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CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 2, 1994
7:00 P.M.

1. ROLL CALL

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

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Greg Myers, Zion Reformed Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Mayor Sieglock presented a proclamation to Dennis Tericco, Principal; David Wright, School Board President; and Sandy Alderson, Parent Club President proclaiming January 30 - February 5, 1994 as "Catholic Schools Week".
FILE NO. CC-37

b) Police Chief Hansen and Lieutenant Dean of the Lodi Police Department made a presentation to the City Council regarding the Police Chaplaincy Program which began on February 1, 1994. There are seven volunteer pastors who will be donating their time on rotating shifts and on-call 24 hours a day, 7 days a week to provide support to victims of crime. Police Chief Hansen introduced the volunteers who were present in the audience:

Ran Dotson
David Hill
David Mitchell
Michael Reed
Don Thomas

Scott Brownell and Bill Sherrill were unable to attend the meeting.
FILE NO. CC-6 AND CC-152

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5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$3,320,920.14.
FILE NO. CC-21(a)
- b) The Minutes of January 19, 1994 (Regular Meeting) were approved with one minor word change on page two, item "i" to read ". . .time of use" instead of ". . .time and use".
FILE NO. CC-1(b)
- c) Adopted Resolution No. 94-11 awarding the bid for sale of a surplus power transformer/regulator combination and two surplus power circuit breakers to U. S. Transformer, Inc., Jordan MN in the amount of \$10,000.
FILE NO. CC-12(d), CC-47 AND CC-300
- d) Agenda item #E-4 entitled, "Acceptance of Improvements under Lodi Jail Painting and Plumbing Retrofit, 230 West Elm Street" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- e) Accepted the improvements for "Lane Line Painting, Various City Streets, 1993" and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office.
FILE NO. CC-90
- f) Adopted Resolution No. 94-12 accepting the development improvements for Century Meadows III, Unit 1, Tract No. 2572.
FILE NO. CC-46 AND CC-300
- g) Accepted the improvements under the "Church Street Improvements, Kettleman Lane to Vine Street" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office.
FILE NO. CC-90
- h) Reviewed and took no action regarding the Kettleman Lane (State Highway 12) at Lee Avenue, "Do Not Block Intersection" signing study.
FILE NO. CC-6 AND CC-48(a)
- i) Adopted Resolution No. 94-13 approving the installation of no-parking zones on Kettleman Lane (State Highway 12) at Hutchins Street and Church Street to accommodate exclusive right-turn lanes.
FILE NO. CC-48(e) AND CC-300
- j) Adopted Resolution No. 94-14 amending the Traffic Resolution No. 87-163 to approve the installation of a yield sign on Coloma Street at Stanislaus Street.
FILE NO. CC-48(i) AND CC-300
- k) Adopted Resolution No. 94-15 amending the Capital Improvement Program (CIP) to transfer the already approved funding for the Police radio repeater system from Asset Seizure funds to Police Development Impact Mitigation Fee funds.
FILE NO. CC-6, CC-15 AND CC-300

- l) Adopted Resolution No. 94-16 approving Program Supplement No. 7 to the State-Local Master Agreement No. SLTPP-5154 to cover the street improvements on Church Street, Kettleman Lane to Vine Street.
FILE NO. CC-45(a), CC-90 AND CC-300

6. ACTION ON ITEM REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Davenport, Snider second, unanimously accepted the improvements under "Lodi Jail Painting and Plumbing Retrofit, 230 West Elm Street" contract and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office. Further, the Public Works Director was directed to bring back information to the City Council breaking down the costs of contract change order #9.
FILE NO. CC-90

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

- a) Council Member Snider commended the business community and City staff for two outstanding workshops; one on January 26, 1994 regarding business license fees and another on January 31, 1994 regarding Cherokee Lane and Downtown Revitalization. Mr. Snider requested that the methodology on gross receipts be looked at a bit more and perhaps explore other alternatives before the matter is brought back to the City Council.

Council Member Snider also commented on the request by the State of California, among other states, asking for the Federal Government to help fund mandated immigration services. It amounts to approximately \$7 billion a year for the State of California, and it is a national issue.
FILE NO. CC-6, CC-72, CC-177 AND CC-400

- b) Council Member Davenport commented on the following matters: (1) Stated that the Police Department's Chaplaincy Program is a step in the right direction and would be helpful for both police and fire; (2) Commented that the agenda contained items adding up to \$3.4 million; (3) Stated he is still concerned about the gang situation; (4) Requested that the City Council be given a bi-weekly report on what the Community Improvement Officer has done; (5) Informed the public that there will be a special shirtsleeve session on February 3, 1994 at 7:00 a.m. to discuss the City transportation system. The City's consultant, Jim Brown, will be there to give a report; (6) Informed the public that the Personnel Department has prepared draft documents regarding personnel and administrative policies which is available for public viewing; (7) Stated he received a letter from Kikuchi Della Monica and Associates (KDA) expressing its desire for an opportunity to bid on the Cherokee Lane/Downtown Revitalization project; (8) Commented on the workshop regarding the business license fee proposals and agreed that he would like to see other alternatives explored as well; (9) Informed the public that the Finance Department has prepared expense sheets for each Council Member which is available for public viewing; (10) Received a letter from a citizen requesting that the sidewalks be repaired on South Fairmont Avenue and felt she had reasonable justification; (11) Commented on a memorandum he received from the Public Works Director regarding his request for an analysis of the traffic enforcement and traffic engineering functions at no cost to the City; (12) Informed the public that the Efficiency Committee has been meeting and heard that the last meeting had not been posted and the Committee had to go home; (13) Informed the public of the last shirtsleeve session whereby the City Council

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discussed surface water options and the need to take some major steps to replenish the water supply; (14) Informed the public that negotiations are still on-going with the Lodi Police Officers' Association (LPOA) and International Brotherhood of Electrical Workers (IBEW). The next arbitration hearing for the United Firefighters of Lodi will be held on February 18, 1994 and encouraged citizens to attend; and (15) Commented that he would like to see the City hire a consultant to bring factory outlets into Lodi which would help out our area.

FILE NO. CC-2(u), CC-6, CC-21(b), CC-34, CC-50(b), CC-72, CC-152 AND CC-400

- c) Council Member Pennino commented that the Efficiency Committee meeting that Mr. Davenport spoke about was posted; however, the City Council had a workshop on the same evening and the Efficiency Committee was unable to attend it because it was not posted.
FILE NO. CC-2(u)
- d) Council Member Mann made the following suggestions regarding the City's economic recovery and requested that this matter be set for a future shirtsleeve session for discussion by the City Council:
1. That the City waive the first year business license fee for new businesses that come to Lodi;
 2. That the City waive a portion of the first year sales tax for new businesses who locate in downtown Lodi or on Cherokee Lane;
 3. That the City waive all or part of the impact fees for new companies who employ 100 people or with an annual payroll of \$3 million or more;
 4. That the City consider amortizing impact fees over a three-year period for all new businesses and existing plant expansions;
 5. That the City lower impact fees across the board;
 6. That the City look at refunding the first year property tax (the City's share of it) to new industrial customers;
 7. That the City reevaluate all commercial utility rates;
 8. That the City hold a quarterly business forum;
 9. That the City Council be designated as the business lobby for the City of Lodi and take the concerns from the quarterly business forum and do the lobbying on the state and federal levels; and
 10. That the City consider contracting with a business marketing specialist who will represent Lodi in the State and in the nation.

FILE NO. CC-6 AND CC-400

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- e) Council Member Pennino requested that staff bring back a clarification regarding the costs of the Freedman proposal for Cherokee Lane and Downtown Revitalization whether it is \$81,000 or \$130,000 as Council Member Davenport has said, as well as \$18,000 for the Mundy and Associates proposal. Council Member Davenport stated that he has added all of the tasks together to come up with his figure. Mayor Sieglock clarified, that by adding all of the tasks together, some of the figures are duplicated making the cost seem higher.

Council Member Pennino invited the public to attend Youth Day on August 6, 1994 at Lodi Lake Park sponsored by the Youth Commission. The next Youth Commission meeting will be on February 23, 1994 at 7:30 a.m. at the Senior Citizens Center, Hutchins Street Square.

FILE NO. CC-2(t), CC-6, CC-72 AND CC-400

- f) Mayor Sieglock commented on the following matters: (1) Agreed that the methodology for gross receipts for business licenses needs to be recalculated; (2) On February 8 and 9 the City Council will have a special meeting to discuss the budget and encouraged the public to attend; (3) Informed the City Council and the public, that staff, in conjunction with the Chamber of Commerce Economic Development Task Force, sent out over 150 letters to California businesses enticing them to bring their business to Lodi; and (4) Commented on an article that appeared in the Stockton Record regarding impact fees in Lodi compared to other communities. Mr. Sieglock asked City Manager Peterson to respond.

City Manager Peterson informed the Council that the Public Works Department has made this its number one priority and will research these fees to see how they really compare with other communities. The article was premature and did not represent an accurate picture because other factors may outweigh the comparisons.

FILE NO. CC-21(b), CC-56, CC-72, CC-177 AND CC-400

8. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Virginia Snyder, representing the East Side Improvement Committee, responded to a comment made by Dennis Cochran at the January 5, 1994 City Council meeting whereby he alluded that Ms. Snyder receives payment of some kind. Ms. Snyder reiterated that the Committee is accomplished by volunteers who donate their time, money and personal supplies and equipment, and no one receives any sort of payment. Ms. Snyder further requested that the City Council consider implementing a curb-side pickup program of household discards, such as old furniture and lumber, and suggested that the citizens of Lodi be polled to see if they would be interested in such a program and/or to put the matter on the June ballot. Ms. Snyder also requested that the City Council allocate funds from the Community Development Block Grant (CDBG) funds for a lighting project on eastside alleys. Community Development Director Schroeder encouraged Ms. Snyder to contact Planner, Eric Veerkamp, for an application for CDBG funds.
- FILE NO. CC-2(s) AND CC-55

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9. 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 Sieglock called for the Public Hearing to consider the Sproul Reorganization, including annexation to the City of Lodi and detachment from certain districts as approved by the Local Agency Formation Commission located at 5435, 5479, 5535, 5567, 5909 and 6161 East State Route 12 and 17282 North Guild Avenue.

Hearing Opened to the Public

- 1. Dave Sproul, P.O. Box 832, Lodi, proponent of the annexation (spoke in the support of the annexation);
- 2. Bruce Mettler, representing East Side Winery, 1600 East Highway 12, Lodi, and his parents who reside on one of the properties being annexed on recommendation of LAFCO (spoke in opposition to the annexation because it was too premature and it will hurt the winery's business);
- 3. Gary Forberg, 15491 North Locust Tree Road, Lodi (spoke in opposition to the annexation because it was too premature and he had some concerns about dealing with two government agencies on this right-of-way);
- 4. Leroy Mettler, representing the Mokelumne Rural Fire District, 14090 North Alpine Road, Lodi (spoke in opposition to the annexation because it will result in loss of revenue for the fire agency and it would need to enter into the City limits when responding to some of the properties in that area);
- 5. Mike Henry, Executive Manager of the Farm Bureau, 3290 North Ad-Art Way, Stockton (spoke in opposition to the annexation because it will result in the loss of agriculture land); and
- 6. Frank Alegre, 2000 Edgewood Drive, Lodi (spoke in support of the annexation and the need for light industrial land to bring in new businesses to Lodi).

Public Portion of Hearing Closed

ACTION:

The City Council, on motion of Mayor Sieglock, Snider second, unanimously approved the Sproul Reorganization including annexation to the City of Lodi and detachment from certain districts as approved by the Local Agency Formation Commission located at 5435, 5479, 5535, 5567, 5909 and 6161 East State Route 12 and 17282 North Guild Avenue.

FILE NO. CC-8(a)

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10. COMMUNICATIONS (CITY CLERK)

a) On recommendation of the City Attorney, City staff, and the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Snider, Pennino second, unanimously rejected the following claims and referred them back to ICA:

- 1. Martha Lagomarsino, date of loss 7/28/93
- 2. Gaylord Ostenberg, date of loss 12/19/93
FILE NO. CC-4(c)

b) City Clerk Perrin read the following ABC Licenses:

- 1. Hector J. and Patricia M. Galvan, Galvan's Market, 116-C West Turner Road, Lodi, Off Sale Beer and Wine License, Person to Person Drop Partner and Premises to Premises Transfer;
- 2. Tirath Kaur and Paramjit Singh, Lakewood U-Save Liquors, 215 Lakewood Mall, Lodi, Off Sale General License, Person to Person Transfer; and
- 3. Robert M. and Gertrud A. Schultze, Gerties Place, 105 West Pine Street, Lodi, On Sale Beer and Wine General Public Premises, Person to Person Transfer, Exchange and Premises to Premises Transfer.
FILE NO. CC-7(f)

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

- 1. Planning Commission report of January 24, 1994.

Further, the City Council, on motion of Council Member Pennino, Snider second, unanimously set a public hearing for February 16, 1994 to consider the rezoning of parcels at 5435, 5479, 5535 and 5567 East State Route 12 (Victor Road) and 17282 North Guild Avenue to M-1, Light Industrial
FILE NO. CC-35(c) AND CC-53(a)

d) The City Council, on motion of Council Member Snider, Sieglock second, unanimously directed the City Clerk to post for the following vacancy:

Lodi Arts Commission

Harmon D. Skillin, term to expire July 1, 1994

FILE NO. CC-2(k)

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- e) The City Council, on motion of Council Member Snider, Sieglock second, unanimously concurred with the Mayor's recommendation to appoint the following person to the East Side Improvement Committee:

East Side Improvement Committee

Harry Marzolf

Further, Council Member Davenport commented that he would like to see people appointed to committees who do not serve on several other boards or commissions.
FILE NO. CC-2(s)

11. **REGULAR CALENDAR**

- a) The City Council, on motion of Council Member Mann, Sieglock second, unanimously authorized the advertisement for a 1993 or 1994 four-door station wagon for the Dial-A-Ride fleet.
FILE NO. CC-12.1(c) AND CC-50(b)
- b) Agenda item #J-2 entitled, "1993/94 Transportation Development Act (TDA) Claim" was pulled from the agenda pursuant to staff's request.

12. **ORDINANCES**

None.

13. **CLOSED SESSION**

The City Council adjourned to a Closed Session to discuss the following matters:

- a) Litigation - City of Lodi v. Ramsey/Preszler
- b) Labor Relations
 - 1. Lodi Police Officers' Association (LPOA)
 - 2. International Brotherhood of Electrical Workers (IBEW)

The City Council reconvened at approximately 9:16 p.m.
FILE NO. CC-200(a) AND CC-200(d)

14. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 9:16 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk