

CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 17, 1995
7:00 P.M.

1. ROLL CALL

Present: Council Members - Davenport, Pennino, Sieglock (arrived at approximately 7:48 p.m.),
Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Public Works Director
Ronsko, City Engineer Prima, City Attorney McNatt and Acting City Clerk Taylor

2. INVOCATION

The invocation was given by Pastor Bruce Logue, Church of Christ

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Ann Heberle passed out poppies to Council on behalf of the American Legion and American Legion Auxiliary in celebration of Poppy Day, Friday, May 19, 1995.
- b) Mayor Mann presented a proclamation to Joe Fischer proclaiming the week of May 20 - 26, 1995 as "National Safe Boating Week" in the City of Lodi. Mr. Fischer encouraged all citizens to use care and good judgment when enjoying the Delta waterways and to practice safety in boating and recreational activities during the summer season.
FILE NO. CC-37
- c) Mayor Mann presented a proclamation to Len Harrington, representing the Lodi Events Committee, proclaiming Saturday, May 27, 1995 as "Arts and Rec at the Lake Day" in the City of Lodi. Mr. Harrington announced the event would begin with a "Trix Run", and the day would be filled with great food and entertainment for all who attend.
FILE NO. CC-37 and CC-40
- d) Mayor Mann presented a proclamation to Public Works Director Ronsko proclaiming the week of May 21 - 27, 1995 as "National Public Works Week" in the City of Lodi. Mr. Ronsko introduced five Public Works employees who have specifically received county, state and/or national recognition for their exceptional efforts and performance during the past year: Linda McEnerney, Art Martel, Del Kerlin, Richard Prima, and Curtis Juran. Mr. Ronsko distributed buttons for Council to wear during Public Works Week, and thanked Council in advance for participating in the Public Works Breakfast to be held on Wednesday, May 24, 1995.
FILE NO. CC-37 and CC-158
- e) Parks and Recreation Director Williamson thanked Lodi Events, Inc. and its members who make events like the upcoming "Arts and Rec" a reality, and announced two upcoming events sponsored by local businesses: The Gup Wear Big Banger Volleyball Classic on Saturday and Sunday, May 20 - 21, 1995; and the Concert in the Park Series offering

seven summer concerts, four on Sundays at Hutchins Street Square, then three more on Thursday evenings at Lodi Lake. Mr. Williamson encouraged all citizens to attend, and to make it a family event by bringing a picnic basket, blankets and lawn chairs.
FILE NO. CC-37 and CC-40

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Warner second, approved the following items hereinafter set forth **except those otherwise noted**, by the following vote:

Ayes: Council Members - Davenport, Pennino, Warner and Mann (Mayor)
Noes: Council Members - None
Absent: Council Members - Sieglock

- a) Claims were approved in the amount of \$3,584,402.19.
FILE NO. CC-21(a)
- b) The Minutes of May 3, 1995 (Regular Meeting) were approved as written.
- c) Authorized the sale of various items of surplus property by sealed bid and off-site auction, with proceeds from the Ricoh copier and the blueprint machine to be contributed to the Boosters of Boys and Girls Sports of Lodi (BOBS), and proceeds from all other items to be returned to the General Fund.
FILE NO. CC-20 and CC-21(a)
- d) Accepted the improvements under the "Municipal Service Center Electric Utility Building Modification/Expansion" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
FILE NO. CC-51(d) and CC-90
- e) Approved notifying current tenants of the termination of the lease of agricultural land at White Slough Pollution Control Facility, as the land will be needed for other municipal uses, specifically the California Youth Soccer Association project.
FILE NO. CC-27(b) and CC-90
- f) Adopted Resolution No. 95-64 rejecting the non-responsive bid from Royal Electric Company and awarding the contract for the standby generators for water well and storm drain pumping stations for sites 7, 9 and 16 to CTS Northwest, Inc. in the amount of \$328,328, and further appropriated \$190,000 from the Storm Drain Fund and reduced the Water Fund appropriation by \$190,000.
FILE NO. CC-12(a), CC-90, CC-183(b) and CC-300
- g) Agenda Item #E-7 entitled, "Reject All Bids for Abandoned Vehicle Towing Franchise and Authorize the Provision of Abandoned Vehicle Towing Services on a Rotation Basis" was removed from the calendar at staff's request, and at Council direction will be brought back to Council for consideration at the June 7, 1995 regular meeting.

6. PUBLIC HEARINGS

- a) None.

May 17, 1995 Continued

7. COMMUNICATIONS (CITY CLERK)

- a) Council, on motion of Council Member Mann, Pennino second, appointed Council Member David P. Warner to represent Lodi as a member of the Community Development Block Grant (CDBG) Political Advisory Committee (PAC), by the following vote:

Ayes: Council Members - Davenport, Pennino, Warner and Mann (Mayor)
 Noes: Council Members - None
 Absent: Council Members - Sieglock

FILE NO. CC-55

- b) City Clerk Taylor informed Council of receipt of Application No. 95-04-041 filed by Pacific Gas & Electric (PG&E) with the California Public Utilities Commission (CPUC) requesting authority to receive shareholder incentives related to 1994 Demand Side Management (DSM) program accomplishments.

FILE NO. CC-7(t)

- c) Council, on motion of Council Member Mann, Pennino second, set a public hearing for June 7, 1995 to consider the appeal of Terry Knutson, on behalf of Cottage Bakery, Inc., regarding required fire sprinklers for buildings located at 203 South School Street, by the following vote:

Ayes: Council Members - Davenport, Pennino, Warner and Mann (Mayor)
 Noes: Council Members - None
 Absent: Council Members - Sieglock

FILE NO. CC-72 and CC-91

8. REGULAR CALENDAR

- a) Council, on motion of Council Member Pennino, Warner second, adopted Resolution No. 95-65 approving State Bike Lane Account (BLA) Agreement No. 7-95 for the installation of a Class II Bike Lane on Hutchins Street from Kettleman Lane to Lodi Avenue, indicating their selection for traffic striping as Option 2, and further authorized the City Manager to execute the agreement, by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
 Noes: Council Members - Davenport
 Absent: Council Members - None

(Council Member Davenport asked that the record show he would support this item if the route location was Crescent Avenue instead of Hutchins Street.)

1. Mr. Robert Riggle, 712 North Cross Street, spoke in opposition to the matter.
2. Mr. Edwin C. Seibel, 724 South Hutchins Street, wrote a letter in opposition.

FILE NO. CC-7(f), CC-45(a), CC-66, CC-90 and CC-300

- b) Council, on motion of Council Member Sieglock, Warner second, unanimously approved the Administrative Services Agreement and Deferred Compensation Plan with ITT Hartford Life Insurance Company to provide deferred compensation services to City of Lodi employees, and further directed the City Manager to execute the agreement.

FILE NO. CC-6, CC-34 and CC-90

- c) Council, on motion of Council Member Sieglock, Davenport second, unanimously designated the five members of the Lodi City Council as the body responsible to oversee scheduled public meetings and workshops, as well as drafting the proposed charter.

Mr. Thomas Aja, 1916 North Broadway, Stockton, representing Operating Engineers Local Union No. 3, spoke in opposition to Lodi becoming a charter city, and presented Council Members with an 83-page document entitled, "Losing Ground: Lessons from the Repeal of Nine 'Little Davis-Bacon' Acts".

FILE NO. CC-2(a) and CC-6

- d) Council, on motion of Council Member Mann, Warner second, unanimously approved temporary suspension of peak period demand charges on Electric Rate Schedule G5-P for Lodi Iron Works (LIW) during the months of May, June and July of 1995.
FILE NO. CC-51(d) and CC-56

Further, Council, on motion of Council Member Mann, Warner second, unanimously directed staff to investigate how this offer could be extended to other industrial and commercial users in the future.
FILE NO. CC-51(d) and CC-56

9. ORDINANCES

- a) Ordinance No. 1617 entitled, "An Ordinance of the City Council of the City of Lodi Amending Chapter 17.60 of the Lodi Municipal Code by Adding a New Section Thereto Relating to Parking in Front or Side Yard Setbacks" having been introduced at a regular meeting of the Lodi City Council held May 3, 1995 was brought up for passage on motion of Council Member Pennino, Warner second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

FILE NO. CC-149 and CC-150

- b) Ordinance No. 1618 entitled, "An Ordinance of the City of Lodi Amending Lodi Municipal Code §9.04.010 by Adding Thereto Subparagraph [C], Allowing the Sale, Possession or Consumption of Alcoholic Beverages on Designated Areas Upon Public Rights-Of-Way" having been introduced at a regular meeting of the Lodi City Council held May 3, 1995 was brought up for passage on motion of Council Member Warner, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

FILE NO. CC-45(e) and CC-149

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Robert Riggle, 712 North Cross Street, Lodi, spoke on the following items: 1) requested Council read the Lodi News Sentinel article featuring Council Member Davenport's comments that the Hotel Lodi is not a good location for a seniors complex, and his comments on the poor parking facilities in the downtown area, which causes so many citizens to do business in outside areas; 2) spoke in support of Michael Freedman's proposal of a depot downtown, expressed concern that the idea has lost its way with the proposed arch, and urged Council to continue focusing on the depot; 3) recently heard a fence has been proposed for the west bank area of Lodi Lake, and asked Council to consider those funds be directed toward improving the appearance and grooming of that area; 4) requested Council review a recent letter to the editor from Mr. Mark Newfield which proposes the building of a new boat ramp at the lake, and commented he cannot fathom how and why you would bring traffic into the west bank area of the lake due to parking and traffic concerns, and further urged Council to not approve the boat ramp. (Council Member Pennino requested City Clerk Taylor send a Parks and Recreation Master Plan to Mr. Riggle for his review, and invited Mr. Riggle to attend the Shirtsleeve Session at 7:00 a.m. on May 23, 1995, to discuss the Hotel Lodi.)
- b) Bobby McNatt, P.O. Box 3006, Lodi, thanked Council for their support, stated he deeply appreciated the way he has been treated during his employment with the City of Lodi. Mr. McNatt told Council he made one promise when he started with the City, to work hard in order to justify the confidence Council displayed in hiring him, and hoped they felt he has done so. He further stated he was not saying goodbye, and had no intention of moving out of the Lodi area. Mr. McNatt stated he has told many people in Lodi that if you never lived anywhere else, you don't know what a unique town Lodi is... that it is what "home town" means to him, where baseball teams outnumber street gangs, where people are friendly and genuinely care about each other, a place where people shouldn't take that quality of life for granted and should work together to keep Lodi the community it is today.

11. 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: 1) stated he will miss Mr. McNatt, as he's sure many will, and commented on what a good job Bob will do in his new career; 2) reminded citizens to be ever mindful of gangs; 3) thanked the Lodi News Sentinel for the recent article which allowed him an opportunity to express his ideas and concerns, and has received several calls and letters supporting some of his ideas; 4) stated he would be in support of factory outlets in the downtown area and feels they would be a valuable asset to draw on as a marketing concept in the downtown revitalization project; 5) stated the plan to build the "Lodi Arch" should be halted, the planter tubs on School Street should be left alone, and reminded Council and citizens that the revitalization project is not about brick and mortar, but about people; 6) thanked Lodi Events, Inc. for their recap of projects to date, but asked for more detail in the future regarding general expenses; 7) noted he is still receiving comments regarding the Pay for Performance program, as well as the business license tax, and reminded citizens the Council is always open to input; and 8) extended his thanks to Mr. Jones of the Lodi Boys and Girls Club for providing an the update memo on the club's progress and expenditures to date.
- b) Council Member Sieglock commented that since the regular meeting of May 3, 1995, in which Council discussed and approved a flag pole at the location of the Veterans of Foreign Wars office, six Public Works employees have volunteered their time toward installation of that pole. Mr. Sieglock stated this further indicates the quality and caliber of City of Lodi staff, and expressed his pride in the employees who work for the City.

- c) Council Member Mann thanked City Attorney McNatt for more than 7 years of service with the City of Lodi, and extended his best wishes and good luck to Bob as he accepts his new position as a Superior Court Judge. Mr. Mann further stated that, if all judges were of the same caliber and quality as Mr. McNatt, our judicial system would be much improved.
- d) Mr. Peterson, who stated he was worked in the municipal career field for more than 33 years, stated City Attorney McNatt is at the top of the list of fine professionals he has had the pleasure to work with. Mr. Peterson further stated Bob has done a superb job and will be missed by his co-workers and friends at the City of Lodi.

12. CLOSED SESSION

- a) Interim City Attorney Selection
- b) Labor Relations: United Firefighters of Lodi (UFL)
Negotiator: Assistant City Manager Jerry L. Glenn

13. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Interim City Attorney Selection

City Council selected Mr. John Stovall of Neumiller & Beardslee as the Interim City Attorney for the City of Lodi by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
 Noes: Council Members - Davenport
 Absent: Council Members - None

FILE NO. CC-6, and CC-200(b)

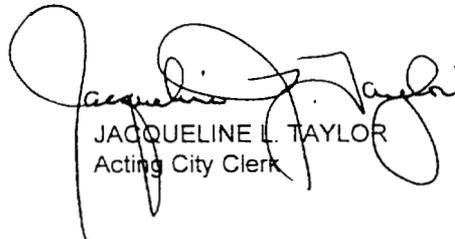
Labor Relations: United Firefighters of Lodi (UFL)

No final action was taken on this matter
FILE NO. CC-200(a)

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 9:09 p.m.

ATTEST:



JACQUELINE L. TAYLOR
Acting City Clerk