

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 3, 1998  
7:00 P.M.**

1. 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, Human Resources Director Narloch, Fire Chief Kenley, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Dr. Diane Garga, BAHA'I.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Police Chief Hansen presented the Police Department Awards to the following persons:
- **Officer of the Year:** Officer Ernie Nies
  - **Employee of the Year:** Community Service Officer Mary Fuhs
  - **Volunteer of the Year:** Roy Platt
  - **Meritorious Service Awards:** Lt. David Main; Officer Rick Cromwell; and Officer Dale Eubanks
  - **Chief of Police Service Award:** Lt. Ron Tobeck
  - **Life Saving Citation:** Officer Rick Landre
  - **Citizen Service Award:** Don Sanford
  - **Retirement Badge:** former Reserve Officer Craig Tolmne
- b) Mayor Sieglock presented a Certificate of Appreciation to Jim Schweickardt with Pacific Coast Producers for his dedication to this community.
- c) Community Center Director Lange updated the City Council regarding the Hutchins Street Square celebration and construction project. Further, Mayor Sieglock presented a plaque to Mrs. Lange for her untiring efforts in this project.
- d) Duane Simpfenderfer, with the School Street Shoot-Out Committee, announced that the winner of the *Celebrity Street Shoot-Out* contest was Jay Anema, who received a prize of \$503, which he donated to the Lodi Sports Foundation. Further, Mr. Simpfenderfer presented a check in the amount of \$503 to Mayor Sieglock, who in turn gave it to Ron Williamson with the Lodi Parks and Recreation Department for the *3-On-3 On The Bricks* contest.
- e) Mr. Mike Georguson, Chairperson of the Summer Jobs 98 Task Force, made a presentation to the City Council regarding the Summer Job for Youth Program - 1998.
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5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$3,088,816.20.
- b) The minutes of May 20, 1998 (Regular Meeting) were approved as written.
- c) Agenda item #E-3 entitled, "Request to issue Request for Proposal (RFP) for Financial Advisor Services" was removed from the Consent Calendar and discussed and acted upon following the approval of the Consent Calendar.
- d) Agenda item #E-4 entitled, "Specifications and advertisement for bids for Recreation Program T-shirts" was removed from the Consent Calendar and discussed and acted upon following the approval of the Consent Calendar.
- e) Adopted Resolution No. 98-71 authorizing the purchase of various molded rubber products for the underground electric distribution system from the sole authorized supplier for this region, Western States Electric of Portland, Oregon, in the amount of \$24,838.53.
- f) Agenda item #E-6 entitled, "Purchase and standardization of network servers" was removed from the Consent Calendar and discussed and acted upon following the approval of the Consent Calendar.
- g) Adopted Resolution No. 98-73 awarding the contract for wood pole testing to the low bidder Osmose Wood Preserving, Inc., Phoenix, Arizona, in the amount of \$16,521.68.
- h) Adopted Resolution No. 98-74 awarding the contract for 1998 Handicap Ramp Retrofit Project, Various Locations to BDS Construction, Inc., of Madera, in the amount of \$129,384.00 and appropriated funds in accordance with staff recommendation.
- i) Adopted Resolution No. 98-75 awarding the contract for Lodi Lake Park Entrance Improvements to Uprite Construction, of Stockton, in the amount of \$68,724.85 and appropriated funds in accordance with staff recommendation.
- j) Adopted Resolution No. 98-76 awarding the bid for White Slough Water Pollution Control Facility Replacement of Fiberglass Effluent Troughs to Warminster Fiberglass Company in the amount of \$17,994.25 and appropriated funds in accordance with staff recommendation.
- k) Received for information only the Contract Change Orders for Hutchins Street Square Conference and Performing Arts Center, 125 South Hutchins Street.
- l) Took the following actions with regard to the Lodi West, Unit No. 3 development and associated off-site public improvements:
  - Approved the final map for Lodi West, Unit No. 3, Tract No. 2659, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City.
  - Appropriated funds for required fee credits.
- m) Approved the final map for Bangs Ranch, Unit No. 3, Tract No. 2869, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City.

*Continued June 3, 1998*

- n) Adopted Resolution No. 98-77 amending Section 4 of the Traffic Resolution 97-148 by approving angle parking on the south side of Pine Street, between Church Street and Sacramento Street.
- o) Adopted Resolution No. 98-78 approving participation in the Joint Powers Agreement with the State of California (Caltrans) for construction of Highway 12 - Kettleman Lane/Highway 99 interchange improvements and authorized the City Manager to execute the agreement.
- p) Adopted Resolution No. 98-79 approving a temporary position of an Electric Services Administrator/Customer Programs.
- q) Adopted Resolution No. 98-80 authorizing the City Manager to execute the Layoff Equalization Agreement by and between the City of Lodi and Turlock Irrigation District in support of the 1998 Hydroelectric and Geothermal Revenue Refunding Bonds of the Northern California Power Agency (NCPA).
- r) Adopted Resolution No. 98-81 approving the destruction of the Human Resources records listed below:
  - Personnel employment records of separated full-time employees (over 5 years old).
  - Applications for employment from expired eligible lists (over 2 years old).
  - Examination files (over 5 years old).
- s) Adopted the following resolutions (except letter (h)) regarding the November 3, 1998 General Municipal Election:
  - Resolution No. 98-82 calling and giving notice of the holding of General Municipal Election to be held November 3, 1998;
  - Resolution No. 98-83 adopting regulations pertaining to the Candidates' Statements for the November 3, 1998 General Municipal Election;
  - Resolution No. 98-84 determining whether or not there will be a filing fee for the November 3, 1998 General Municipal Election;
  - Resolution No. 98-85 approving entering into a contract with the County of San Joaquin for the County Registrar of Voters to provide certain services for the November 3, 1998 General Municipal Election;
  - Resolution No. 98-86 providing for the appointment to the offices of this City that are to be elected November 3, 1998 if there are not more candidates than offices to be elected;
  - Resolution No. 98-87 providing that the determination of a tie vote by candidates who receive an equal number of votes and the highest number of votes for one office in the November 3, 1998 General Municipal Election will be by lot;
  - Resolution No. 98-88 regarding impartial analysis, arguments and rebuttal arguments for any measure(s) that may qualify to be placed on the ballot for the November 3, 1998 General Municipal Election; and
  - Agenda item #E-19(h) entitled, "Resolution establishing a cash deposit be made by Council candidates to ensure political signs are removed following the November 3, 1998 General Municipal Election" was removed from the Consent Calendar and discussed and acted upon following the approval of the Consent Calendar.

- t) Agenda item #E-20 entitled, "CALFED Bay-Delta Program Programmatic Environmental Impact Statement / Environmental Report" was removed from the Consent Calendar and discussed and acted upon following the approval of the Consent Calendar.
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6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-3 entitled, "Request to issue Request for Proposal (RFP) for Financial Advisor Services".

Finance Director McAthie prepared the following report regarding this matter:

The 1997/98 Financial Plan and Budget lists a number of key capital improvement projects such as the Public Safety Building and the Downtown Parking Structure which may be funded by debt financing.

Financial advisors provide two key services:

- Specific assistance on a case-by-case basis for projects financing. These require specific marketing and technical skills that cannot reasonably be provided by staff.
- On-going advice and assistance on the best approach in meeting the City's capital financing needs. This assistance is particularly beneficial to the City in preparing early assessments of our financing options.

Staff will send a copy of the RFP to all California firms listed on the National Association of Independent Public Finance Advisors membership directory. In addition, we will include our current provider, John Fitzgerald from Seidler-Fitzgerald Public Finance and any other firms expressing interest in proposing to the City for financial advisor services.

A review committee consisting of the Deputy City Manager, the Public Works Director, the Community Development Director and the Finance Director will evaluate the proposals based on the following criteria:

- Understanding of the work required by the City.
- Quality and responsiveness of the proposal.
- Demonstrated competence and professional qualifications necessary for satisfactory performance of work required by the City.
- Recent experience in successfully performing similar services.
- Proposed approach in completing the work.
- References.
- Background and related experience of the specific individuals to be assigned to this project.
- Proposed compensation.

Based upon the proposals submitted, the Committee will select the top three financial advisor firms to be interviewed by the City Manager. The City Manager will make a final recommendation to the City Council.

The proposal term is for three years with an option to renew for another three years. While we expect to use the selected firm as our financial advisor on all financings over the term of the agreement, this is not an "exclusive agreement".

**Financial Impact:**

The method and percent of compensation will be reviewed as part of the RFP process. Typically the financial advisor's compensation is entirely contingent on the completion of a debt issuance and is payable solely from the proceeds of the issuance. However, if there is significant involvement by the financial advisor in a City project not resulting in a debt issue, there may be some alternative compensation requirements.

Council Member Johnson commented, and Council concurred, that the City Attorney should be added to the review committee.

The City Council, on motion of Council Member Johnson, Sieglock second, unanimously approved the Request for Proposal for Financial Advisor Services.

- b) Agenda item #E-4 entitled, "Specifications and advertisement for bids for Recreation Program T-shirts" **and** agenda item #E-6 entitled, "Purchase and standardization of network servers".

**#E-4**

Parks and Recreation Director Williamson prepared the following report regarding the matter:

This bid will provide team shirts for the following programs:

Flag Football	350+ shirts	September, 1998
Junior Basketball	1,200+ shirts	December, 1998
Junior Volleyball	75+ shirts	February, 1999

Registration fees, set relatively low for youth, are collected for each program to help offset the cost of the program, which includes T-shirts, pictures, officials, and facility rentals.

**#E-6**

Information Systems Manager Helmle provided the following information regarding the matter:

The current budget has funds for the replacement of the network server at the Municipal Service Center Public Works Building. This "server" is a 5-year-old 486 based Hewlett Packard (HP) personal computer that is not suited for the demand now being placed upon it. The proposed replacement is a bona-fide server model with the appropriate amount of money, disc storage, security and redundancy.

Staff recommended that the City standardize on HP servers for ease of administration and maintenance. HP is one of the leading manufacturers in the business and provides a high level of support. All other servers presently in use in the City are HP models which were competitively purchased either through the State of California Multiple Award Schedule (CMAS) program or from other resellers. CMAS authorizes purchasing equipment without going to competitive bidding. However, CMAS has not proven to be the lowest price. Staff will solicit three or more informal quotes prior to purchasing network servers. The Information Systems Manager will coordinate all network server specifications and purchases.

Council Member Johnson commented on both of these matters that the threshold needs to be raised. Staff was requested to look into this suggestion.

Following discussion, the City Council, on motion of Council Member Johnson, Pennino second, unanimously approved the specifications for screen-printed T-shirts for participants in youth recreation programs during fiscal year 1998/99 and authorized advertising for bids and adopted Resolution No. 98-72 approving the purchase of a network server in the amount of \$16,000 for the Municipal Service Center Public Works Building, standardized on HP as the manufacturer for the City's network servers and allowed purchase of network servers without formal bidding for amounts under \$25,000.

- c) Agenda item #E-19(h) entitled, "Resolution establishing a cash deposit to be made by Council candidates to ensure political signs are removed following the November 3, 1998 General Municipal Election".

City Clerk Reimche informed the City Council that in order to ensure that political signs are removed by City Council candidates following the November 3, 1998 General Municipal Election, it is recommended that the City Council adopt a resolution requiring all Council candidates running for office in the November 3, 1998 General Municipal Election make a \$100 cash deposit at the time they file their nomination papers to ensure the removal of their signs following the election.

Following the election, when it has been determined that all of the candidate's signs have been removed within the 30 day time frame, the \$100 deposit will be returned to the candidate at his/her request.

Council Member Johnson expressed his support of the resolution and that it will help to remove campaign signs of candidates running in the local election; however, it will do nothing to remove the signs in Lodi from candidates running in County or State elections.

Following discussion, the City Council, on motion of Council Member Johnson, Sieglock second, adopted Resolution No. 98-89 establishing a cash deposit of \$100 be made by Council candidates to ensure political signs are removed following the November 3, 1998 General Municipal Election by the following vote:

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

- d) Agenda item #E-20 entitled, "CALFED Bay-Delta Program Programmatic Environmental Impact Statement / Environmental Report".

Public Works Director Prima reminded the City Council that this item was presented, discussed and commented on at the regularly scheduled Council meeting of May 20, 1998, and the adjourned meeting of May 26, 1998. At Council's direction, staff put together a resolution to formalize Council's comments on the EIS/EIR. Upon adoption, staff will forward the resolution to CALFED along with a request for a presentation in Lodi.

Following discussion regarding the draft resolution, Mayor Sieglock suggested that the resolution be amended to include verbiage indicating that increased storage is an integral part of meeting water needs for the State, and more specifically, San Joaquin County. Specific water storage projects that can reasonably provide water for San Joaquin County should be included in the program (i.e. Auburn Dam, etc.).

The City Council, on motion of Mayor Sieglock, Johnson second, unanimously adopted Resolution No. 98-90 entitled, "A Resolution of the Lodi City Council Adopting the City of Lodi's Position on CALFED Bay/Delta Program Draft Programmatic EIS/EIR" including the amended language as indicated above.

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, Johnson second, unanimously rejected the following claims:

1. Bobbie Marie Stoller, date of loss 3/29/98
2. Howard Bender, date of loss 3/22/98

b) City Clerk Reimche read the following ABC Licenses:

1. Luis Valdez to Alonso V. and Efrain V. Esparza, Happy Burro Mexican Restaurant, 226 West Kettleman Lane, Lodi, On-Sale Beer and Wine, Person to Person Transfer
2. Frank V. White to Promod K. Trehan, Kettleman Chevron, 601 East Kettleman Lane, Lodi, Off-Sale Beer and Wine, Person to Person Transfer
3. Jasbinder K. Bains to Piara S. Ghuane and Daljit Singh, Save Mart Foods, 1340 South Hutchins Street, Lodi, Off-Sale General, Person to Person Transfer

c) The City Council, on motion of Council Member Pennino, Land second, unanimously directed the City Clerk to post for the following expiring terms on various boards and commissions:

**Planning Commission**

Jonathan McGladdery                      Term to expire June 30, 1998

**Library Board of Trustees**

Carol Farron                                      Term to expire June 30, 1998  
Thomas R. Goad, Sr.                              Term to expire June 30, 1998

**Lodi Arts Commission**

Tim Mattheis                                      Term to expire July 1, 1998  
Laura Heinitz                                      Term to expire July 1, 1998

d) City Clerk Reimche provided for information a letter from MediaOne regarding adjustment in installation and other equipment rates.

e) City Clerk Reimche provided for information an application from Pacific Bell for pricing flexibility and to increase prices of certain operator services, to reduce the number of monthly directory assistance call allowances, and to adjust prices for four Centrex optional features.

9. REGULAR CALENDAR

None.

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Bill Thomas, 317 Wood Drive, Lodi, addressed the City Council regarding the proposed labor camp on Harney Lane. Mr. Thomas outlined the reasons he is opposed to labor camps which would house up to 400 men. The project site is located on the south side of Harney Lane, ¼ mile east of Tully Road, east of Lodi. Mr. Thomas questioned that if this camp is for men only, where will men with families go.
- b) Sandy Sanders, 506 Swallow Lane, Lodi, also expressed her opposition to labor camps setting a number of reasons for her opposition. Ms. Sanders presented a number of letters from other citizens voicing their opposition to the establishment of the proposed labor camp.

The City Manager was asked to have the Community Development Director and the Police Chief look into this proposal and report back to the City Council at a later date.

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

- a) City Manager Dixon Flynn thanked employee Chris Knoll who had found and returned a purse and wallet containing over \$500.00 in cash. The very grateful owner of the purse and wallet had sent a letter of sincere appreciation to the City for Mr. Knoll's actions in this matter.

The City Manager indicated that the City would like to recognize Amber Steyaert who had worked part time for the Parks and Recreation Department. Ms. Steyaert recently passed away. The City would like to place a bench in an appropriate location in memory of this outstanding young person. The cost would be approximately \$400.00.

- b) Council Member Pennino expressed his sincere appreciation to this community for their outstanding help in his effort to be elected to the assembly.
- c) Council Member Johnson commented on the 7<sup>th</sup> Annual Lodi Lake Fishing Derby being held on Saturday, June 6, 1998. The event will be held at 7:00 a.m. at Lodi Lake Park. Mr. Johnson indicated that poles and equipment will be furnished for those that do not have them. This event is being sponsored by the Parks and Recreation Department, Raleys and the Lodi Sportsman Club.
- d) Mayor Pro Tempore Land commented on the efforts by the Northern California Power Agency (NCPA) in reorganizing its debt service and that the action taken by the City Council in adopting Resolution No. 98-80 entitled, "A Resolution Of The Lodi City Council Approving Layoff Equalization Agreement By And Between The City Of Lodi And Turlock Irrigation District In Support Of The 1998 Hydroelectric And Geothermal Revenue Refunding Bonds Of The Northern California Power Agency (NCPA) And Authorizing The City Manager To Execute The Agreement" reflects a good cost savings for NCPA.

Mayor Pro Tempore Land applauded Richmaid Restaurant and Papa Johns Pizza on their grand openings.

Mayor Pro Tempore Land talked about the passing of Frank Woollett and stated that he will be sorely missed by this community.

*Continued June 3, 1998*

Mayor Pro Tempore Land invited the citizens of Lodi to attend the Festa Italiana being held June 12 and 13, 1998 at the Lodi Grape and Wine Festival and to participate in the festivities planned for this special, fun-filled event.

Mayor Pro Tempore Land welcomed his in-laws who are visiting in Lodi for three months and also welcomed retirees from Aptos who had just moved to Lodi.

Mayor Pro Tempore Land congratulated Camp Hutchins Director Lisa Rudloff on being selected to represent the United States as an umpire at the 1998 women's fast-pitch softball world championships being held in Fujinomiya, Japan, this July.

- e) Mayor Jack Sieglock expressed his sincere appreciation to the citizens of this community for their support in his effort to be elected to the San Joaquin County Board of Supervisors.

13. CLOSED SESSION

Mayor Sieglock adjourned the City Council meeting to a Closed Session to discuss the following matters:

- a) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, Lodi Police Dispatchers Association (LPDA)
- b) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, San Joaquin Public Employees Association (SJPEA) for Maintenance and Operators
- c) Conference with labor negotiator: Government Code §54957.6. Agency negotiator, Joanne Narloch. Employee organization, San Joaquin County Public Employees Association (SJPEA) for General Services
- d) Prospective lease of City property (275± acres adjacent to White Slough Water Pollution Control Facility); the negotiating parties are the California Youth Soccer Association (CYSA) and the City of Lodi. Price and terms of the lease are under negotiation.
- e) Labor relations - United Firefighters of Lodi (UFL) and progress report regarding grievance arbitration. Negotiator: Human Resources Director Joanne Narloch (Government Code §54957.6)

14. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 11:05 p.m., and Mayor Sieglock disclosed the following actions:

There were no final actions taken in these matters.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 11:05 p.m.

ATTEST:

Alice M. Reimche  
City Clerk