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CITY COUNCIL
REGULAR CITY COUNCIL MEETING -
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 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, Public Works Director Ronsko, City Attorney McNatt and City Clerk Perrin

2. INVOCATION

The invocation was given by Pastor Dave Hill, Grace Presbyterian Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS/PROCLAMATIONS/PRESENTATIONS

- a) Mayor Sieglock presented proclamations to Bruce Logue of the Kiwanis Club of Greater Lodi (morning club) for its 30th Anniversary and to Nancy Waitley of the Kiwanis Club of Lodi (noon club) for its 50th Anniversary.
FILE NO. CC-37
 - b) Mayor Sieglock presented City of Lodi pins to the volunteers of the second graduating class of the Police Partners Volunteer Program and Police Chief Hansen introduced each of the volunteers. Community Service Officer Jeannie Biskup informed the City Council that the next class will begin on April 4, 1994. Anyone interested was urged to call 333-6864.
FILE NO. CC-152
 - c) Mr. Paul Alamo of Alamo Alarms informed the City Council and the Police Chief that to show his appreciation for the hard work and efforts of the Lodi Police Department, he has donated the first vehicle to the Lodi Police Partners Volunteer Program.
FILE NO. CC-152
 - d) Assemblyman Larry Bowler presented the City Council with a "State of the State Report". Mr. Bowler spoke about workers' compensation reform, crime, education and the budget for the State of California, and also expressed his support in helping Lodi with the expansion of the rail passenger service to Lodi, the DBCP issue and the Auburn Dam. Mr. Bowler encouraged the public to become involved with local issues and to contact their elected officials.
FILE NO. CC-6 AND CC-7(f)
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5. CONSENT CALENDAR

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

- a) Agenda item #E-1 entitled, "Claims - \$3,187,363.75" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- b) The Minutes of February 8, 1994 (Special City Council Meeting) and February 16, 1994 (Regular Meeting) were approved as written.
- c) Agenda item #E-3 entitled, "Plans and specifications and advertisement for bids for Westgate Park interior storm drainage" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- d) Approved the specifications for the purchase of 55 wood utility poles of various classes and sizes and authorized advertising for said bids.
FILE NO. CC-12.1(b)
- e) Approved the specifications for bids for the City's estimated 1994 requirements for printed envelopes and authorized advertisement for said bids.
FILE NO. CC-12.1(b)
- f) Adopted Resolution No. 94-24 amending Traffic Resolution No. 87-163 by approving the installation of one 15-minute parking stall on the south side of Tokay Street, east of Sacramento Street, in front of the El Tokay Market.
FILE NO. CC-48(a), CC-48(k) AND CC-300
- g) Approved the City of Lodi's economic development goals and objectives.
FILE NO. CC-6, CC-72 AND CC-400
- h) Agenda item #E-8 entitled, "1993-94 Transportation Development Act (TDA) Claim" was removed from the Consent Calendar and discussed and acted upon following the adoption of the Consent Calendar. (Removed by Council Member Davenport.)

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Snider, Mann second, unanimously approved claims in the amount of \$3,187,363.75. Further, the Finance Director will come back with a sample format of the claims that would include the following requests of Council Member Davenport: (1) Listing of the revenues; (2) Detail of the petty cash reimbursements; and (3) Detail of MasterCard charges.
FILE NO. CC-2 (a)
- b) The City Council, on motion of Mayor Sieglock, Mann second, approved the plans and specifications for bids for Westgate Park interior storm drainage by the following vote:

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

Staff will prepare a "short" position paper on the use of a "drywell system" in all of the City's drainage basins as suggested by Council Member Davenport.
FILE NO. CC-12.1(a)

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- c) The City Council, on motion of Council Member Snider, Pennino second, unanimously adopted Resolution No. 94-25 approving the 1993/94 Transportation Development Act (TDA) Claim.
FILE NO. CC-6, CC-7(n), CC-50(a) AND CC-300

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

- a) Council Member Davenport thanked everyone for attending the meeting and made the following comments: (1) Feels that the Lodi Police Department's Partners and Chaplaincy programs are very good and worthwhile; (2) Reminded everyone to be ever mindful of gangs; (3) Received a letter from a citizen regarding rent control and suggested that a future Shirtsleeve Session be set to hear his ideas; (4) Still would like a status report from the Community Improvement Officer regarding code enforcement; (5) Informed the public that the City Council held a Shirtsleeve Session regarding economic development and information from that meeting is available for the public. Mr. Davenport also informed the public of the Shirtsleeve Session of March 1, 1994 whereby the City Council discussed the Electric Utility Department rules and regulations and power surges; (6) Informed the public that the arbitration hearing for the United Firefighters of Lodi (UFL) was completed and a response by the arbitrator is forthcoming; (7) Reminded everyone that negotiations are still on-going with the Lodi Police Officers' Association (LPOA) and the International Brotherhood of Electrical Workers (IBEW); (8) Commented that the Efficiency Committee is doing a good job and that they should be left alone to do their work; (9) Received a report from the City Manager regarding the conference he attended in San Diego; (10) Requested a status report on the golf driving range. City Attorney McNatt informed the City Council that Mr. Mertz, the attorney representing Mr. Choo, is currently out of town. Upon his return he will review the proposed lease and if it is acceptable, it will be brought back to the City Council for approval; (11) Commented on a statement made by Les Dabritz, Executive Director of the Lodi District Chamber of Commerce, who said that members from this City should rent rooms in Los Angeles to try to bring businesses to Lodi. Mr. Davenport does not want to see that happen; he would like to see concentration given to **keeping** jobs and businesses here in Lodi. Council Member Davenport would also like to see factory outlets brought into the downtown and hopes Mr. Freedman will be addressing that; (12) Would still like to see a report by either the Chamber of Commerce or the San Joaquin Partnership on the number of business it has helped in Lodi - how, when and why; (13) Requested a status report on the Lodi Boys and Girls Club. Mayor Sieglock, former president of the Lodi Boys and Girls Club, gave Mr. Davenport an update. The Boys and Girls Club will be present at the next City Council meeting to request Community Development Block Grant (CDBG) funding; (14) Again requested a report on whether or not the City is eligible to receive Agricultural Stabilization Conservation (ASC) funds on the White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project. Public Works Director Ronsko responded that a draft report has been prepared and it will be forthcoming. Mr. Ronsko also informed the Council that these funds are not available for public agencies; (15) Informed the public that the City Clerk received another raise in the area of 10 - 14%, and he is still awaiting a report from the Mayor in this regard; (16) Expressed his feeling that the wording in the article that appeared in the Lodi News Sentinel regarding the Efficiency Committee was unfair; (17) Would like to receive a report on the actual costs of the Electric Utility Department move to the Municipal Service Center (MSC), which included the move of the two Administrative Assistants to the City Manager; and (18) Would like to see the garbage issue put on a ballot asking the public if it would like its refuse service under a franchise or under a bid.
FILE NO. CC-6, CC-22(b), CC-34, CC-54, CC-72, CC-152 AND CC-400

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- b) Council Member Pennino gave the City Council an update of the last meeting of the San Joaquin County Council of Governments (COG). COG approved the amendment to the airport land use plan for Precissi airport's area of influence and it now conforms with Lodi's General Plan. Mr. Pennino further asked if staff is clear on the directions of this evening or do they need some guidance from the Council on what to do. City Manager Peterson responded that there was no direction given this evening from the City Council and unless he hears otherwise from a majority of the City Council, there will be no action taken on these requests.

Council Member Davenport stated he would like to see his requests placed on the next agenda.

FILE NO. CC-6 AND CC-7(n)

- c) Council Member Mann clarified the Hutchins Street Square's budget of \$503,000. The total operating income is approximately \$103,800 and total operating expense, including administration and maintenance is approximately \$385,950, making a total net cost of approximately \$282,150. In addition, it is estimated that approximately \$160,000 is the value of the City Hall usage of the Square, making an adjusted net cost of approximately \$122,150. The difference is used for the two or three committees which are listed and funded under this department.

