

075

CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 16, 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 Lyle Morris, Salvation Army.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS/PROCLAMATIONS/PRESENTATIONS

a) A statement was read by Diane Manning of KPMG Peat Marwick, the City's auditors, in response to an article that appeared in the Lodi News Sentinel regarding the Shirtsleeve Session on February 8, 1994 in which the auditors presented the City of Lodi's Comprehensive Annual Financial Report and Management Letter for the year ended June 30, 1993. The February 9 article implied that the City of Lodi improperly spent monies and took too much money from utility funds to cover the costs of day-to-day operations.

Speaking on the matter was Marty Weybret of the Lodi News Sentinel. Mr. Weybret stated that his reporter listened to the tape of the meeting again and commented on this quote by Mr. Jim Carney of the firm, "I know that there isn't anything inherently wrong with what you're doing. ...The general funds should be as self-sufficient as possible, and have about a 15% structural gap. I think it's a little high".
FILE NO. CC-6 AND CC-21(b)

b) A letter was read by Finance Director Flynn that the City of Lodi's Comprehensive Annual Financial Report (CAFR) has qualified for an Award for Outstanding Financial Reporting from the California Society of Municipal Finance Officers (CSMFO).
FILE NO. CC-21(b)

c) Patty Anderson, President of Omega Nu, presented a check to Dee Porter, Chairperson of the Gang Alternative Project (GAP), in the amount of \$7,000.
FILE NO. CC-2(q)

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- d) Parks and Recreation Director Williamson presented a report regarding the new Adopt-A-Park program.
FILE NO. CC-27(c) AND CC-40
- e) A presentation was made to Barbara Brown, Naturalist at the Discovery Center, of the National Parks and Recreation Association: Arts and Humanitarian Award, City of Lodi Miwok Village/Discovery Center. Ms. Brown introduced many of the volunteers who have put hard work and effort into the Discovery Center.
FILE NO. CC-27(c) AND CC-40
- f) A presentation was made to Recreation Commissioners Casalegno and Johnson of the California Association of Commissioners and Board Members Award of Merit.
FILE NO. CC-27(c) AND CC-40

5. COMMENTS BY PUBLIC ON CONSENT CALENDAR ITEMS

- a) Cheryl Reinke spoke regarding agenda item #E-8 entitled, "Receipt of refuse rate adjustment application" and questioned if the rate application meant that there would be a garbage rate increase in the near future.
FILE NO. CC-22(b), CC-54 AND CC-56

6. CONSENT CALENDAR

Following a failed motion by Council Member Pennino to approve the Consent Calendar as a whole, the City Council, in accordance with report and recommendation of the City Manager, on motion of Council Member Snider, Mann second, unanimously approved the following items hereinafter set forth except those otherwise noted:

- a) Claims were approved in the amount of \$1,412,964.77.
FILE NO. CC-21(a)
- b) The Minutes of February 2, 1994 (Regular Meeting) were approved as written.
- c) Adopted Resolution No. 94-17 ordering the Sproul Reorganization including annexation to the City of Lodi and detachment from certain districts as approved by LAFCO located at 5435, 5479, 5535, 5567, 5909 and 6161 East State Route 12 and 17282 North Guild Avenue. (The Sproul Reorganization was originally approved by the Lodi City Council at its public hearing of February 2, 1994; however, it was not adopted by resolution at that time, thus the need to adopt the resolution at this meeting.)
FILE NO. CC-8(a) AND CC-300
- d) Agenda item #E-4 entitled, "Set public hearing for March 16, 1994 to consider 1994-95 Community Development Block Grant (CDBG) allocation" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- e) Agenda item #E-5 entitled, "Resolution amending the City Conflict of Interest Code for various City boards, commissions and designated employees" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)

- f) Agenda item #E-6 entitled, "Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- g) Adopted Resolution No. 94-20 accepting the development improvements for Lodi West, Unit No. 1, Tract No. 1904, approved the construction reimbursements, and appropriated the necessary funds from the Storm Drain Development Impact Mitigation Fee Fund to reimburse the developer for the cost of the master storm drain installed as a part of this project. Further directed that the developer keep the streets in the subdivision closed and maintain the barricades across Elm Street and Evergreen Drive until the City has energized the street lights.
FILE NO. CC-46, CC-90 AND CC-300
- h) Received the request for rate adjustment from Sanitary City Disposal Company and referred it to staff for analysis, review and comment. The matter will come back to the City Council on the March 2, 1994 agenda for discussion.
FILE NO. CC-6, CC-22(b), CC-54 AND CC-56
- i) Agenda item #E-9 entitled, "1994-96 budget organization, format policies and goals" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)

7. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Mann, Davenport second, unanimously set public hearing for March 16, 1994 to solicit public comments and project ideas and to consider local and multi-jurisdictional proposals for the 1994-95 Community Development Block Grant (CDBG) allocation.
FILE NO. CC-6 AND CC-55
- b) Council Member Davenport made a motion to approve the amended Conflict of Interest Code and to add the Personnel Board of Review; however, the motion died for lack of a second. Further, the City Council, on motion of Mayor Sieglock, Mann second, adopted Resolution No. 94-18 amending the City of Lodi's Conflict of Interest Code for various City boards, commission and designated employees by the following vote:

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

Noes: Council Members - Davenport

Absent: Council Members - None

FILE NO. CC-7(v) AND CC-300
- c) The City Council, on motion of Mayor Sieglock, Snider second, unanimously adopted Resolution No. 94-19 awarding the contract for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project to Moody Construction of Sacramento in the amount of \$66,616 and further directed staff to look into the possibility of receiving Agricultural Stabilization and Conservation (ASC) funds.
FILE NO. CC-12(a) AND CC-300

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- d) The City Council, on motion of Council Member Snider, Mann second, unanimously adopted the 1994-96 budget organization, format policies and goals.

Council Member Davenport stated for the record that he would like to see the following matters addressed in the budget policies:

1. Policy on maintaining a list of debts of what the City owes and how often it is reviewed;
2. Policy on the bid and purchase process, including sole bidder;
3. The restructure of departments and activities, including which department generates which income; and
4. Information regarding the City's credit rating and how it works.

FILE NO. CC-6 AND CC-21(b)

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

- a) Mayor Sieglock responded to a recent newspaper article which indicated that the City of Lodi does not respond quick enough to businesses and proposed a fast-track program which would formalize current practices in the City of Lodi and let the business community know that the City wants to go the extra mile in being responsive, reasonable and friendly. The fast-track program would include the following:

1. Businesses seeking to locate or expand in Lodi shall receive a response to their request for information about fees, demographics of the City, etc, in 24 hours. The Economic Development Coordinator would ensure that the delivery or response would take place in a timely manner and be very understandable.
2. On a moments notice, members of the City Council, City of Lodi Administration, department heads and staff will meet with prospective clients to confidentially discuss projects and methods in which Lodi can and will work with the business community to facilitate an easy expansion or transition to Lodi;
3. Lodi will budget funds for travel by the Economic Development Coordinator to attract and retain industry. Moreover, funds will be budgeted for travel to existing business headquarters in an effort to proactively mitigate problems and/or departures by business before they occur; and
4. Will continue to formalize the structure of the business visitation program which was started last year with then Mayor, Phillip Pennino, and the Economic Development Task Force. That program has proven very effective for local businesses to communicate with the City.

Mayor Sieglock further commented on the letters and phone calls the City Council has been receiving regarding the new fee to County residents for parks and recreation programs. Mr. Sieglock explained that the reason for the fee is in past years the County would actually give the City a portion of money, roughly \$20,000; however, through various processes last year the City learned that the actual impact of non-residents to Lodi was in excess of \$50,000. The Mayor recommend that the City Council send a letter to the County Board of Supervisors giving them the opportunity to pay the costs that the City estimated last year (\$50,000) so we do not have to go through this process. FILE NO. CC-6, CC-40, CC56, CC-72 AND CC-400

- b) Council Member Pennino requested that the letter the City Council received regarding a request for a four-way stop at the intersection of Century Boulevard and Scarborough Avenue be placed on a future agenda. Mr. Pennino also commented on a letter that was received by the Lodi Lake Nature Area Docent Council regarding the erosion of the levee in Pigs Lake and suggested that this matter be put on a future agenda as well.

Further, Council Member Pennino updated the City Council on the actions taken at the last meeting of the San Joaquin County Council of Governments (COG). Four park-and-ride lots were funded at the last meeting. One was submitted by the City of Lodi for the construction of a hundred-space park-and-ride lot located on the corner of Lower Sacramento Road and Kettleman Lane which is being paid for by Measure K funds. Also approved was a Proposition 116 application for \$141,000 to do environmental and preliminary engineering work for the multi-modal stations which is being proposed at Lodi, Tracy and Manteca. The California Transportation Commission has put money aside pending a discussion with Southern Pacific and Union Pacific on which rail will be serving Amtrak, therefore, holding up the Lodi station for a little while. COG has been meeting with State officials encouraging them to move forward. Mr. Pennino also informed the public about a group sponsoring a state-wide initiative from the planning and conservative league that would add a sales tax on gasoline of about 4% and encouraged citizens to read the projects carefully before signing. COG voted no on the matter.

FILE NO. CC-16, CC-27(c), CC-48^(b) AND CC-50(a)

- c) Council Member Davenport commented on agenda item #E-6 entitled, "Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project" and stated he just realized that there was a protest filed by the second low bidder and wondered what happened to the protest.

Public Works Director Ronsko clarified that the protest by the second low bidder had to do with the low bid contractor's ability to put in cast-in-place pipe versus pre-cast pipe. The bid indicates that the contractor must have experience. After investigating the second low bidder's concern, it was confirmed that the low bid contractor does have the experience required. A letter and the council communication stating this fact was faxed to the company protesting and they responded that they would not be making a verbal protest to the City Council this evening.

Further, Council Member Davenport made the following comments: (1) Thanked everyone for coming to the meeting and to be ever mindful of the gang situation; (2) Thanked the First United Methodist Church for its invitation to attend Lodi Day on Sunday, January 30, 1994; (3) Informed the public that the City Manager attended the City Manager's Association Conference in San Diego last week and asked the City Manager if he had a report to give to the Council. Mr. Peterson informed the City Council that a report is currently being prepared; (4) Informed the public that the budget policies are available for viewing; (5) Requested a status report on the golf driving range matter.

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City Attorney McNatt indicated that staff met with Mr. Choo and his representative last week and worked out a number of matters that needed some revision. Mr. Bob Mertz, Attorney representing Mr. Choo, is putting final touches on this information and the proposed lease will be before the City Council in the near future; (6) Informed the public that on Friday, February 18, 1994 there will be an arbitration hearing for the United Firefighters of Lodi (UFL) at the Carnegie Forum and encouraged the public to attend; (7) Again requested that a bi-weekly report be made to the City Council regarding the activities of the Community Improvement Officer. The City Council did not concur with this request; (8) Requested a status report on whether or not the City has obtained patrol cars for the Partners Program. Police Chief Larry Hansen informed the City Council that it hopes to have three vehicles by the end of March; (9) Relayed a complaint to the Police Chief from residents on the east side of town that the police are over there enough during the day, but not enough during the night when they really need them; (10) Encouraged the public to contact the Council with their concerns regarding the proposed business license fee adjustment; (11) Informed the public that the City is currently negotiating with the Lodi Police Officers' Association (LPOA) and with the International Brotherhood of Electrical Workers (IBEW); and (12) Informed the public of the refuse rate adjustment application received by Sanitary City Disposal Company in which it is requesting an increase in refuse rates of 8.5%. Mr. Davenport further informed the public of the audit prepared by KPMG Peat Marwick for Sanitary City Disposal Company and commented that he feels the City needs a different type of audit because it is not conclusive. Both of these documents are available for public review.
FILE NO. CC-6, CC-12(a), CC-21(b), CC-22(b), CC-34, CC-54 AND CC-56

- d) Council Member Mann applauded the Mayor's economic development suggestions and informed the public that there will be a future meeting dedicated to discussing this matter. Mr. Mann reminded the City Council that it should not exclusively look at incentives for new businesses and industry, but to also look at ways to make those existing companies more profitable.

City Manager Peterson informed the City Council that he made contact with the State of California to see if there are programs available to assist in the retention of business and he will be following up with some other contacts.

Further, Mr. Peterson informed the public that the City will begin selling its surplus parking meters for \$65.00 if anyone is interested.
FILE NO. CC-6, CC-72 AND CC-400

- e) Council Member Snider informed the public that the 6th Annual Lodi Day at the Stick event is now being planned. It is scheduled for May 14, 1994.

Further Mr. Snider commented on a call he received from a downtown business owner who was concerned about the recent fund-raiser by the local fire districts for the Burn Unit and the alarm it caused citizens with the sirens and horns. Perhaps if there were advanced warning next time it would avoid this concern.
FILE NO. CC-16 AND CC-72

- f) Council Member Davenport commented that he received a memo regarding the Emergency One ladder truck which was sent back to Florida for repair, and that the fire department is now using the 1969 model while this ladder truck is gone.

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9. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Steven White, Gamut Promotions and Advertising, Woodbridge, updated the City Council on the events that are being planned at Lodi Lake; Arts and Rec at the Lake which will be held during Memorial Day weekend and the Oooh Ahhh Festival which is the new Fourth of July festival (Information presented is on file in the City Clerk's office). They are receiving much assistance from volunteers and non-profit organizations. Mr. White encouraged any non-profit organizations interested in raising money by selling items at the event to call 466-6653.
FILE NO. CC-6 AND CC-27(c)
- b) Craig Gustafson, representing Tokay High School's Future Farmers of America (FFA), 5525 Hildreth Lane, announced that February 19 - 26, 1994 will be National Future Farmers of America (FFA) Week. This year's theme is "Leadership for America". Mr. Gustafson requested that a proclamation be made recognizing this event.
FILE NO. CC-37
- c) Bonnie Meyer, Lodi Lake Nature Area Docent Council, 1619 West Elm Street, Lodi, requested that the City Council look into the repairing of the levee at Pigs Lake which is eroding and being washed out. Something needs to be done very soon to save the levee. Mr. Williamson informed the City Council that Parks Superintendent Essin is working on a grant, which has been approved, to restore the levee at Pigs Lake. An engineer has come in and looked at the lake and they indicated that it could get by this year, but it will definitely need to be repaired next winter. A full report will be brought to the City Council at its regular meeting of March 16, 1994.
FILE NO. CC-16 AND CC-27(c)
- d) Lee Miuns, 1416 Keagle Way, Lodi, applauded the Council for its efforts toward economic development in keeping existing business and trying to bring in new businesses. The City must find out how to retain the companies today and find other alternatives for businesses.
FILE NO. CC-72 AND CC-400

10. 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 continued Public Hearing to consider appeal received from Steven J. Cottrell, Attorney at Law, on behalf of Maurice O. Ray, Jr., regarding Notice of Public Nuisance and Order to Abate issued by Chief Building Inspector regarding property located at 1201 Edgewood Drive, Lodi.

Hearing Opened to the Public

- 1. Steven Cottrell, Attorney, on behalf of Maurice O. Ray, spoke in support of the matter and offered a solution/compromise to the situation.

Public Portion of Hearing Closed

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ACTION:

The City Council, on motion of Council Member Snider, Davenport second, unanimously made the following findings: (1) that the applicant was substantially damaged by the refusal to grant the permit as requested; (2) that no other reasonable method of obtaining the desired result was available except as proposed by the applicant; and (3) that the granting of the permit will not be materially detrimental to the public interest, safety, health and welfare or injurious to other properties. Further the City Council granted the appeal (1) contingent on the determination that no gas lines are under any improvements, (2) that upon granting the encroachment permit and the variance, Mr. Ray must execute a hold harmless agreement exonerating the City from any damage which may arise from any emergency work in that public utility easement (PUE), (3) the encroachment permit will say specifically that if any work on the PUE necessitates any non-emergency removal, Mr. Ray will, at his own cost, give prompt access including any necessary excavation or removal of improvements on the PUE, (4) that Mr. Ray agree to the recording of the encroachment permits where they run with the land and will be there to provide notice to any future purchaser of that property, if any, (5) that the improvements as required by the Public Works Director be moved to give access to the water main, and (6) that the encroachment permit include a provision that no further construction of any nature or no tree planting occur on that PUE.
FILE NO. CC-6, CC-53(b) AND CC-500

- b) 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 Planning Commission's recommendation to approve action initiated by the City Council to prezone the parcels located at 5435, 5479, 5535 and 5567 East State Route 12 and 17282 North Guild Avenue to M-1, Light Industrial.

Hearing Opened to the Public

There was no one requesting to speak on the subject matter.

Public Portion of Hearing Closed

ACTION:

The City Council, on motion of Council Member Pennino, Sieglock second, unanimously introduced Ordinance No. 1589 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcels Located at 5435, 5479, 5535 and 5567 East State Route 12 (APN's 049-080-07, 08, 09 and 10) and 17282 North Guild Avenue (APN 049-040-06) to M-1, Light Industrial".
FILE NO. CC-53(a) AND CC-149

11. RECESS

Mayor Sieglock declared a ten-minute recess and the City Council meeting reconvened at approximately 9:47 p.m.

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12. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City Attorney, City staff and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Mayor Sieglock, Pennino second, unanimously rejected the following claims and referred them back to ICA:
 - 1. Billy Cannon, date of loss 11/19/93;
 - 2. Ernesto Oregel, date of loss 9/1/93;
 - 3. Frank Riedell, date of loss 7/5/93; and
 - 4. Blanche McLeish, date of loss 9/20/93.
FILE NO. CC-4(c)

- b) City Clerk Perrin read the following ABC License:
 - 1. Payless Drug Stores Northwest, Inc., 1950 El Camino Real, plus all locations throughout the State, including 520 West Lodi Avenue, Lodi, Off Sale General and Off Sale Beer and Wine License.
FILE NO. CC-7(f)

- c) The City Council acknowledged the following two vacancies on the East Side Improvement Committee and took no action. Committee members will be present at the next City Council meeting to propose that the Committee down-size from 15 members to 9 members.

East Side Improvement Committee

Becky Bailey, term to expire March 1, 1995

Dick Sanborn, term to expire March 1, 1996

FILE NO. CC-2(s)

- d) The City Council, on motion of Council Member Snider, Sieglock second, unanimously appointed Stephen Mann to serve as the Council representative on the Joint Chamber of Commerce and City of Lodi Economic Development Task Force.
FILE NO. CC-2(a) AND CC-2(k)

- e) The City Council received a letter from Mrs. Helen Zonkel, Lodi resident, requesting repair of sidewalks on South Fairmont Avenue and referred the matter to staff. A report regarding the matter will be brought back to the City Council.
FILE NO. CC-16 AND CC-45(e)

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13. REGULAR CALENDAR

- a) Following request by the City of Lodi Efficiency Committee for Council action or direction regarding continuation of Committee work pending appointment of replacement for Chairperson Jack Fiori, the City Council, on motion of Council Member Pennino, Mann second, directed the Committee to continue its work and that the Mayor poll the Committee members to determine who is interested in serving as Chairperson and come back to the City Council at its next meeting with a recommendation for appointment of Chairperson by the following vote:

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

Noes: Council Members - Davenport

Absent: Council Members - None

Speaking on the matter were the following persons:

1. Cheryl Reinke expressed her support of the Committee and urged that it be given the right to select its own Chairperson;
2. Brian Chavez-Ochoa, member of the Efficiency Committee, 401 Sonora, Lodi, expressed his feelings that the Committee should be able to continue with its work while a Chairperson is being appointed, and further felt that the Chairperson should be selected by the members of the Committee; and
3. Chad Meyer, member of the Efficiency Committee, requested that the City Council allow the Committee to continue on with its work.
FILE NO. CC-2(u)

- b) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously approved the contracts for professional services for the urban design firm of Freedman, Tung & Bottomley (FTB) and for the land use and economics firm of Mundie & Associates.

Speaking on the matter were the following persons:

1. Ken Cantrell, representing the Lodi Downtown Business Association (LDBA), 2334 St. Anton Drive, Lodi (support);
2. Marloe Bud Weil, Lodi business owner (opposed, because he felt there was a strong possibility that this would result in increased taxes and assessment districts);
3. Jim Verseput, 2120 West Lodi Avenue, Lodi (support);
4. Bob Johnson, President, Chamber of Commerce, Lodi (support);
5. Frank Winston, Lodi business owner (support);
6. Dick Sanborn, 1210 South Cherokee Lane, Lodi (support);

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At this time, the City Council, pursuant to Ordinance No. 1566, on motion of Council Member Davenport, Sieglock second, unanimously determined it would continue with the meeting following the 11:00 p.m. hour.

- 7. Morgan White, owner of the JCPenney building (support);
- 8. Randy Rosa, Lodi business owner (support);
- 9. Lee Miuns, 1416 Keagle Way, Lodi (supports the revitalization for downtown; however, not for Cherokee Lane); and
- 10. Laura Mullen, representing the Lodi District Chamber of Commerce Small Business Committee, 224 West Kettleman Lane, Lodi (support).
FILE NO. CC-72, CC-90 AND CC-400

14. RECESS

Mayor Sieglock declared a ten-minute recess and the City Council meeting reconvened at approximately 11:28 p.m.

15. REGULAR CALENDAR (CONTINUED)

- a) The City Council, on motion of Council Member Snider, Pennino second, unanimously granted the request of Naimat Kahn, the new owner of the Hotel Lodi, for a use permit which would enable him to convert the hotel into approximately 53 senior residential apartment units and further directed that the outside of the building conform to the Site Plan and Architectural Review Committee's (SPARC) requirements.

Speaking on the matter were the following persons:

- 1. Naimat Kahn, proponent of the project (support);
- 2. Tim Mattheis, architect with the firm of Wenell Mattheis Bowe, presented an overview of the design plans;
- 3. Jim Verseput, 2120 West Lodi Avenue, Lodi (opposed to the project);
- 4. Michael Locke, 5 North School Street, Lodi (opposed to the project and concerned about it increasing the number of derelicts and how much policing will be devoted to that issue and concerned about the parking situation);
- 5. Dorance Ochs, representing the Senior Citizens Commission, 1812 Burgundy Court, Lodi (support);
- 6. John Borelli, downtown business owner, (support; however, concerned about the parking issue); and
- 7. Elaine Hecker, new owner of Gary's Lounge in downtown Lodi (support).
FILE NO. CC-6, CC-25, CC-72 AND CC-169

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16. VOTE TO REARRANGE AGENDA

The City Council, on motion of Council Member Snider, Pennino second, unanimously determined it would hear agenda item #J-8 entitled, "Contract Award for radio maintenance agreement" prior to hearing agenda items #J-4 through 7 due to the late hour and the public interest in the matter.

17. REGULAR CALENDAR (CONTINUED)

- a) Mayor Sieglock made a motion, Mann second, to award a two-tiered, one-year contract for maintenance and repair of the City's radio communications equipment to the low bidder, Lagorio Communications (two-tiered would be maintenance agreement on safety/emergency radio equipment and time and material basis for non-critical radios). The motion **failed** by the following vote:

Ayes: Council Members - Mann and Sieglock (Mayor)

Noes: Council Members - Davenport, Pennino and Snider

Absent: Council Members - None

Further, the City Council, on motion of Council Member Pennino, Davenport second, adopted Resolution No. 94-23 awarding a two-tiered, one-year contract for maintenance and repair of the City's radio communications equipment to the **second** low bidder, Motorola Communications and Electronics of Stockton by the following vote. The contract will be renewable annually by mutual consent of the parties.

Ayes: Council Members - Davenport, Mann, Pennino and Snider

Noes: Council Members - Sieglock (Mayor)

Absent: Council Members - None

Speaking on the matter were the following persons:

1. Peter Turner, Lagorio Communications (spoke in support of Lagorio receiving the contract award); and
2. Felix Dethentorn, Motorola Communications (spoke in support of Motorola receiving the contract award).
FILE NO. CC-6 AND CC-90

- b) The City Council, on motion of Council Member Snider, Mann second, unanimously received for filing the following reports submitted by the City's auditor, KPMG Peat Marwick, for the fiscal year ended June 30, 1993:

1. Management Letter dated October 22, 1993;
2. Independent Auditor's Opinion for City Investments;
3. Single Audit Report;
4. Comprehensive Annual Financial Report (CAFR); and
5. Financial Statements for Year Ended March 31, 1993 of Lodi Sanitary City Disposal Company, Inc.
FILE NO. CC-21(b)

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- c) Due to the late hour, agenda item #J-5 entitled, "Approval of Lodi Parks and Recreation Catalog of Dreams and Gifts Program" was postponed until the meeting of March 16, 1994 so that more of the public will be present to hear this item.
- d) The City Council, on motion of Council Member Pennino, Snider second, unanimously adopted Resolution No. 94-21 awarding the purchase of a Dial-A-Ride station wagon to Sanborn Chevrolet Geo, Inc. of Lodi, the low bidder, in the amount of \$21,048.09. FILE NO. CC-12(a), CC-50(b) AND CC-300
- e) The City Council, on motion of Council Member Snider, Mann second, adopted Resolution No. 94-22 awarding the purchase of four police patrol vehicles to Melrose Ford in the amount of \$80,966.88 (this price includes four police patrol vehicles, emergency equipment and parts and service manuals) by the following vote:

Ayes: Council Members - Mann, Pennino and Snider

Noes: Council Members - Davenport and Sieglock (Mayor)

Absent: Council Members - None

Mayor Sieglock and Council Member Davenport stated for the record that they were voting "No" on this matter because they felt that the mileage on the fourth vehicle was still low, and, therefore, should only purchase three vehicles rather than four. FILE NO. CC-12(a) AND CC-300

18. ORDINANCES

None.

19. CLOSED SESSION

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

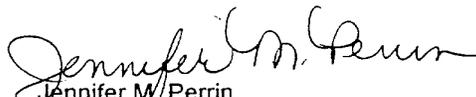
- a) Labor Relations
 - 1. Lodi Police Officers' Association (LPOA); and
 - 2. International Brotherhood of Electrical Workers (IBEW).

The City Council meeting reconvened at approximately 1:51 a.m. FILE NO. CC-200(a)

20. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 1:51 a.m., Thursday, February 17, 1994.

ATTEST:


 Jennifer M. Perrin
 City Clerk