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CITY COUNCIL
REGULAR CITY COUNCIL MEETING.
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 21, 1994
7:00 P.M.

1. ROLL CALL

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

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, Parks and Recreation Director Williamson, Finance Director Flynn, 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 Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Dennis Bennett with the Old Lodi Union High School Site Foundation presented a report to the City Council regarding the construction update of Hutchins Street Square. The construction on the North Hall kitchen and the 6,000 square foot patio with garden has been completed for a total cost of \$150,000 from private funds. In progress is the Julio Gallo Memorial Trellis and the brick walkways which will be constructed from bricks purchased from approximately 2,000 Lodi residents.
FILE NO. CC-6 AND CC-14(e)
 - b) Mr. Paul Haavik, 2348 Cryer Street, Hayward, Chairman of the California Youth Soccer Association (CYSA), presented the City Council with a progress update regarding the proposal to build CYSA's headquarters on City-owned property near the White Slough Water Pollution Control Facility east of I-5. Mr. Haavik informed the City Council that a letter of intention has been signed by the parties involved and a Memorandum of Understanding has been negotiated in part.
FILE NO. CC-5(c), CC-6 AND CC-40
 - c) Public Works Director Ronsko announced to the City Council and the public that at the recent California Water Pollution Control Association (CWPCA) meeting, the City of Lodi received the Plant of The Year Award, 1994.
FILE NO. CC-6 AND CC-158
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5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$1,178,306.91.
FILE NO. CC-21(a)
- b) The Minutes of December 7, 1994 (Regular Meeting) were approved as written.
- c) Approved the plans and specifications for 1994/95 handicap ramp retrofit projects, various locations, and authorized advertising for bids.
FILE NO. CC-12.1(a)
- d) Approved the specifications for printed envelopes, 1995 requirements, and authorized advertising for bids.
FILE NO. CC-12.1(c)
- e) Approved the specifications for photocopier for Community Center (Hutchins Street Square) and authorized advertising for bids.
FILE NO. CC-12.1(b)
- f) Adopted Resolution No. 94-147 rejecting all bids, approving revised specifications and authorizing re-advertising for bids for a one-ton cab and chassis for the Public Works Department's Water/Wastewater Division.
FILE NO. CC-12(b), CC-12.1(b) AND CC-300
- g) Agenda item #E-7 entitled, "Contract award for rental and cleaning of uniforms for Public Works employees" was removed from the Consent Calendar and discussed and acted upon following adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- h) Agenda item #E-8 entitled, "Contract award for two light utility vehicles for the Parks Department" was pulled from the agenda pursuant to staff's request.
- i) Adopted Resolution of Intention No. 94-150 to abandon the remaining portion of the alley west of Washington Street, referred the matter to the Planning Commission, and set it for Public Hearing at the regular City Council meeting of January 18, 1995.
FILE NO. CC-45(a), CC-52(a) AND CC-300
- j) Adopted Resolution No. 94-151 amending the City of Lodi Conflict of Interest Code for various City boards, commissions and designated employees.
FILE NO. CC-6 AND CC-7(v)
- k) Received for filing the following audit reports and financial statements submitted by KPMG Peat Marwick LLP and the Finance Department for Fiscal Year 1993/94:
 - The Combined Annual Financial Report
 - The Single Audit Report
 - The Management LetterFILE NO. CC-21(b)

- l) Agenda item #E-12 entitled, "Request for Proposals (RFP) for audit services" was removed from the Consent Calendar and discussed and acted upon following adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- m) Agenda item #E-13 entitled, "Reorganization in Police Department" was removed from the Consent Calendar and discussed and acted upon following adoption of the Consent Calendar. (Removed by Council Member Davenport.)
- n) Set Public Hearing for January 18, 1995 to consider Reimbursement Agreement #RA-95-01 for public improvements for Century Meadows One, Unit 1.
FILE NO. CC-46
- o) Set Public Hearing for February 1, 1995 to consider Reimbursement Agreement #RA-95-02 for public improvements for Sunwest Plaza Shopping Center.
FILE NO. CC-46
- p) Set Public Hearing for January 4, 1995 for use of Federal Transit Assistance (FTA) funds for Fiscal Year 1994/95.
FILE NO. CC-50(b)

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) The City Council, on motion of Council Member Pennino, Sieglock second, unanimously adopted Resolution No. 94-148 awarding the contract for rental and cleaning of uniforms for Public Works employees to Mission Uniform Service in the amount of \$10,379.00 per year.
FILE NO. CC-12(a), CC-90 AND cc-300
- b) The City Council, on motion of Council Member Pennino, Sieglock second, authorized staff to solicit Request for Proposals (RFP) for audit services by the following vote:

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

FILE NO. CC-21(b)
- c) The City Council, on motion of Council Member Sieglock, Warner second, unanimously adopted Resolution No. 94-149 reorganizing the Police Department as follows:
 - approved the class specification for Lead Dispatcher/Jailer and assigned the following salary range:

Step A	Step B	Step C	Step D	Step E
\$2,465.88	\$2,589.16	\$2,718.62	\$2,854.55	\$2,997.28
 - deleted the Services Division Supervisor classification and reallocated position to Lead Dispatcher/Jailer;
 - reallocated one Dispatcher/Jailer position to Lead Dispatcher/Jailer;
 - reallocated one Police Records Clerk III to Police Records Clerk I/II; and
 - eliminated one Dispatcher/Jailer position.

FILE NO. CC-34 AND CC-300

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mann called for the Public Hearing to obtain citizens' comments on unmet transit needs within the City of Lodi.

Assistant City Manager Glenn summarized the events from the 10:00 a.m. administrative hearing regarding this matter and further incorporated the minutes from the hearing as a part of this meeting (see Exhibit A attached).

Hearing Opened to the Public

- 1. Lillian Goldsmith, 1830 South Hutchins Street #507, Lodi, expressed her pleasure with the City of Lodi's new transit system. Ms. Goldsmith suggested that the hearings from the various agencies be combined into one or two hearings and further that the City's unmet transit needs hearing be changed from December to November in order to get a better turnout. Ms. Goldsmith indicated she felt the GrapeLine signs were too light and difficult to see and also suggested that the buses be allowed to stop within the route, especially when a passenger is carrying packages. Further, the schedules and routes should be sent out in the utility billings to reach more people.

Assistant City Manager Glenn responded that the hearings of the various agencies should not be combined because it would be confusing to the public. It is possible to change the dates of the City's unmet transit needs public hearing. Mr. Glenn would prefer to hold the meetings in January. Further, Mr. Glenn recommended that the buses continue with its current practice of stopping only at the scheduled bus stops.

- 2. Tony Segale, Lodi, also indicated that the GrapeLine signs were too light and difficult to see.

Public Portion of Hearing Closed

ACTION:

The City Council, on motion of Council Member Sieglock, Davenport second, unanimously accepted the public comments, incorporated the minutes from the morning administrative hearing (attached as Exhibit A) and directed that the reports be provided to the appropriate agencies for execution.

FILE NO. CC-50(b)

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 Council Member Sieglock, Mann second, unanimously rejected the following claims and referred them back to ICA:

- 1. Eileen S. Chaffee, date of loss 8/8/94
 - 2. Adam Cobarrubio, date of loss 8/9/94
 - 3. Jean Dickey, date of loss 8/15/94
- FILE NO. CC-4(c)

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

1. Planning Commission report of December 12, 1994.

In regards to the Planning Commission's recommendation that the City Council reconsider the Scenic Overlook at the corner of Awani Drive and Mokelumne River Drive as public access to the Mokelumne River and as a potential park site, the City Council, on motion of Council Member Sieglock, Pennino second, rejected the recommendation of the Planning Commission by the following vote:

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

FILE NO. CC-27(c), CC-35(c) AND CC-184

c) The City Council, on motion of Council Member Pennino, Warner second, concurred with the reappointments/appointments shown below to various boards and commissions by the following vote:

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

Council Member Davenport expressed his dissension regarding the reappointment of Robert Johnson to the Parks and Recreation Commission.

Lodi Arts Commission

Theo W. Vandenberg Term to expire July 1, 1996

Senior Citizens Commission

Richard Sandford Term to expire December 31, 1998

Personnel Board of Review

David S. Hill Term to expire January 17, 1998

Recreation Commission

Robert J. Johnson Term to expire December 31, 1998
Ed Wall, Jr. Term to expire December 31, 1998
Keith Land Term to expire December 31, 1998

FILE NO. CC-2(f), CC-2(h), CC-2(i) AND CC-2(k)

d) The City Council, on motion of Council Member Sieglock, Pennino second, concurred with the appointments shown below to various San Joaquin County commissions by the following vote:

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

San Joaquin County Transportation Advisory Commission

David P. Warner, Mayor Pro Tempore

San Joaquin County Integrated Waste Management Task Force

Stephen J. Mann, Mayor

FILE NO. CC-2(a) AND CC-7(b)

- e) Council Member Pennino presented a report to the City Council regarding the reorganization of the Youth Commission and indicated that the commission will now consist of five adult representatives, seven youth representatives, one Council Member and one school district representative. Anyone interested in serving was encouraged to contact the City Clerk's office at 333-6702.

FILE NO. CC-2(t)

9. RECESS

Mayor Mann declared a ten-minute recess and the City Council meeting reconvened at approximately 8:40 p.m.

10. REGULAR CALENDAR

- a) The City Council, on motion of Mayor Mann, Warner second, set a Public Meeting for January 4, 1995 and a Public Hearing for February 15, 1995 to hear public testimony on proposed amendment to the City's Business License Tax Ordinance by the following vote:

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

Noes: Council Members - Davenport

Absent: Council Members - None

FILE NO. CC-6, CC-21(a), CC-72 AND CC-400

- b) Agenda item #H-2 entitled, "Proposed repeal and re-enactment of Lodi Municipal Code Title 6 (animal control provisions)" was pulled from the agenda pursuant to staff's request. This matter will be discussed at the Shirtsleeve Session of January 10, 1995.

- c) The City Council, on motion of Council Member Pennino, Sieglock second, approved allocation of \$46,000 from the Lodi Lake Fund to replace the Lodi Lake ranger building contingent upon the building being in conformity with the Lodi Lake Master Plan by the following vote:

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

Noes: Council Members - Davenport

Absent: Council Members - None

FILE NO. CC-6, CC-21(b) AND CC-27(c)

11. ORDINANCES

None.

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

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

- a) Council Member Davenport thanked everyone for coming to the meeting and commented on the following matters: (1) Reminded everyone to be ever mindful of the gangs; (2) Thanked the citizens and businesses for the many Christmas cards he received; (3) Requested an update regarding the chlorination of Lodi's water. Public Works Director Ronsko responded that the chlorination process began on Monday and will be completed on Friday. The chlorine can be smelled and tasted; however, if the water is left to sit out for approximately three hours it will reduce the smell and taste; (4) Reminded the public that the City Council recently reorganized and has a new Mayor. Mayor Mann recently listed his goals for the upcoming year, which lets the Council know the direction in which he wants to go; (5) Received many letters from the public against the revitalization effort. This is going to be a tough decision and something that the City Council will have to deal with; (6) Informed the public that the City Council recently conducted evaluations for the City Council appointees and they went as well as can be expected; (7) Informed the public that a survey has been prepared on management and mid-management salaries which is available to the public; (8) Requested an update on the Carnegie Forum basement remodel. Public Works Director Ronsko informed the City Council that the Beckman Building remodel should be completed the first week in January and the Carnegie Forum basement should be completed a couple of weeks after that. Staff is experiencing some problems with the cabling for the computers and phones for the basement and trailers and that will delay the move from February to probably March. However, the Finance Department may be moved prior to the rest of the City Hall employees; and (9) Wished everyone a Merry Christmas.
FILE NO. CC-6, CC-34 AND CC-183(a)
- b) Council Member Sieglöck wished everyone a Merry Christmas and a Happy New Year and commented on the following matters: (1) Thanked the citizens who attended the Special meeting regarding neighborhood concerns. Many helpful suggestions were received; and (2) Suggested that the City Council consider the possibility of going from a General Law to a Charter City. A couple of the benefits would be the City could realize some cost savings and avoid funding some State mandates to mention a few. Council Member Sieglöck received Council concurrence to conduct a Shirtsleeve Session within the next 90 days regarding this matter. The City Attorney was directed to research the matter and prepare a report on the pros and cons of becoming a Charter City. In order to become a Charter City, the City of Lodi would need a majority vote from the citizens of Lodi.
FILE NO. CC-6
- c) Council Member Warner commented on the success of the Holiday Wine and Art Fair on December 4, 1994 in downtown Lodi. They had a good turnout and many people were surprised to discover the different stores downtown. Mr. Warner is concerned about the downtown. The City Council just approved a conceptual plan on the revitalization; however, Mr. Warner stressed that the businesses and the community, as well, need to have a renewed commitment to this plan. Mr. Warner encouraged the public to always shop in Lodi, especially downtown.
FILE NO. CC-72 AND CC-400

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- d) Council Member Pennino commended the Fire Department employees for the Christmas fire truck and thanked the many employees who have volunteered their time to operate this program. Further, Mr. Pennino commented on an article he read regarding a major company returning to California from Nevada because of the better economic conditions.
- e) Mayor Mann acknowledged the passing away of Nadine Abberle and Bill Pisani, both who were very active in the Lodi Grape Festival. They will be remembered.
- f) Council Member Davenport concurred with the recommendation of pursuing the suggestion of Lodi becoming a Charter City. Further, Mr. Davenport expressed the need to draw factory outlets into the downtown area to provide competition to Stockton and Sacramento.
FILE NO. CC-6, CC-72 AND CC-400
- g) Assistant City Manager Glenn reminded the public that Dial-A-Ride will be offering free services on New Year's Eve (7:00 p.m. - 3:00 a.m.). Mr. Glenn stressed that if anyone is drinking on this holiday, to please take advantage of this service.
FILE NO. CC-50(b)

14. CLOSED SESSION

Mayor Mann adjourned the meeting to a Closed Session to discuss the following matters:

- a) Labor Relations - Unrepresented Employees (Management and Mid-Management)
Negotiator: City Manager Thomas A. Peterson
- b) Threatened Litigation - Cal EPA v. City of Lodi (PCE cleanup)

15. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 12:30 a.m., and Mayor Mann disclosed the following actions:

Labor Relations - Unrepresented Employees (Management and Mid-Management); Negotiator: Thomas A. Peterson

- Authorized a salary increase for Police Department Mid-Management employees of 4% effective the first pay period of October 1994 and 2% effective the first pay period of October 1995 by the following vote:

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

- Authorized a salary increase for Mid-Management employees of 3.5% effective the first pay period of January 1995 and 3% effective the first pay period of January 1996 by the following vote:

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

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Continued December 21, 1994

- Authorized a salary increase for Management employees of 3.5% effective the first pay period of January 1995 and 3% effective the first pay period of January 1996 by the following vote:

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

- Authorized a salary increase for the City Manager of 3.5% effective the first pay period of January 1995 and 3% effective the first pay period of January 1996 by the following vote:

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

- Authorized a salary increase for the City Attorney of 6% effective the first pay period of January 1995 and 6% effective the first pay period of January 1996 by the following vote:

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

- The motion to authorize a salary increase for the City Clerk of 3.5% effective the first pay period of January 1995 and 3% effective the first pay period of January 1996 **failed** by the following vote:

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

Threatened Litigation - Cal EPA v. City of Lodi (PCE cleanup)

The City Council took no final action on this matter.

FILE NO. CC-34, CC-200(a) AND CC-200(d)

16. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 12:38 a.m., Thursday, December 22, 1994.

ATTEST:


Jennifer M. Ferrin
City Clerk

PUBLIC HEARING
UNMET TRANSIT NEEDS
HUTCHINS STREET SQUARE, SENIOR CENTER
125 SOUTH HUTCHINS STREET, LODI
WEDNESDAY, DECEMBER 21, 1994
10:00 A.M.

1. ROLL CALL

Present: Assistant City Manager Glenn, Administrative Assistant to the City Manager Evans, and Deputy City Clerk Taylor

2. PUBLIC HEARING

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Assistant City Manager Glenn called for the Public Hearing to obtain citizens' input regarding unmet transit needs within the City of Lodi.

Assistant City Manager Glenn presented an update on where the City currently is in regards to transit. SMART buses are now coming in to Lodi, as well as into Tracy, Stockton and Manteca, to provide inter-City transportation. The GrapeLine is also up and running and providing intra-City transportation to approximately 400 passengers a day.

Hearing Opened to the Public

1. Esther Nova, Lodi, commended the City for getting the GrapeLine running and believes this is the best thing that has happened to Lodi;
2. Dorance Ochs, Lodi, expressed the need for an additional route to cover the east side of town and further suggested that maps and schedules be placed in various locations throughout town and at the bus stop locations;
3. Roberta Gresham, Lodi, submitted a petition to the Deputy City Clerk with approximately 134 signatures requesting a route on the east side of town;
4. Rosa Gutierrez, Lodi, suggested the need for more bus service in the Turner Road area;
5. Sally Podesta, Lodi Unified School District, expressed her delight in the progress the City has made with transportation and questioned if there were any impacts on Dial-A-Ride.

Assistant City Manager Glenn responded that there has been no impact on Dial-A-Ride since the start date of the GrapeLine.

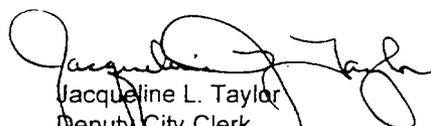
Public Portion of Hearing Closed

Assistant City Manager Glenn informed the citizens that this Public Hearing will be continued to the regular City Council meeting of December 21, 1994 at 7:00 p.m., or as soon thereafter as the matter may be heard.

3. ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:25 a.m.

ATTEST:


Jacqueline L. Taylor
Deputy City Clerk