FILE NO. CC-21(b)

- d) Mayor Sieglock commented that at a recent Superior Court case for the State of California, a judge ruled that our City and other cities throughout the state do not have the authority to enact a fire sprinkler ordinance. The City will be sending a letter to the State Fire Marshal asking him to enact fire and panic safety standards so that the jurisdictions of the State of California standards will remain intact and enforced so the state does not usurp power from the cities.

City Manager Peterson added that the League of California Cities has asked that each of the cities send support to the State Fire Marshal's office to adopt these standards. Fire Chief Hughes is president of the League's fire division this year, and he has been very active in this effort.

FILE NO. CC-6 AND CC-112

8. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Colleen Dixon, representing the East Side Improvement Committee and Chairperson of the Neighborhood Watch Committee, thanked the Lodi Police Department for the Partners Program, adding that it will make a big difference in the fight against crime. Ms. Dixon invited the public to attend its March 10, 1994 meeting at the Loel Center, 105 South Washington Street at 6:30 p.m. which will give the public the opportunity to openly discuss neighborhood watch. Anyone interested was urged to call the East Side Improvement Committee at 368-8845.

FILE NO. CC-2(s)

- b) Merrill Church, 1951 Scarborough Drive, Lodi, complained about the assistance she received from the East Side Improvement Committee regarding the concerns she had at her former residence of 819 West Kettleman Lane, which resulted in her being harassed. Ms. Church further expressed her disappointment in the Lodi Police Department for not correctly reporting her concerns and in some instances not reporting her complaints at all. Council requested that Ms. Church leave her phone number with the City Clerk so that the Police Chief may personally contact her to discuss her concerns.

FILE NO. CC-2(s), CC-16 AND CC-152

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- c) Kevin Suess, property manager with Schaffer, Suess & Boyd and member of the East Side Improvement Committee, 101 West Locust Avenue, Suite 2, Lodi, informed the City Council that he was unaware of Ms. Church's problems; however, he offered his assistance to try to help her with her problem both as a member of the East Side Improvement Committee and as a landlord/property manager.
FILE NO. CC-2(s) AND CC-16
- d) Frank Alegre, 802 North Cluff Avenue, Lodi, presented the City Council with a copy of a satirical comic strip regarding the budget (copy of which is on file in the City Clerk's office). Further, Mr. Alegre commented on the Efficiency Committee and the hard work and time the members are putting into this job and that the newspaper should have printed the whole story of what happened at the meeting regarding Hutchins Street Square, not just half of it. Upon questioning Council Member Mann on where and how he received his figures for Hutchins Street Square, Mr. Alegre suggested he recheck his figures. Further Mr. Alegre presented results of a poll taken by the Efficiency Committee on who should be appointed chairperson. The vote was split evenly between committee members Meyer and Chavez-Ochoa and indicating committee member Rosenquist as the vice chair.
FILE NO. CC-2(u)
- e) Lee Miuns, 1416 Keagle Way, Lodi, complimented the Council and staff and also the Police Chief for his efforts in preventing crime before it happens. Mr. Miuns also encouraged the Council to let the people vote on some of the matters that come before them, because Council cannot hear all of the people and what they want, or to at least poll the people by including a questionnaire on the electric utility bills. Mr. Miuns also suggested that the Council modernize the gas and electric meters to be more user friendly.
FILE NO. CC-6
- f) Virginia Lahr, 311 East Elm Street, Lodi, responded to the earlier comments of Ms. Church that her name was not on the letter sent out by the landlord and that only her letter referred to the letter as coming from her. Ms. Lahr had recommended to her that she contact the police department.
FILE NO. CC-2(s) AND CC-16
- g) Dennis Bennett commented on Mayor Sieglock's earlier statement regarding the fire sprinkler ordinance and requested that a copy of this be made available to the building community. Staff will be sure to do so.
FILE NO. CC-6 AND CC-112
- h) Mayor Sieglock informed the public that the proposed business license fee adjustment will not be discussed at the March 16, 1994 meeting in order to give staff additional time to look at further options.
FILE NO. CC-6, CC-56 AND CC-400

9. PUBLIC HEARINGS

None.

