on this item.)**  
FILE NO. CC-7(j), CC-51(d), CC-90 AND CC-300
- u) Received for information report regarding the Northern California Power Agency (NCPA) Geothermal Project Low Pressure Turbine and Piping Modification final payment.  
FILE NO. CC-7(j) AND CC-51(d)
- v) Approved the use of funds in the amount of \$807,271 from the Northern California Power Agency (NCPA) Phase IIA Resource Development Fund as a credit against Fiscal Year 1995/96 Bulk Purchased Power expenses. **(Note: Council Member Pennino abstained from discussion and voting on this item.)**  
FILE NO. CC-7(j) AND CC-51(d)
- w) Agenda item #E-23 entitled, "Agreement with McCaw Communications of Stockton, Inc. for lease of property at 2101 West Turner Road" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed at staff's request.)
- x) Authorized the City Manager to execute the agreement with New Generation Trading Company for the purpose of maintaining the walkway between the Vineyard Shopping Center and Brandywine Drive.  
FILE NO. CC-45(a) AND CC-90
- y) Adopted Resolution No. 96-167 approving the agreement for the purchase of a neighborhood park site in Bridgetown, Unit No. 1; directed the City Manager and City Clerk to execute the agreement on behalf of the City; and authorized the transfer/allocation of funds in accordance with the terms of the agreement.  
FILE NO. CC-27(c), CC-90, CC-161 AND CC-300
- z) Adopted Resolution No. 96-168 approving the acquisition of Lots 11 through 18 of the proposed Thayer Ranch development for the Richards Ranch school/park site for a purchase price of \$184,015, plus associated acquisition costs, appropriated the necessary funds from the Parks and Recreation Development Impact Mitigation Fees to complete the purchase, and authorized the City Manager to execute the necessary documents on behalf of the City.  
FILE NO. CC-5(c), CC-27(c) AND CC-300
- aa) Agenda item #E-27 entitled, "Acquisition of public utility easement, 2459 Maggio Circle" was removed from the Consent Calendar and was discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport.)
- bb) Adopted Resolution No. 96-163 declaring weeds a public nuisance and initiating abatement proceedings on various parcels throughout the City and set the matter for Public Hearing at the regular City Council meeting of December 18, 1996.  
FILE NO. CC-24(b) AND CC-300

*Continued November 6, 1996*

- cc) Set Public Hearing for November 20, 1996 to review Cost Report of City Weed Abatement Program for 1996 and to hear any objections of the property owners liable to be assessed for the abatement.  
FILE NO. CC-24(b) AND CC-300
  - dd) Set Public Hearings for November 14, 1996 at 9:30 a.m. at Hutchins Street Square and for November 20, 1996 at 7:00 p.m. at the Carnegie Forum to consider unmet transit needs.  
FILE NO. CC-50(a)
  - ee) Set Public Hearing for December 18, 1996 to consider the Planning Commission's recommendation that the City Council adopt the rezone and General Plan Amendment for 319, 323, 327, 331, 335, 339, 343, 346, 347 and 351 North Stockton Street; 116 East Lawrence Avenue; also 320 and the residentially zoned portion of 353 North Washington Street -- this rezone would be from R-1\*, Single-Family Residential (Eastside) to R-MD, Residential Medium Density, and R-1\* to PUB, Public and also for approval of a General Plan Amendment from LI, Light Industrial to MDR, Medium Density Residential and PQP, Public Quasi Public to MDR.  
FILE NO. CC-53(a)
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7. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Pennino, Warner second, adopted Resolution No. 96-161 approving the specifications and authorizing advertising for bids for the vehicles and authorizing the purchase of support equipment for the Street Crimes Unit by the following vote:  
  
Ayes: Council Members - Mann, Pennino, Sieglock and Warner (Mayor)  
Noes: Council Members - Davenport  
Absent: Council Members - None  
  
FILE NO. CC-12(d), CC-12.1(b) AND CC-300
- b) The City Council, on motion of Council Member Sieglock, Mann second, unanimously authorized the City Manager to execute the amended lease agreement with McCaw Communications of Stockton, Inc. for the purpose of installing an antenna and a small equipment building on City property.  
FILE NO. CC-90
- c) The City Council, on motion of Council Member Sieglock, Mann second, unanimously adopted Resolution No. 96-159 approving the purchase agreement for a 20-foot public utility easement at 2459 Maggio Circle and authorized the City Manager and City Clerk to sign the agreement as well as a quitclaim deed to relinquish a 12-foot undescribed easement across this same property.  
FILE NO. CC-5(b), CC-90 AND CC-300

8. PUBLIC HEARINGS

None.

9. COMMUNICATIONS (CITY CLERK)

a) On recommendation of the City Attorney and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Sieglock, Pennino second, unanimously rejected the following claims:

1. Melvin Freund, date of loss 8/10/96
2. Gabe Subry, date of loss 5/31/96  
FILE NO. CC-4(c)

b) City Clerk Perrin read the following ABC License:

1. Deanna Federico to Farouk Yousef Diab and Russell Douglas Holt, Willie Gees, 1230 West Kettleman Lane, Lodi, On Sale General Eating Place, Person to Person Transfer  
FILE NO. CC-7(f)

c) The following report was presented to the City Council:

1. Planning Commission report of October 28, 1996  
FILE NO. CC-35(c)

d) The City Council, on motion of Council Member Pennino, Mann second, unanimously directed the City Clerk to post for the following vacancy and expiring terms on various boards and commissions:

**Senior Citizens Commission**

Perry Schimke	term to expire December 31, 1996
Robert J. Maus	term to expire December 31, 1996

**Recreation Commission**

Elvera Melby	term to expire December 31, 1996
George Kiehn	term to expire December 31, 1996 ( <i>resigned</i> )

**Site Plan and Architectural Review Committee (SPARC)**

Donald Kundert	term to expire January 1, 1997
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FILE NO. CC-2(h), CC-2(i) AND CC-2(l)

e) The City Council, on motion of Council Member Sieglock, Mann second, unanimously made the following appointment:

**East San Joaquin Parties Water Authority**

Jack Ronsko, Alternate

FILE NO. CC-7(g)

10. REGULAR CALENDAR

None.

11. ORDINANCES

None.

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

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

- a) Council Member Davenport thanked everyone for coming to the meeting and commented on the following matters: 1) Be ever mindful of gangs and drugs; and 2) Expressed congratulations to Keith Land and Steve Mann for their election victory, and wished them the best.
- b) Council Member Pennino commended the high school band review that took place last Saturday. Everyone seemed to have a great time. Mr. Pennino made a suggestion that the band review come downtown and to Hutchins Street Square in the future. A local restaurant owner indicated to Mr. Pennino that when the band review is in town, his business increases by approximately 15%.  
FILE NO. CC-72
- c) Council Member Sieglock commended staff for coming up with a resolution for the walkway near Brandywine and the Mervyns Shopping Center. This issue was brought up during the National Night Out event. If anyone notices areas such as this that are not clean, please let the Council know. Mr. Sieglock also informed the public that the City had a meeting with the Lodi District Chamber of Commerce and the California Youth Soccer Association (CYSA). The City has been working with CYSA to bring them to Lodi at the White Slough property. The meeting brought about excellent discussions and a good exchange between the agencies. Council Member Sieglock has a good feeling that, assuming the financing is going to be there and the project is feasible, they will come to Lodi. However, there is still more work needed to make it happen. Further, Council Member Sieglock congratulated Keith Land and Steve Mann on the election, stating he is looking forward to working with them. Mr. Sieglock commended all of the candidates and wished Council Member Davenport well for the future.
- d) Mayor Warner also congratulated Keith Land and Steve Mann, and also thanked the candidates who ran in this election. Running campaigns takes a lot of work and effort, and there would not be a race if people did not run. Mr. Warner hopes we will continue to have good, quality candidates in the future.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Warner adjourned the meeting at approximately 7:54 p.m.

ATTEST:

Jennifer M. Perrin  
City Clerk