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CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 15, 1995
7:00 P.M.

1. ROLL CALL

Present: Council Members - Davenport, Pennino (arrived at approximately 8:45 p.m.), Sieglock, Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Acting Assistant City Manager/Public Works Director Ronsko, Community Development Director Schroeder, Electric Utility Director Vallow, City Attorney Hays and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Norm Mowery, First United Methodist 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 to former Community Improvement Officer Leland Schmiedt.
FILE NO. CC-37
- b) Mayor Mann presented a proclamation to Paula Soto of the Lodi Community Service Center announcing this year's kickoff for the Mayor's Annual Holiday Child Share Program, which will be held on Tuesday, November 21, 1995 at 11:15 a.m. at Lodi High School. Ms. Soto also announced a new program called "Blanket the City of Lodi" which provides new blankets to needy families and the homeless.
FILE NO. CC-37

5. CONSENT CALENDAR

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

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

- a) Claims were approved in the amount of \$3,698,407.22.
FILE NO. CC-21(a)
- b) The Minutes of November 1, 1995 (Regular Meeting) were approved as written.

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- c) Received report of the sale of surplus property.
FILE NO. CC-20 AND CC-47
- d) Agenda item #E-4 entitled, "Plans and specifications and advertisement for bids for Hutchins Street striping and bike lanes, Kettleman Lane to Lodi Avenue" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Sieglock.)
- e) Approved plans and specifications for bids for the Blakely Park balance tank and filtration system replacement and authorized advertising for bids.
FILE NO. CC-12.1(b)
- f) Agenda item #E-6 entitled, "Specifications and advertisement for bids for photocopier for Personnel Department" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Sieglock.)
- g) Adopted Resolution No. 95-144 awarding the purchase of a tractor/loader with backhoe for the Water/Wastewater Division from the second low bidder, Reed Equipment Company of Stockton, in the amount of \$54,979.43.
FILE NO. CC-12(d) AND CC-300
- h) Adopted Resolution No. 95-145 awarding the contract for Traffic Signal Modifications and Repairs, Cherokee Lane and Lodi Avenue, Cherokee Lane and Victor Road, North Lower Sacramento Road and Turner Road, Lodi Avenue and Central Avenue to M & M Electric of Sacramento in the amount of \$53,410, and appropriated \$62,000 from the Gas Tax Street Fund Account.
FILE NO. CC-12(a) AND CC-300
- i) Adopted Resolution No. 95-146 approving the class specifications and salaries for Human Resources Technician, Deputy City Clerk and Administrative Clerk II - Confidential and further, that Deferred Compensation for the above positions be made a part of salary.
FILE NO. CC-34 AND CC-300
- j) Adopt Resolution No. 95-147 approving a 3% compensation adjustment for the City Clerk effective the first pay period of January 1996.
FILE NO. CC-34 AND C C-300
- k) Set Public Hearings for Wednesday December 20, 1995 at 10:00 a.m. at the Senior Information Center (Hutchins Street Square) and at 7:00 p.m. at the Carnegie Forum to consider unmet transit needs within the City of Lodi.
FILE NO. CC-6 AND CC-50(b)
- l) Set Public Hearing for December 6, 1995 to consider adopting the following Uniform Codes as approved by the State of California:
 - Uniform Building Code - 1994
 - Uniform Plumbing Code - 1994
 - Uniform Mechanical Code - 1994
 - Uniform Housing Code - 1994
 - Uniform Code for the Abatement of Dangerous Buildings - 1994
 - Uniform Fire Code - 1994
 - National Electric Code - 1993

FILE NO. CC-6

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6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) In the matter regarding plans and specifications and advertisement for bids for Hutchins Street striping and bike lanes, Kettleman Lane to Lodi Avenue, the City Council, on motion of Council Member Sieglock, Davenport second, moved this item to the end of the agenda so that the Public Works Director may research information regarding parking vehicles inside bike lanes by the following vote (see page 7, item 17a):

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

- b) The City Council, on motion of Council Member Sieglock, Warner second, approved the specifications for bids for photocopier for the Personnel Department and authorized advertising of bids by the following vote:

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

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 Planning Commission's recommendation that amendments be made to the portion of Title 17, "Zoning Ordinance" dealing with "Signs".

ACTION:

The City Council was not ready to take action on this matter due to unresolved issues regarding the proposed ordinance, and, therefore, on motion of Mayor Mann, Warner second, voted to not consider the matter at this time and referred it back to the Planning Commission for input from interested parties by the following vote:

Ayes: Council Members - Davenport, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - None
Absent: Council Members - Pennino
FILE NO. CC-53(a) AND CC-171

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 Warner, Sieglock second, rejected the claims shown below by the following vote:

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

1. Gerardo Gutierrez, date of loss 8/21/95
2. Roger Harbin, date of loss 9/13/95
3. Jose Rodriguez, date of loss 10/9/95
FILE NO. CC-4(c)

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- b) City Clerk Perrin read the following ABC Licenses:
 - 1. Paprika Restaurant, Inc., 523 West Harney Lane, Lodi, On-Sale Beer and Wine, Person to Person Transfer
FILE NO. CC-7(f)

- c) The City Council, on motion of Council Member Warner, Sieglock second, made the appointments shown below by the following vote:

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

Greater Lodi Area Youth Commission

Marilyn Hughes
Debie Woehl

FILE NO. CC-2(t)

- d) The City Council, on motion of Council Member Sieglock, Warner second, directed the City Clerk to post for the vacancies shown below by the following vote:

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

Lodi Parks and Recreation Commission

Chad Meyer Term to expire December 31, 1996

East Side Improvement Committee

Dan Haynes

FILE NO. CC-2(h) AND CC-2(s)

9. REGULAR CALENDAR

- a) The City Council, on motion of Council Member Sieglock, Mann second, adopted Resolution No. 95-148 (including the amendment which changes the age of the seniors eligible for these housing units from 62 to 55 years old per Federal requirements) approving a loan in the amount of \$1,084,000 for the Hotel Lodi Rehabilitation project (the loaned funds will come from the City's Federal allocations of HOME and CDBG funds) by the following vote:

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

Speaking on the matter were the following persons:

- 1. Cyrus Youssefi with Dan Logue Development, Inc., spoke in favor of this project and answered questions from the City Council;

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2. Ed Rechter, a merchant in the Lodi Hotel, spoke in support of the project;
3. Trella Areida, Chairman of the Senior Citizens Commission, 1330 Midvale Road, Lodi, spoke in favor of the project with a few minor changes; and
4. Tony Canton, 1029 South Church Street, Lodi, who also spoke in favor of the project, questioned if these funds are approved will there be any funds left in the future for any other projects? Mr. Canton is considering a project dealing with the property that was sued by various east side residents. Community Development Director Schroeder replied that, assuming the funds will follow the previous pattern, approximately \$200,000 would be allocated next year for which he could apply. The City Manager and the Community Development Director will meet with him to explain the process of applying for these funds.
FILE NO. CC-6, CC-21(a), CC-55, CC-72 AND CC-300

10. RECESS

Mayor Mann declared a ten-minute recess and the meeting reconvened at approximately 8:44 p.m.

11. REGULAR CALENDAR (Continued)

- a) (Council Member Pennino arrived during the discussion on the following matter.)

The City Council, on motion of Mayor Mann, Sieglock second, unanimously postponed the matter regarding formation of a North County Water Conservation Zone until a future Council meeting.
FILE NO. CC-7(b) AND CC-183(d)

- b) The City Council, on motion of Council Member Sieglock, Warner second, unanimously adopted Resolution No. 95-149 entitled, "Resolution Of The City Council Of The City Of Lodi Authorizing And Approving The Execution And Delivery Of One Or More Agreements To Provide Certain Information As Required Under 15c2-12 Of The Securities And Exchange Commission; And Authorizing Certain Other Matters Relating Thereto" and adding language that such written agreements be approved as to form by the City Attorney for and on behalf of the City of Lodi.
FILE NO. CC-6, CC-51(d) AND CC-300

12. ORDINANCES

None.

13. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

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) Reminded everyone to be ever mindful of the gangs. Hopefully gang activity will start to decrease; although, reports he has heard indicates gang activity has increased in Lodi. The message to parents is they need to know where their kids are; 2) Received a letter from an employee with a problem. Mr. Davenport assured her that he received it and read it; 3) Received a letter thanking the Police Department for the Halloween period; 4) Received a letter praising Frank Beeler in the Water/Wastewater Division for resolving a water problem; 5) Acknowledged the Historical Society for the items they want to preserve at Lodi Lake; 6) Received a letter from a citizen regarding a vacant lot on the east side. Mr. Davenport reminded citizens in the entire community to keep their properties in good repair to eliminate blight; 7) Received a letter that the Gang Alternative Project (GAP) has decided not to merge with the East Side Improvement Committee at this time; 8) Reminded the public about the meeting on November 28, 1995 at the Carnegie Forum regarding the design of the site specific plan for the south side of Lodi Lake; 9) Informed the citizens and business people to contact the Public Works Department regarding information on the process of getting an encroachment permit for sidewalk displays; 10) Announced that the City received its new street sweeper, which went on line last week. This should resolve some of the complaints about streets not being swept; 11) Informed the citizens about Lodi's cable which was sold to a franchise. Lodi's franchise rate is 3%; Stockton pays 5%; 12) Requested that staff look into using a local agency or auctioneer regarding the sale of surplus property. It would give area citizens more of an opportunity to bid on surplus equipment which they actually paid for; and 13) Wished everyone a happy Thanksgiving.
FILE NO. CC-2(s), CC-2(q), CC-6, CC-20, CC-47 AND CC-158
- b) Council Member Sieglock wished everyone a happy Thanksgiving.
- c) Council Member Pennino apologized for not making it to the meeting earlier. His son had a water polo banquet that he did not want to miss. Council Member Pennino thanked the Public Works Director for trimming the trees south of Century Boulevard. Public Works Director Ronsko informed the Council that they used court appointees to do the work. Further Council Member Pennino requested that Public Works publish the updated map of the street sweeping route and schedule.
FILE NO. CC-158
- d) City Manager Flynn commented on the parking problem on Pine Street, which is mainly due to the construction of City Hall. Mr. Flynn announced that the parking will be enforced more strictly and action will be taken to remove the parking across the street used for Dial-A-Ride, which will free up two spaces. City Manager Flynn reminded the public of the Joint Meeting of the Lodi City Council and the Lodi-Woodbridge Winegrape Commission which will be held on Thursday, November 16, 1995 at Spenker Winery. The United Way Campaign is under way, and Mr. Flynn encouraged participation from everyone. Further, Mr. Flynn announced he has officially named Vicky McAthie as the City Finance Director, and stated she will do a fine job and is a very capable lady.
FILE NO. CC-34, CC-48(k) AND CC-72
- e) Mayor Mann reminded the public that a Special Meeting will be held on Tuesday, November 21, 1995 regarding California Youth Soccer Association (CYSA) and the final Environmental Impact Report (EIR).

15. CLOSED SESSION

Mayor Mann adjourned the 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 Maintenance & Operators; Lodi Police Dispatchers Association (LPDA)
Negotiator: Personnel Director Joanne Narloch
- b) Actual Litigation: Government Code §54956.9(a). One Case. Scheppmann v. City of Lodi et. al., San Joaquin County Superior Court No. 281991

16. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Mayor Mann reconvened the Council meeting at approximately 10:00 p.m. and disclosed the following actions:

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

No need for discussion on this matter.

Actual Litigation: Government Code §54956.9(a). One Case. Scheppmann v. City of Lodi et. al., San Joaquin County Superior Court No. 281991

No final action taken in this matter.

FILE NO. CC-200(d)

17. ACTION ON AGENDA ITEM #E-4 WHICH WAS POSTPONED TO THE END OF THE AGENDA

- a) The City Council, on motion of Council Member Sieglock, Davenport second, unanimously approved the plans and specifications for bids for Hutchins Street striping and bike lanes, Kettleman Lane to Lodi Avenue and authorized advertising of bids.
FILE NO. CC-12.1(c)

18. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 10:00 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk