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CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 4, 1995
7:00 P.M.

1. ROLL CALL

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

Absent: Council Members - Davenport

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

2. INVOCATION

The invocation was given by Pastor Mike Reed, Lodi Avenue Baptist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented a Resolution of Appreciation for Del Heintz, General Manager of King Videocable Company, who will be leaving the Lodi area. Accepting the proclamation was his wife, Dorothy Heintz, and Tamzin Ellsworth. Del's commitment and dedication to this community will be greatly missed.
FILE NO. CC-6
- b) Tony Lum with California State Automobile Association (AAA) presented Mayor Mann, Public Works Director Ronsko and Police Chief Hansen with its Pedestrian Safety Citation Award for 1994.
FILE NO. CC-6
- b) Mayor Mann and Mike Reese presented awards to the winners of the 6th Annual Mayor's Cup Golf Tournament which was held at Micke Grove on Saturday, September 30, 1995: Further, Mr. Reese presented Mayor Mann with a check from the proceeds in the amount of \$2,464.70 which will be for the Parks and Recreation Financial Aid fund.
FILE NO. CC-40
- c) Mayor Mann presented Community Service Officer (CSO) Mary Fuhs with a proclamation proclaiming the week of October 23 - 31, 1995 as "Red Ribbon Week" in Lodi.
FILE NO. CC-37
- d) Mayor Mann presented Joanne Hoffman, member of the Board of Directors, Women's Center of San Joaquin County, with a proclamation proclaiming Friday, October 6, 1995 as "Take Back the Night" in Lodi.
FILE NO. CC-37
- e) Colleen Dixon with the East Side Improvement Committee thanked the Lodi City Council and the Electric Utility Department and its crew for the installation of the east side alley lights and presented Electrical Engineer Grandi, Electrical Estimator Smatsky and Assistant Planner Veerkamp with Certificates of Recognition.
FILE NO. CC-2(s)

- f) Police Volunteer Supervisor Biskup introduced Police Partner Don Roe and his wife Joanne who donated the 1951 Cadillac for the Lodi Police Partner's fundraiser. They raised approximately \$10,000, a portion of which will be used for a new computer. Mr. Roe drew the winning ticket belonging to Jeff Mitchell. Ms. Biskup extended her appreciation to Photo Instant Print who generously provided the raffle tickets for the fundraiser free of charge.
FILE NO. CC-6 AND CC-152

5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$1,996,406.39.
FILE NO. CC-21(a)
- b) The Minutes of September 20, 1995 (Regular Meeting) were approved as written.
- c) Received report of the sale of surplus City property.
FILE NO. CC-20 AND CC-47
- d) Agenda item #E-4 entitled, "Request for Business Tax Waiver" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Sieglock.)
- e) Approved the plans and specifications for bids for traffic signal installation, Turner Road and Mills Avenue and authorized advertising for bids.
FILE NO. CC-12.1(c)
- f) Approved plans and specifications for bids for signal modifications and repairs, Cherokee Lane and Lodi Avenue, Cherokee Lane and Victor Road, North Lower Sacramento Road and Turner Road, and Lodi Avenue and Central Avenue.
FILE NO. CC-12.1(c)
- g) Agenda item #E-7 entitled, "Purchase of pickup truck for Public Works Inspector" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Pennino.)
- h) Adopted Resolution No. 95-123 awarding the contract for refinish and reline two portable basketball floors to Boberg Hardwood Floors of Sacramento in the amount of \$21,950.
FILE NO. CC-12(a) AND CC-300
- i) Agenda item #E-9 entitled, "Contract award for Tree Trimming 1995" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Mayor Mann.)
- j) Accepted the improvements under the "Emerson Park and Lawrence Park Restroom Facilities" contract, and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
FILE NO. CC-90
- k) Approved the final map for Johnson Ranch, Unit No. 4, Tract 2588, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City and appropriated the necessary funds from the Miscellaneous Streets Account.
FILE NO. CC-46 AND CC-90

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Continued October 4, 1995

- l) Approved the employment agreement for the position of City Attorney.
FILE NO. CC-34 AND CC-90
- m) Adopted Resolution No. 95-125 vacating a public utility easement 290 feet south of West Lodi Avenue and 90 feet west of Rose Street to Rose Street at 610 West Lodi Avenue.
FILE NO. CC-52(b) AND CC-300
- n) Agenda item #E-14 entitled, "Receive Memorandum of Understanding (MOU) for Maintenance & Operators and General Services Units" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Pennino.)
- o) Adopted Resolution No. 95-126 authorizing the adjustment to the salary of Confidential employees effective the beginning of the pay period following July 1, 1995, July 1, 1996 and July 1, 1997.
FILE NO. CC-34 AND CC-300
- p) Authorized the City to join the amicus brief for Warren v. City of Carlsbad (9th Cir., 1995; 58 F.3d 439)
FILE NO. CC-4(f)
- q) Set Public Hearing for November 1, 1995 to consider the Planning Commission's recommendation that the City Council adopt the 1995 Growth Management Allocations.
FILE NO. CC-35(b)

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Sieglock, Mann second, unanimously waived the Business Tax for vendors who do not have a Business License and who will participate in the Women's Ministries of Century Assembly Craft Boutique to be held for one day on November 4, 1995 at 550 West Century Boulevard.
FILE NO. CC-21(a) AND CC-56
- b) The City Council, on motion of Council Member Pennino, Warner second, unanimously adopted Resolution No. 95-122 awarding the purchase of a pickup truck for the Public Works Inspector from the low bidder, Hayward Dodge, Inc. of Hayward, in the amount of \$17,446.88.
FILE NO. CC-12(d) AND CC-300
- c) The City Council, on motion of Mayor Mann, Sieglock second, unanimously adopted Resolution No. 95-124 awarding the contract for Tree Trimming 1995 to Town and Country Tree Service, Inc. of Stockton, California, in the amount or \$31,115.00
FILE NO. CC-12(a), CC-49 AND CC-300
- d) The City Council, on motion of Council Member Pennino, Mann second, unanimously received the Memorandum of Understanding (MOU) between the City of Lodi and the General Services Unit for the period from July 1995 to July 1997. (The Maintenance & Operators Unit did not ratify the contract; therefore, the City Council did not receive the MOU for M&O.)
FILE NO. CC-34

Continued October 4, 1995

7. 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 Mann called for the Public Hearing to consider Reimbursement Agreement #RA-95-04 for public improvements for Lodi Town Plaza Shopping Center.

Hearing Opened to the Public

There was no one wishing to speak on the matter.

Public Portion of Hearing Closed

ACTION:

The City Council, on motion of Council Member Sieglock, Mann second, unanimously approved Reimbursement Agreement #RA-95-04 for public improvements in Kettleman Lane and along the west boundary of the Lodi Town Plaza Shopping Center constructed with the Lodi Town Plaza Shopping Center.

FILE NO. CC-90

8. 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, Warner second, unanimously rejected the following claims:

- 1. Dale Buirch, date of loss 8/5/95
- 2. Maria Ruiz, date of loss 4/20/95
- 3. Phillip Shumate, date of loss 6/27/95
FILE NO. CC-4(c)

- b) The following report was presented to the City Council:

- 1. Planning Commission report of September 25, 1995
FILE NO. CC-35(c)

- c) The City Council, on motion of Council Member Sieglock, Pennino second, unanimously directed the City Clerk to post for the following vacancies:

Greater Lodi Area Youth Commission

Nancy Dobler
Dennis Cunnington

FILE NO. CC-2(t)

- d) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously set Public Hearing for November 1, 1995 to consider appeal received from Suresh Bhakta to waive fee for connection to public sanitary sewer system at 1201 East Lockeford Street, Lodi.

FILE NO. CC-6, CC-44 AND CC-56

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Continued October 4, 1995

9. REGULAR CALENDAR

a) The City Council, on motion of Council Member Sieglock, Mann second, unanimously approved the amendment to the Transit Professional Services Agreement and authorized James E. Brown & Associates to proceed with work.
FILE NO. CC-50(b) AND CC-90

b) The City Council, on motion of Council Member Pennino, Mann second, unanimously approved execution of the architectural services agreement between the City of Lodi and the firm of Wenell, Mattheis and Bowe Architects for the completion of construction documents, and authorized the release of the construction documents for bidding.
FILE NO. CC-90

Answering questions on the matter were Dennis Bennett and Jeff Kirst, members of the Old Lodi Union High School Site Foundation.
FILE NO. CC-14(e), CC-27(e) AND CC-90

c) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously adopted Resolution No. 95-127 supporting the Transportation Enhancement Activities Grant Application for a clock tower for the multimodal station.
FILE NO. CC-50(a), CC-72 AND CC-300

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

a) Veva Preszler, 602 Wimbledon Drive #75, Lodi, complained of the high amount of gang activity and crimes at her apartment complex. The Police Department has helped as much as it possibly can. The renters have attempted to locate the property owner to make improvements, to make the building more secure and to install more lights, and further requested the City's help in locating the property owner. Council suggested Ms. Preszler organize a Neighborhood Watch Group and contact Virginia Snyder of the East Side Improvement, both of which have been done. Council directed the City Attorney's office and Community Development Department to review Ms. Preszler's legal avenues.
FILE NO. CC-16

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

a) Council Member Pennino commended the success of the Business Leadership Summit recently held at Delta College. Mr. Pennino congratulated the committee chairperson and members responsible for this great event, many of which reside in the City of Lodi.

b) Council Member Sieglock announced a reception will be held on Tuesday, October 17, 1995 from 5:00 p.m. to 7:00 p.m. at Carnegie Forum to welcome newly appointed City Attorney Randall Hays. Also Mr. Sieglock announced the Mayor's "State of the City Luncheon" will be held on October 20, 1995 at the California Waste Removal Facility Visitors Center. Further, Council Member Sieglock provided an update regarding the recent Northern California Power Agency (NCPA) conference he attended, stating. Competition for electric utilities is here and will impact the City of Lodi, and the City needs to prepare for the future. Mr. Sieglock suggested the following:

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- Form an advisory committee made up of two Council Members, the Electric Utility Director, the Public Works Director and the City Manager;
- Prepare a cost-of-service study;
- Rename the City of Lodi Electric Utility Department - possibly Lodi Public Power;
- Hire an Accounts Marketing Representative to service and work on key accounts;
- Use savings to pay off debt - the City may receive a savings from WAPA of \$150,000 which should be used to pay off some of the City's debt; and
- Be more aggressive with State and Federal legislature - make them more aware of the City's electrical needs.

Based on Council Member Sieglöck's suggestions, staff will return to Council with recommendations.

FILE NO. CC-7(j) AND CC-51(d)

- c) Council Member Warner also commented on the NCPA Conference and stated that NCPA is working hard for Lodi's interests. California is facing deregulation, surplus power and the State's regulation of the power industry. Mr. Warner also congratulated the Lodi District Chamber of Commerce on its Street Faire. It was well attended, well run and brought a lot of people to downtown Lodi.

FILE NO. CC-7(j) AND CC-51(d)

- d) City Manager Flynn recognized the following City of Lodi employees:
Jim Schroeder for 31 years of service and Dale Edens for 36 years of service.

13. CLOSED SESSION

Mayor Mann adjourned the meeting to a Closed Session to discuss the following matter:

- 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

14. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Mayor Mann reconvened the City Council meeting and disclosed the following action:

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

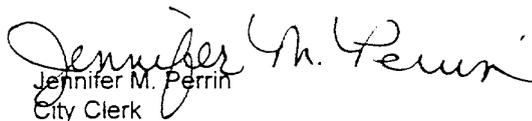
No final action taken on this matter.

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 9:56 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk