

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 4, 1998
7:00 P.M.**

1. INVOCATION

The invocation was given by Pastor Steve Newman, First Baptist Church.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

3. FILLING OF VACATED COUNCIL SEAT

Mayor Sieglock introduced newly-appointed Council Member, Robert J. Johnson, and asked him to join the City Clerk at the podium. Mrs. Reimche conducted the oath of office and congratulated Council Member Johnson by presenting him with a framed Certificate of Appointment. Mayor Sieglock presented Council Member Johnson with a beautifully framed pen and ink rendering of City Hall.

Council Member Johnson introduced his wife Carol, his son Bob, who works for American Medical Response in Stockton, his son Larry, who is beginning a career in Fresno with a TV affiliate, and Larry's fiancée Sharon. Mr. Johnson thanked the Council who made this difficult decision and gave a special thanks to City Clerk Reimche who made sure the candidates were organized and at ease throughout the process. Finally, Council Member Johnson thanked his friends who encouraged and supported him, and, to those who were not supportive of his appointment, Mr. Johnson suggested they watch and wait and hopefully be pleasantly surprised with the results.

Council Member Johnson then took his seat at the Council table.

4. ROLL CALL

Present: Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima, Community Development Director Bartlam, Electric Utility Director Vallow, City Attorney Hays and City Clerk Reimche

5. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Sieglock presented a proclamation to Dick Seibel proclaiming the week of March 15 - 21, 1998 as "DeMolay Week" in the City of Lodi.
 - b) Dennis Bennett, Chairman of the Old Lodi Union High School Site Foundation, presented Mayor Sieglock with a check in the amount of \$125,000 towards repayment of the loan for the Performing Arts and Conferencing Center at Hutchins Street Square. Mr. Bennett also presented the Council with T-shirts that read "1997-98 Performing Arts Center Under Construction, Lodi, California". Mr. Bennett announced that April 21st begins a full week of celebrations and events to mark the reopening of the facility.
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6. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$2,014,104.56 and Disbursements Through Wire Transfer in the amount of \$248,061.07.
- b) The minutes of February 18, 1998 (Regular Meeting), February 19, 1998 (Adjourned Regular Meeting), February 19, 1998 (Special Meeting) and February 24, 1998 (Special Meeting) were approved as written.
- c) Approved the specifications for 25,000 feet of #2AWG, 20,000 feet of #750Kcmil, and 34,000 feet of #1000Kcmil jacketed 15kV concentric neutral primary underground cable for the Electric Utility Department and authorized advertising for bids.
- d) Approved the Request for Proposals and the draft agreement form for concession operations at Armory Park and the Softball Complex through December, 2000 and authorized advertisement for proposals.
- e) Adopted Resolution No. 98-32 awarding the bid for purchase of 20,000 feet of #2/0 primary underground conductor to the low bidder, Pirelli Cables of Columbia, South Carolina, in the amount of \$23,640.35.
- f) Adopted Resolution No. 98-33 awarding the bid for the purchase of 52 wood utility poles as listed below to the low bidder, Taylor Lumber and Treating, Sheridan, Oregon, in the amount of \$18,739.88.
- g) Adopted Resolution No. 98-34 awarding the contract for 1998 Sidewalk Repair Program and Miscellaneous Concrete Work to A & A Enterprise, of Lodi, in the amount of \$53,135.00.
- h) Adopted Resolution No. 98-35 accepting the development improvements for Towne Ranch, Unit No. 5, Tract No. 2698.
- i) Adopted Resolution No. 98-36 accepting the development improvements for Bangs Ranch, Unit No. 2, Tract No. 2683.
- j) Accepted the improvements under the "Mokelumne River Tree Removal" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's Office.
- k) Accepted the improvements under the "Century Boulevard Street Overlay, Ham Lane to Church Street, and Turner Road Street Overlay, Beckman Road to East End of Turner Road" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's Office.
- l) Received for information only the contract change orders for Hutchins Street Square Conference and Performing Arts Center, 125 South Hutchins Street.
- m) Adopted Resolution No. 98-37 approving the new rental rates for the facilities at Hutchins Street Square.
- n) Agenda item #F-14 entitled, "Resolution in support of the City of Tracy regarding Alameda County's legal action" was pulled from the agenda pursuant to staff's request.

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- o) Set Public Hearing for March 18, 1998 to consider and approve potential uses of Federal funds received through the Community Development Block Grant (CDBG) and HOME programs for the 1998-99 fiscal year.
- p) Agenda item #E-16 entitled, "Appointment to Northern California Power Agency (NCPA)" was pulled from the agenda pursuant to staff's request and will be rescheduled for the meeting of March 18, 1998.
- q) Adopted Resolution No. 98-38 authorizing the City Manager to enter into a professional services agreement with The Energy Solutions Company for Public Benefits Cost (PBC) Program Services March 1998 - June 1999.
- r) Approved expenditure of \$15,000 for 1998 Fourth of July Fireworks Exhibition at Lodi Lake.

7. PUBLIC HEARINGS

None.

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Land, Mann second, unanimously rejected the following claims:

- 1. Jamal Ibrahim, date of loss 10/22/97
- 2. Dennis Walker, date of loss 11/28/97
- 3. Edward Hallisey, date of loss 12/10/97

- b) City Clerk Reimche read the following ABC Licenses:

- 1. Don R. Griffith to Chanmony Buo and Phally Sap, Del Monte Club, 121 North Cherokee Lane, Lodi, On-Sale General, Person to Person Transfer
- 2. Maria G. Martinez, El Rosal, 728 West Kettleman Lane, Lodi, On-Sale Beer and Wine, Original License.
- 3. John A. Anagnos to Candy L. Jackson and Milan Domanovich, Sports Shack, 1420 West Kettleman Lane, Suites L & M, Lodi, On-Sale General Eating Place, Person to Person Transfer

- c) The City Council, on motion of Council Member Pennino, Johnson second, unanimously made the following appointment to the East Side Improvement Committee:

East Side Improvement Committee

Pamela M. Castro Term to expire March 1, 1999

9. REGULAR CALENDAR

- a) Agenda item #I-1 entitled, "Agreement for provision of engineering and construction services between City of Lodi and Woodbridge Irrigation District (WID)".

(Council Member Pennino abstained from discussion and voting on this matter.)

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Electric Utility Director Vallow reminded the City Council that it was briefed at the January 13, 1998 Shirtsleeve Session on the status of Woodbridge Irrigation District's efforts to become an electric power provider. At that time it was reported that Electric Utility Department staff had been providing professional assistance in examining the feasibility of this endeavor. The Council was clear in its direction that the Electric Utility Department should aggressively pursue wholesale opportunities and regional economic benefits. The proposed Agreement with Woodbridge Irrigation District provides Lodi with an opportunity to market surplus wholesale generation and improves the Electric Utility's economy of scale with respect to provision of electric services.

Since the January 13, 1998 meeting, Woodbridge has taken several steps to prepare to serve Sebastiani Wineries and is now ready to begin construction of a 12kV line to provide service to Sebastiani facilities in the Woodbridge area. The Electric Utility Department is requesting authorization to enter into a contract to act as Woodbridge's contractor for the construction of this line. The Electric Utility Department will provide labor and materials for construction of the line; Woodbridge Irrigation District will reimburse the Electric Utility Department over a period not to exceed eighty-four months. Interest will be paid by Woodbridge at a rate equal to that obtained by the Local Area Investment Fund. Sebastiani Wineries will become a customer of Woodbridge Irrigation District; the Electric Utility Department is not proposing to provide retail services outside its current service area. Operation and maintenance services, interconnection rights, and access to market priced power will be negotiated in the future under separate agreement.

- A. Woodbridge Irrigation District has approved a Negative Declaration of Environmental Impact for the project to serve Sebastiani Wineries.
- B. Woodbridge Irrigation District has obtained the approval of the Local Area Formation Commission to serve the Sebastiani facility that is not currently within its legal borders.
- C. Woodbridge Irrigation District has applied for membership in the Northern California Joint Pole Association.
- D. The Board of Directors of the Woodbridge Irrigation District is scheduled to consider this contract at their March 10, 1998 meeting. Mr. Vallow took a moment to introduce Mr. William Stokes and Mr. Andy Christiansen, members of the District.
- E. The contracting of services between the Electric Utility Department and the Woodbridge Irrigation District would result in the optimal allocation of personnel resources and improved economies of scale with respect to the provision of electric service.
- F. The availability of low cost power and improved reliability of distribution service in the Woodbridge area bordering the City of Lodi would be a benefit to the area's economy.
- G. Woodbridge Irrigation District would become a potential new wholesale customer for surplus Lodi electric power, achieving the Council's stated goal.

City staff has been meeting with PG&E's engineering staff with respect to design aspects of the proposed project.

Speaking in support of the matter was Andy Christiansen, Woodbridge Irrigation District (WID), 1811 Orchis Court, Lodi.

Council Member Mann expressed concern regarding whether or not the City would be liable to incur fees should this agreement bring about a legal action against the City, and what expense and responsibility would the City be required to pay. City Attorney Hays indicated that the agreement could additionally contain the following language:

"This Agreement may be terminated by Woodbridge with five (5) days written notice. In the event of such termination Woodbridge shall pay Lodi for all services rendered from the date of the Agreement to date of termination, all related expenses, and all termination expenses. In the event of unforeseen extraordinary expenses levied as a result of third party actions, this agreement may be terminated by either party, provided that notice is given prior to construction commencement."

The City Council, on motion of Council Member Land, Mann second, adopted Resolution No. 98-39 authorizing the City Manager to enter into a contract for the Electric Utility Department to provide engineering and construction services to Woodbridge Irrigation District (WID) with the addition of the language set forth above by the following vote:

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

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

a) None.

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

a) City Manager Flynn announced the birthdays of Deputy City Manager Keeter on March 29, 1998; Fire Chief Kenley on March 8, 1998; and Deputy City Attorney Luebberke on March 26, 1998.

Public Works Director Prima introduced the new City Engineer, Bob Murdoch. Mr. Murdoch comes to us from the City of Stockton and has a variety of experience including solid waste. Bob will be up to speed within a matter of weeks.

b) Mayor Sieglock announced that Bob Johnson submitted his letter of resignation from the Parks and Recreation Commission and direction was given to the City Clerk to post for this vacancy. Mayor Sieglock also announced that on March 31, 1998 there will be a welfare reform job fair at the Grape Festival Grounds.

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 7:51 p.m.

ATTEST:

Alice M. Reimche
City Clerk