10. COMMUNICATIONS (CITY CLERK)

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

1. Planning Commission report of February 14, 1994.
FILE NO. CC-35(c)

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11. RECESS

Mayor Sieglock called for a ten-minute recess, and the City Council meeting reconvened at approximately 9:11 p.m.

12. REGULAR CALENDAR

- a) Following discussion regarding appointment of Efficiency Committee Chairperson and review of Committee composition, the City Council, on motion of Council Member Snider, Mann second, unanimously appointed Chad Meyer as the Chairperson and Elizabeth Rosenquist as the Vice Chairperson, and directed the City Clerk to post for the vacancy for the seventh member of the Committee.

Speaking on the matter were the following persons:

1. Frank Alegre, 802 North Cluff Avenue, Lodi, complimented the Council on making a good choice and that he is glad it appointed a chairperson who can fill in during the chairperson's absence. Mr. Alegre also commended Administrative Assistant to the City Manager Evans for the good job he is doing as the committee's staff liaison;
2. Chad Meyer informed the City Council that it was never the intent of the committee to present its questions to staff with malice. They need to find ways to increase efficiency and they will work positively with the department heads and staff.
3. Brian Chavez-Ochoa urged the City Council not to put limitations on the committee.
FILE NO. CC-2(u)

- b) The City Council, on motion of Council Member Davenport, Mann second, unanimously approved the request by the East Side Improvement Committee to downsize from 15 to 9 members by attrition occurring by resignation and/or expiration of terms and ratified the amended bylaws.
FILE NO. CC-2(s)

- c) Prior to discussion regarding request for sidewalk in the 800 Block of South Fairmont Avenue, the Public Works Director informed the City Council that after the agenda was printed and distributed it was discovered that another parcel on the east side of the 400 block of South Fairmont Avenue did not have sidewalk; therefore, if sidewalk installation is required by the City Council on the 800 block of South Fairmont Avenue, the parcel on the 400 block should also be considered at the same time.

Therefore, the City Council, on motion of Council Member Davenport, Sieglock second, unanimously determined that the need arose after the preparation of the agenda to take action on the item regarding the 400 block of South Fairmont Avenue in conjunction with action on the 800 block of South Fairmont Avenue.

Further, the City Council, on motion of Council Member Davenport, Mann second, unanimously determined that it would hear the matter regarding the 400 block of South Fairmont Avenue in conjunction with discussion regarding the 800 block.

Council Member Snider abstained from discussion and voting on the matter regarding the 800 block of South Fairmont Avenue.

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Speaking on the matter was the following person:

1. Gary M. Burgstahler, 5 Carmel Place, Chico, whose wife is co-owner of the property located at 831 South Fairmont Avenue, Lodi, requested that the matter be postponed until this property is sold because it will cause a financial hardship. If this is not possible, Mr. Burgstahler requested that a stipulation be made whereby the City would pay the cost of the sidewalk and that it will be paid back when the property sells.

Letters from the following people were read into the record by Mayor Sieglock:

1. Karen R. Goeschel, 2392 Chad Court, Napa, co-owner of 831 South Fairmont Avenue, Lodi, expressed similar concerns as Mr. Burgstahler;
2. Mike Nilssen, Chairperson, Senior Citizens Commission (support); and
3. Helen Zonkel, 1627 Saratoga, Lodi (support - original letter of request for sidewalks).

The City Council, on motion of Council Member Pennino, Davenport second, ordered the installation of sidewalk on the 800 block of South Fairmont Avenue and set a public hearing for April 6, 1994 (staff will formally notify the property owners) by the following vote:

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

Further, the City Council, on motion of Council Member Snider, Pennino second, unanimously ordered the installation of sidewalk on the 400 block of South Fairmont Avenue and set a public hearing for April 6, 1994 (staff will formally notify the property owners).

FILE NO. CC-6 AND CC-45(e)

13. ORDINANCES

- a) Ordinance No. 1589 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning 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" having been introduced at a regular meeting of the Lodi City Council held February 16, 1994 was brought up for passage on motion of Council Member Mann, Sieglock second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

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

FILE NO. CC-53(a) AND CC-149

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14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 10:06 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk