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CITY COUNCIL
REGULAR CITY COUNCIL MEETING -
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 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 Engineer Prima, City Attorney McNatt and City Clerk Perrin

2. INVOCATION

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Greg Williams with Weeblo Pack #245.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

a) Mayor Sieglock presented a proclamation to Tony Castellon and Paula Soto with the Lodi Community Service Center in recognition of the "Mayor's Annual Holiday Child Share Program". Paula Soto announced the Lodi Community Service Center's new location at 415 South Sacramento Street. Anyone interested in participating in the program was encouraged to call the Center at 331-7516.
FILE NO. CC-37

b) Jeff Litts with Lodi Oddfellows presented Mike Reese of the Lodi Parks and Recreation Department with a donation of three resuscitators and six oxygen bottles to be used at Lodi Lake Beach, the Enze/Field Swim Complex, and the Hutchins Street Square Pool.
FILE NO. CC-40

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 \$1,425,992.08.
FILE NO. CC-21(a)

b) The Minutes of November 2, 1994 (Regular Meeting) were approved as written.

c) Approved the specifications for a one-ton cab and chassis and authorized advertising for bids.
FILE NO. CC-12.1(c)

- d) Approved the specifications for 1995 Sidewalk Repair Program and Miscellaneous Concrete Work and authorized advertising for bids.
FILE NO. CC-12.1(c)
- e) Approved the specifications for uniforms for Public Works employees and authorized advertising for bids.
FILE NO. CC-12.1(c)
- f) Approved the specifications for two utility vehicles for the Parks Department and authorized advertising for bids. (One utility vehicle was added to this item at the request of staff due to damage it received in an accident on this date.)
FILE NO. CC-12.1(c)
- g) Adopted Resolution No. 94-131 authorizing the purchase of one Toro 580-D high-speed turf mower from the low bidder, West Star Distributing, of Rancho Cordova, through a three-year municipal lease-purchase agreement with Farmers and Merchants Bank of Lodi, at a total cost of \$68,211.49.
FILE NO. CC-12(d), CC-90 AND CC-300
- h) Adopted Resolution No. 94-132 awarding the bid for the purchase of forty tables and five table storage carts manufactured by Mity-Lite Corporation to the low bidder, Beckley-Cardy Company, Salida, California, in the amount of \$9,394.77.
FILE NO. CC-12(d) AND CC-300
- i) Adopted Resolution No. 94-133 authorizing the City to purchase office systems furniture under an agreement between the County of San Joaquin and Haworth, Inc., of Holland, Michigan.
FILE NO. CC-47, CC-90 AND CC-300
- j) Adopted Resolution No. 94-134 authorizing the purchase of office systems furniture for the Civic Center Improvements Project from Warden's Office Products of Stockton in the amount of \$162,003.28.
FILE NO. CC-47, CC-90 AND CC-300
- k) Adopted Resolution No. 94-135 awarding the purchase of a one-ton dump truck for the Streets Division of the Public Works Department from Plummer Pontiac, Cadillac, GMC, of Lodi, California, for the amount of \$27,705.26.
FILE NO. CC-12(a) AND CC-300
- l) Adopted Resolution No. 94-136 awarding the purchase of computer equipment for the Fire Department and the Public Works/Administration/Civic Center network expansion to the low bidders in each bid category as follows:

Avnet Inc., Tempe, AZ	\$36,385.94	(Computers, Monitors, Storage/Multi-media)
Vanstar Corp., Pleasanton, CA	\$11,932.97	(Printers, LAN Hardware, Memory, Surge Protectors)

for a total amount of \$48,318.91 and further authorized the transfer of approximately \$3,368.91 from the funds for an Information Systems Master Plan towards this purchase.
FILE NO. CC-12(d) AND CC-300
- m) Adopted Resolution No. 94-137 awarding the contract for Civic Center data/telecommunications cabling to Maverick Communications, Inc. of Hayward in the amount of \$107,273.50.
FILE NO. CC-12(d), CC-90 AND CC-300

- n) Accepted the improvements under the "Well Drilling, Well 25, 1014 Holly Drive" contract and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.
FILE NO. CC-90
- o) Approved the Improvement Deferral Agreement for off-site improvements (curb, gutter, sidewalk, commercial driveway approaches, street paving and utilities) at 13333 North West Lane and directed the City Manager and City Clerk to execute the Improvement Deferral Agreement on behalf of the City.
FILE NO. CC-90
- p) Received report regarding notice of proposed amendments to the Measure K Expenditure Plan.
FILE NO. CC-6 AND CC-7(b)
- q) Adopted Resolution No. 94-138 approving the reallocation of one Park Maintenance Worker III position to one Building Maintenance Worker at the Hutchins Street Square Community Center.
FILE NO. CC-34 AND CC-300
- r) Agenda item #E-18 entitled, "Resolution amending City Conflict of Interest Code for various City of Lodi boards, commissions and designated employees" was pulled from the agenda pursuant to staff's request.
- s) Set the following Public Hearings to receive input on unmet transit needs:
- Wednesday, December 21, 1994, 10:00 a.m., at the Senior Information Center at Hutchins Street Square, 125 South Hutchins Street, Lodi; and
 - Wednesday, December 21, 1994, 7:00 p.m., at the Carnegie Forum, 305 West Pine Street, Lodi.
- FILE NO. CC-6 AND CC-50(b)
- t) Received the Memorandum of Understanding (MOU) between the City of Lodi and the Lodi Police Dispatchers' Association (LPDA) for the period of October 1994 to October 1995.
FILE NO. CC-34
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6. 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 following recommendations of the Planning Commission:
- Amend the land use element of the General Plan to redesignate from "O", Office Institutional and E-R, Eastside Residential for the following properties: 200, 210 and 220 West Oak Street; 300 and 400 blocks of West Oak Street; 200, 300 and 400 blocks of West Walnut Street (except 420 West Walnut Street); 104-233 South Pleasant Avenue; 112-237 South Lee Avenue; 9 North Hutchins Street; 503-510 West Pine Street; and 5-25 South Hutchins Street;
 - Rezone from R-C-P, Residential-Commercial-Professional to R-1*, Single-Family Residential - Eastside for the following properties: 200, 210 and 220 West Oak Street; 300 and 400 blocks of West Oak Street; 200, 300 and 400 blocks of West Walnut Street (except 420 West Walnut Street); 104-233 South Pleasant Avenue; 112-237 South Lee Avenue; 9 North Hutchins Street; 503-510 West Pine Street; and 5-25 South Hutchins Street; and
 - Certify the filing of a negative declaration by the Community Development Director as adequate environmental documentation on the above project.

Hearing Opened to the Public

1. Robin Knowlton, 410 West Oak Street, Lodi, expressed her support of the downzoning and encouraged the Council to vote in favor of this matter.

Public Portion of Hearing Closed

ACTION:

The City Council took the following actions:

- On motion of Council Member Snider, Sieglock second, unanimously certified the filing of a negative declaration as adequate environmental documentation on the above project;
- On motion of Council Member Snider, Sieglock second, unanimously introduced Ordinance No. 1602 entitled, "An Ordinance of the Lodi City Council Amending the Land Use Element of the Lodi General Plan by Redesignating the Parcels Located at 200, 210 and 220 West Oak Street; 300 and 400 Blocks of West Oak Street; 200, 300 and 400 Blocks of West Walnut Street (except 420 West Walnut Street); 104-233 South Pleasant Avenue; 112-237 South Lee Avenue; 9 North Hutchins Street; 503-510 West Pine Street; and 5-25 South Hutchins Street from 'O', Office Institutional to E-R, Eastside Residential"; and
- On motion of Council Member Snider, Pennino second, unanimously introduced Ordinance No. 1603 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 200, 210 and 220 West Oak Street; 300 and 400 Blocks of West Oak Street; 200, 300 and 400 Blocks of West Walnut Street (except 420 West Walnut Street); 104-233 South Pleasant Avenue; 112-237 South Lee Avenue; 9 North Hutchins Street; 503-510 West Pine Street; and 5-25 South Hutchins Street from R-C-P, Residential-Commercial-Professional to R-1*, Single-Family Residential.
FILE NO. CC-53(a) AND CC-149

- 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 Bicycle Transportation Master Plan. As part of the staff report, City Engineer Prima described three bicycle projects recommended for grant submittals. In approving the applications, Council would be confirming that local matching funds (10% to 20%) would be made available and a specific determination as to which fund would be made by the Council if the grants are awarded.

Prior to opening the hearing to the public, the City Council took a "straw vote" regarding whether or not it would eliminate the area along the Woodbridge Irrigation District (WID) canal from Lodi Avenue to Harney Lane. A majority of the City Council indicated it would eliminate that area.

Hearing Opened to the Public

1. David Early, Brady and Associates, Inc. (consultant on the Master Plan), presented a report regarding the concerns expressed at prior meetings to having a bicycle path along the WID canal;
2. Roger Stafford, member of the Planning Commission, 801 South Mills Avenue, Lodi, informed the City Council of the Planning Commission's decision to remove all reference of the WID canal from the Plan by a 3-2 vote;
3. Susan Hitchcock, member of the Planning Commission, also commented on the Planning Commission's action and also urged the Council to adopt the Plan in order to apply for the grants;
4. Police Chief Hansen expressed concerns that bike paths along the WID canal have the potential of increasing crime in those areas;
5. Stewart (Bud) Adams, Lodi, expressed his support for the Plan; however, encouraged the Council not to put paths along the WID canal from Lodi Avenue to Harney Lane because of privacy and safety concerns;
6. Laurance Bertalino, Lakeshore Village, Lodi, also expressed concerns about privacy along the WID canal;
7. Larry Mallory, 2216 Cabrillo Circle, Lodi, commented that bike paths along the WID canal would increase criminal activity and cause safety hazards;
8. Eddie Irons, 2081 Sylvan Way, Lodi, urged that the City Council adopt the Master Plan; however, not include the area along the WID canal from Lodi Avenue to Harney Lane;
9. Judy Cervo, 1048 Vienna Drive, Lodi, expressed concerns about privacy along the WID canal;
10. Enid Bosch, 817 South Mills Avenue, Lodi, expressed her support for the Master Plan; however, not along the WID canal from Lodi Avenue to Harney Lane;
11. Bruce Pardella, 1130 Vienna Drive, Lodi, expressed concerns regarding criminal activity and safety issues;
12. Robert E. Riggle, Lodi, stated he had similar concerns as Mr. Pardella;

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- 13. Mark Alexander, 2319 Corbin Lane, Lodi, asked the City Council for clarification on its "straw vote" regarding the WID canal area between Lodi Avenue and Harney Lane;
- 14. Jeff Durham, 418 West Lodi Avenue, Lodi, expressed his support for the Master Plan and urged the City Council to adopt;
- 15. Randy Garrett, 2440 West Turner Road, Lodi, urged the City Council to adopt the Master Plan;
- 16. Patty Roud, 1049 Tierra Creek Drive, Galt, relayed information in a survey she conducted with the employees at Farmers and Merchants Bank and the need for bike paths; and
- 17. Fred Baker, 317 West Lodi Avenue, Lodi, questioned where bike paths will be placed in the WID canal area near Woodbridge and further expressed his opposition due to increased crime, safety issues and privacy for the future homes in that area.

Public Portion of Hearing Closed

ACTION:

Council Member Mann made a motion, Sieglock second, to adopt Resolution No. 94-140 approving the Bicycle Transportation Master Plan (including Addendums #1 and #2), deleting the bike path along the Woodbridge Irrigation Canal from the Plan and approving the Measure K and State Bicycle Lane Account grant applications for the Kettleman Lane and Hutchins Street bike lanes and the Bicycle Parking Facilities projects.

Prior to the vote on the above motion, Council Member Pennino made a **motion to amend**, Snider second, to adopt Resolution No. 94-140 approving the Bicycle Transportation Master Plan (including Addendums #1 and #2), deleting the bike path long the WID canal from Lodi Avenue to Harney Lane, leaving in the WID canal along the west side of town so that staff may explore and research the matter with WID and the citizens along the area, and approving the Measure K and State Bicycle Lane Account grant applications for the Kettleman Lane and Hutchins Street bike lanes and the Bicycle Parking Facilities projects. The motion to amend **failed** by the following vote:

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

Further, the original motion by Council Member Mann (as stated above) **passed** by the following vote:

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

FILE NO. CC-6, CC-66 AND CC-300

7. **RECESS**

Mayor Sieglock declared a ten-minute recess and the City Council meeting reconvened at approximately 9:26 p.m.

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8. COMMUNICATIONS (CITY CLERK)

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

1. Elsie Azevedo, date of loss 10/10/94;
2. Frances Lee, date of loss 10/21/94; and
3. Don Markwell, date of loss 10/4/94.
FILE NO. CC-4(c)

b) City Clerk Perrin read the following ABC Licenses:

1. Antonio Murguia, Carniceria Calif., 620 South Central Avenue, Lodi, Off Sale Beer and Wine, Original License; and
2. Mark P. and Ralfanna F. Green, Strings Italian Cafe, 2314 West Kettleman Lane, Lodi, On Sale Beer and Wine, Original License.
FILE NO. CC-7(f)

9. REGULAR CALENDAR

a) Following report from the City Attorney concerning appeal from Gilbert and Betty Kampe regarding development requirements at property located at 2024 Edgewood Drive, Lodi, the City Council, on motion of Mayor Sieglock, Mann second, rejected the subject appeal by the following vote:

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

Speaking in support of granting the appeal was Betty Kampe, 2925 Rockford, Stockton.
FILE NO. CC-6 AND CC-56

b) Following discussion regarding review of proposed bus stop locations, the City Council took the following actions at the locations listed below:

Cherokee Lane at Eden Street - S.W. Corner

The City Council, on motion of Council Member Pennino, Mann second, unanimously directed staff to leave the bus stop at the current location, unless it can be moved south.

Cherokee Lane at Vine Street - N.W. Corner

The City Council, on motion of Council Member Mann, Sieglock second, unanimously directed staff to move the current bus stop location to the corner of Vine Street and Garfield Street.

Speaking on the matter were the following persons:

1. W. W. Bill Canepa, 131 South Orange Avenue, Lodi, expressed safety concerns at the proposed bus stop and stated his opinion that the bus would not be able to maneuver appropriately; and
2. Eileen St. Yves, Lodi, encouraged the Council to move ahead with this project and leave the stops where they are for a trial period and if problems arise, deal with it then.

Lodi Avenue at Central Avenue - N.W. Corner

Council Member Pennino made a motion that staff look at the possibility of relocating the bus stop to 405 West Lodi Avenue and work with the owner at that location; if the site does not work out, leave the bus stop with red curb at current location; however, remove the yellow zone in front of the building, which would give back one two-hour parking space. The motion **died** for lack of a second.

Further, the City Council, on motion of Mayor Sieglock, Davenport second, unanimously directed staff to find a new location for this bus stop location.

Speaking against the original proposed bus stop location was Jerry Sperling, Contract Interiors, Lodi.

Vine Street at Hutchins Street - S.W. Corner

The City Council, on motion of Council Member Mann, Pennino second, unanimously directed staff to move the bus stop location to the east side of Vine Street without a red curb.

Vine Street at Stevens Street - N.E. Corner AND Vine Street at Kramer Street - S.W. Corner

The City Council, on motion of Council Member Pennino, Mann second, unanimously accepted the bus stop locations at both of these sites.

Mr. Kirk Evans made comments on behalf of Mrs. Astacio regarding the concerns she has that this bus stop location will cause damage to her lawn and that it should be eliminated given that there is already a stop close by at Lodi Memorial Hospital-West.

Assistant City Manager Glenn also informed the City Council that he received a telephone complaint the other day regarding the bus stop location near St. Anne's Church. Staff will attempt to work out this situation.

FILE NO. CC-6 AND CC-50(b)

- c) The City Council, on motion of Council Member Pennino, Mann second, unanimously took the following actions regarding the multi-modal station:

- Authorized the City Manager to execute an agreement with San Joaquin County Council of Governments (COG) for Phase II project funding;
- Authorized the City Manager to execute an agreement with San Joaquin County for Phase II project administration;
- Approved Request for Proposals (RFP) for Phase II work; and
- Adopted Resolution No. 94-139 supporting completion of the multi-modal station.
FILE NO. CC-50(b) AND CC-90

- d) The City Council, on motion of Council Member Snider, Sieglock second, reallocated \$150,716.20 from the completed Community Development Block Grant (CDBG) funding accounts shown below into the project account for the Lodi Boys and Girls Club Account by the following vote:

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

Noes: Council Members - Pennino

Absent: Council Members - None

Account	City of Lodi Account Number	San Joaquin Account Number	Account Balance
Code Enforcement	45.6-301.03	91-03	\$ 3,543.51
Hale Park Improvements	45.7-760.60	92-06	\$ 9,617.15
Kofu Park Walkway	45.7-760.62	92-07	\$ 2,555.54
Housing Rehabilitation	45.8-350.50	93-09	\$ 100,000.00
Eastside Alley Lighting	45.9-503.12	94-05	\$ 35,000.00
Total			\$ 150,716.20

Speaking on the matter were the following persons:

1. Richard Jones, Executive Director, Boys and Girls Club, spoke in support of the reallocation of funds;
2. Virginia Lahr, 311 East Elm Street, Lodi, expressed her opposition to using the funds designated for the Eastside Alley Lighting Project;
3. Virginia Snyder, East Side Improvement Committee, also expressed opposition to using the funds designated for the Eastside Alley Lighting Project;
4. Frank Alegre, Lodi, stated he would like to see the Boys and Girls Club Project and the Eastside Alley Lighting Project be completed and the City Council should raise utility users and business license tax fees because that is why the people voted them into office; and
5. Colleen Dixon, 333 Hilborn, Lodi, questioned whether or not the funds would be available to complete Phase II of the project and made a suggestion on which funds to use instead for the Boys and Girls Club; and
6. Kevin Sues, 727 South Lee Avenue, Lodi, stated that it is unfair to take away funds from any project at this point, and it should instead go through the process at the appropriate time.

FILE NO. CC-6 AND CC-55

10. RECESS

Mayor Sieglock declared a five-minute recess and the City Council meeting reconvened at approximately 11:35 p.m.

11. VOTE TO CONTINUE WITH MEETING FOLLOWING 11 PM HOUR

The City Council, on motion of Council Member Pennino, Sieglock, unanimously determined it would continue with the remainder of the meeting following the 11 p.m. hour.

12. REGULAR CALENDAR (Continued)

- a) The City Council, on motion of Council Member Mann, Sieglock second, unanimously adopted Resolution No. 94-141 approving the Rules for Personnel Administration.
FILE NO. CC-34 AND CC-300
- b) The City Council received a report regarding the prequalification of contractors for Civic Center Improvements (Phase II), City Hall remodel.
FILE NO. CC-6 AND CC-12.1(c)

13. ORDINANCES

None.

14. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Frank Alegre, Lodi, congratulated Phillip Pennino, Jack Sieglock and Dave Warner on the election and stated that the people of Lodi obviously support the current Council. Therefore, the Council needs to go forward with a utility users tax, a business license fee tax, the downtown revitalization and the Post Office, electric, sewer and water rate increases, garbage rates, etc. The people are willing to pay. Mr. Alegre also urged the Council to take another look at the City's payroll. The City reduced jobs, yet the cost of payroll has not gone down due to overtime and part-time hours.
FILE NO. CC-16 AND CC-18

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

- a) Council Member Pennino thanked the citizens for supporting him for another four years as a member of the Lodi City Council and stated he will stick to his commitments.
FILE NO. CC-18
- b) 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; (2) Announced that the garbage company has exercised its option to renew its contract for another seven years; and (3) Announced that Memorandum of Understanding (MOU) for the Police Dispatchers and the Rules for Personnel Administration have both been approved. Mr. Davenport would still like to see the MOUs available at the Library.
FILE NO. CC-34, CC-22(b) AND CC-54
- c) Mayor Sieglock also thanked the Lodi citizens for electing him to the Lodi City Council for another four years.
FILE NO. CC-18
- d) Council Member Snider complimented each of the candidates for picking up their campaign lawn signs so quickly after the election.
FILE NO. CC-18
- e) Mayor Sieglock reminded the public that on November 28, 1994 at 5:30 p.m. at Hutchins Street Square, the community Christmas tree will be lit in an official ceremony.

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- f) City Manager Peterson informed the public of the two following Special Meetings:
- December 13, 1994 at 7:00 p.m., Hutchins Street Square Cafeteria - meeting to review and adopt Central City Revitalization Project; and
 - December 20, 1994 at 7:00 p.m., Hutchins Street Square, Fine Arts Building - meeting to discuss solutions to eastside neighborhood problems.

16. CLOSED SESSION

Mayor Sieglock announced that there was no need for a Closed Session.

17. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 11:46 p.m.

ATTEST:


Jennifer M. Perrin
City Clerk