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CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 20, 1995
7:00 P.M.

1. ROLL CALL

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

Absent: Council Members - None

Also Present: City Manager Flynn, Acting Assistant City Manager/Public Works Director Ronsko, City Engineer Prima, Interim City Attorney Stovall, Deputy City Attorney Luebberke and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Gary Wall, Vinewood Community Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Chad Meyer, President, and John Johnson with the Lodi Sports Foundation gave a presentation to the Lodi City Council regarding its upcoming fundraiser. It is a hole-in-one contest which will be held September 21 - 23, 1995. This is their first major fundraiser to get seed money and to get their name out into the public. In addition to the many prizes, there will be a final grand prize of \$10,000 for those who qualify.
FILE NO. CC-40

b) Paula Soto with the Lodi Community Service Center announced the upcoming free Community Health and Resource Fair, which will be held September 30, 1995 from 10:00 a.m. - 4:00 p.m. at Lawrence Park. The event is sponsored by the Lodi Community Service Center, Lodi Memorial Hospital, Lodi Employment Development Department, For a Better World, and Lodi Primary Care Medical Associates, Inc. In addition to the many services and information available, there will also be lots of entertainment including music with live Disc Jockeys and a Carnival. Anyone interested in volunteering or needing further information was urged to call the Lodi Community Service Center at 331-7516.
FILE NO. CC-6 AND CC-120

5. 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**:

a) Claims were approved in the amount of \$2,706,912.69.
FILE NO. CC-21(a) -

b) Agenda item #E-2 entitled, "Minutes - September 6, 1995 (Regular Meeting)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport.)

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- c) Received report of the sale of surplus City property.
FILE NO. CC-20 AND CC-47
- d) Approved the specifications for bids for one Jacobsen SV-3422 turf truck for the Parks Division and authorized advertisement of bids.
FILE NO. CC-12.1(b)
- e) Approved the specifications for bids for 32 each 45-foot Class 3 and one 55-foot Class 1 wood utility poles and authorized advertisement of bids.
FILE NO. CC-12.1(b)
- f) Approved the specifications for bids for four-wheel drive pickup truck for Water/Wastewater Division and authorized advertisement for bids.
FILE NO. CC-12.1(b)
- g) Approved specifications for bids for a photocopier for the Public Works Department and authorized advertisement for bids.
FILE NO. CC-12.1(b)
- h) Agenda item #E-8 entitled, "Emergency purchase of street sweeper for Street Division" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport.)
- i) Agenda item #E-9 entitled, "Purchase of engineering plotter for the Electric Utility Department" was pulled from the agenda pursuant to staff's request.
- j) Agenda item #E-10 entitled, "Contract award for construction of Henning Substation Control Building" was pulled from the agenda pursuant to staff's request.
- k) Adopted Resolution No. 95-120 accepting the development improvements for Century Meadows Three, Unit No. 3, Tract No. 2627.
FILE NO. CC-46 AND CC-300
- l) Approved the Improvement Deferral Agreement Addendum for 532 and 538 Howard Street (formerly 550 Howard Street) and directed the City Manager and City Clerk to execute the Agreement on behalf of the City.
FILE NO. CC-90
- m) Appropriated \$12,000 for the design (study) phase of the traffic signal installation project at the intersection of Lower Sacramento Road and Vine Street.
FILE NO. CC-48(h)
- n) Designated Mayor Pro Tempore David P. Warner as the Voting Delegate and Council Member Phillip A. Pennino as the Voting Alternate for the League of California Cities Annual Conference to be held in San Francisco, October 22 - 24, 1995.
FILE NO. CC-7(i)
- o) Agenda item #E-15 entitled, "Approval of sale of \$5 million Certificates of Participation under the Small Issue Arbitrage Financing Program" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport.)
- p) Set Public Hearing for October 18, 1995 to consider the Planning Commission's recommendation that the City Council amend the portion of Title 17, "Zoning Ordinance", dealing with "Signs".
FILE NO. CC-53(a) AND CC-171

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- q) Set Public Hearing for October 18, 1995 to review cost report of City Weed Abatement Program for 1995.
FILE NO. CC-24(b)
- r) Approved request to join the amicus brief for Citizens Against New Local Taxes v. City of Agoura Hills (Court of Appeal, 2d. Dist. No. BO94342).
FILE NO. CC-4(f)

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Council Member Davenport made a motion to approve the minutes of September 6, 1995 (Regular Meeting) with the following amendments; however, the motion **died** for lack of a second:
 - That the City Clerk research the procedure for calling for orders of the day;
 - That the City Clerk state in the minutes Council Member Davenport's comments regarding the naming of Westgate Park to "Peterson Park"; and
 - That the language be cleaned up on Council Member Pennino's comments on page six.

Further, the City Council, on motion of Council Member Sieglock, Pennino second, approved the minutes of September 6, 1995 (Regular Meeting) as submitted by the following vote:

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

- b) The City Council, on motion of Mayor Mann, Sieglock second, adopted Resolution No. 95-117 awarding the purchase of a street sweeper for the Street Division of the Public Works Department from GCS, Inc., from West Sacramento, California, in the amount of \$120,981.70 (a trade-in credit of \$5,000.00 for the City's FMC Vanguard Sweeper will bring the purchase price to \$115,981.70) by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - Davenport
Absent: Council Members - None
FILE NO. CC-12(d) AND CC-300

- c) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously adopted Resolution No. 95-121 approving the sale of \$5 million Certificates of Participation under the Small Issue Arbitrage Financing Program to finance a number of capital projects.

Answering questions on the matter was John Fitzgerald of Seidler-Fitzgerald Public Finance.

FILE NO. CC-6, CC-21(a) AND CC-300

7. PUBLIC HEARINGS

None.

8. COMMUNICATIONS (CITY CLERK)

- a) The following report was presented to the City Council:
 - 1. Planning Commission report of September 11, 1995.
FILE NO. CC-35(c)

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- b) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously made the following appointment:

Greater Lodi Area Youth Commission

Christina Wright

FILE NO. CC-2(t)

9. REGULAR CALENDAR

- a) In regards to the Central City Revitalization Assessment District, the City Council, on motion of Mayor Mann, Sieglock second, unanimously adopted Resolution No. 95-118 establishing the preliminary District boundaries and Resolution No. 95-119 Intent to Form the Central City Revitalization Assessment District.

Speaking on the matter were the following persons:

- a) Tim Vallem, 121 South School Street, Lodi, expressed concerns regarding the boundaries of the map and the fact that Zone A-1 will carry the larger portion of the assessment than zone A-2 when both areas will benefit. Staff explained that in Zone A-1 every property is a *direct* beneficiary; however, the properties outside of that zone are *not* direct beneficiaries. It was further explained that the assessments are for physical improvements to real property and are not based on the type of business that is occupying the property;
- b) Gary Sinnock with Kjeldsen, Sinnock & Neudeck, answered questions regarding the map and Zones A-1 and A-2; and
- c) Timothy Hachman, bond counsel on this project, answered questions about the differences of this project being done under General Law City or Charter City rules.
FILE NO. CC-10(e), CC-72, CC-300 AND CC-400

10. MEETING OF THE LODI PUBLIC IMPROVEMENT CORPORATION

Mayor Mann adjourned the meeting to the Lodi Public Improvement Corporation (LPIC). President Mann called the meeting to order and Secretary Perrin recorded roll. The LPIC, on motion of Board Member Sieglock, Pennino second, unanimously adopted Resolution No. 95-2 approving the sale of \$5 million Certificates of Participation under the Small Issue Arbitrage Financing Program to finance a number of capital projects.
FILE NO. CC-190 AND CC-300

11. RECONVENE CITY COUNCIL MEETING

Mayor Mann adjourned the meeting of the Lodi Public Improvement Corporation and reconvened the City Council meeting.

12. ORDINANCES

None.

13. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

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14. 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) Expressed his appreciation to the Mayor for discussing the items removed from the Consent Calendar early instead of moving them to the end; 2) Praised the Police Department for apprehending the suspect in a recent gang-related stabbing; 3) The public hearing which was held on Tuesday, September 19, 1995 regarding the boat ramps at Lodi Lake was well attended. The public should be aware of the possibility of this boat ramp being installed; 4) Stated he would like to see the City move forward on the Charter City timeline created by former City Attorney McNatt. Perhaps this item can be discussed at a future Shirtsleeve Session. There are numerous projects that may benefit under a Charter City status. Mayor Mann indicated City Manager Flynn is working on continuing forward with it and will come back with a timeline of activities; and 5) Thanked City Engineer Prima for providing him with the information he requested on Almond Drive at the last Council meeting and also thanked Public Works Director Ronsko for the information regarding the engineering costs for White Slough.
FILE NO. CC-6
- b) Council Member Pennino thanked the Lodi District Chamber of Commerce for being instrumental in arranging today's luncheon and tour of the multi-modal station with Octavia Diener of the California Transportation Commission. She will be one of the persons voting on the allocation for funding of the multi-modal station.
FILE NO. CC-50(b)
- c) Council Member Sieglock reminded Council that the Charter City discussion was delayed by Council until the new City Attorney came on board. City Attorney Hays will be here soon and will again begin the timeline. The Boys and Girls Club will conduct its official grand opening on October 2, 1995. Although not totally completed, the doors will be open to portions of the building. Council Member Sieglock further thanked the Lodi Grape Festival for the Fair again this year and he appreciated the theme, "Stomp, Rattle and Roll". He enjoyed the Kiddie Parade, which has been a tradition for 58 years. Also, Mr. Sieglock received information regarding the Purple Heart Veterans Highway Dedication Service at Cherokee Memorial Park Cemetery on Sunday, September 24, 1995 at 3:00 p.m. The information will be in the City Clerk's office if anyone is interested.
FILE NO. CC-6
- d) Mayor Mann invited golfers to attend the 1995 City of Lodi Mayor's Cup Golf Tournament to be held on Saturday, September 30, 1995 at Micke Grove golf course. The fee to participate is \$65. Mayor Mann also thanked Nick Felton for allowing the City Council to use his Mustang convertible in the Lodi Grape Festival parade on Sunday.
- e) City Manager Flynn congratulated three employees for their dedicated service to the City of Lodi: Michael Williams in the Electric Utility Department with 33 years; Kay Tamura in the Public Works Department for 31 years; and Richard Prima in the Public Works Department for 20 years. Mr. Flynn also announced there will be a flu shot program on October 12, 1995 at Hutchins Street Square at 9:00 a.m. The City Manager further acknowledged Parks and Recreation Director Williamson for the public hearing regarding the boat ramp at Lodi Lake Park. There was a lot of public participation and staff will return to the City Council with recommendations.
- f) Mayor Mann questioned how staff was proceeding with the hiring of the Code Enforcement Officer due to the resignation of the current part-time Code Enforcement Officer. City Manager Flynn indicated that the job description is scheduled to come before the City Council at the first meeting in October.
FILE NO. CC-34

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15. CLOSED SESSION

Mayor Mann adjourned the City Council meeting to a Closed Session to discuss the following matters:

- a) Labor Relations - United Firefighters of Lodi (UFL); San Joaquin Public Employees Association (SJPEA) regarding General Services and Maintenance & Operators; Lodi Police Dispatchers Association (LPDA) and Confidential Employees
Negotiator: Personnel Director Joanne Narloch
- b) Prospective lease of City property (275± acres adjacent to White Slough Water Pollution Control Facility); the negotiating parties are the California Youth Soccer Association (CYSA) and the City of Lodi. Price and terms of the lease are under negotiation.
- c) Actual Litigation: Government Code §54956.9(a). City of Lodi et al. v. Central California Traction Company. San Joaquin County Superior Court No. 272939

16. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Mayor Mann reconvened the City Council meeting at approximately 9:37 p.m. and disclosed the following actions:

Labor Relations - United Firefighters of Lodi (UFL); San Joaquin Public Employees Association (SJPEA) regarding General Services and Maintenance & Operators; Lodi Police Dispatchers Association (LPDA) and Confidential Employees. Negotiator: Personnel Director Joanne Narloch

There was no need to discuss Labor Relations.

Prospective lease of City property (275± acres adjacent to White Slough Water Pollution Control Facility); the negotiating parties are the California Youth Soccer Association (CYSA) and the City of Lodi. Price and terms of the lease are under negotiation.

No final action was taken on this matter.

Actual Litigation: Government Code §54956.9(a). City of Lodi et al. v. Central California Traction Company. San Joaquin County Superior Court No. 272939

No final action was taken on this matter.

FILE NO. CC-200(c) AND CC-200(d)

17. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 9:37 p.m.

ATTEST:

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk