

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JULY 15, 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, Community Development Director Bartlam, Deputy City Attorney Luebberke and City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Dennis R. Fakes, St. Paul's Lutheran Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Sieglock presented a proclamation to Police Chief Hansen and Community Service Officer Mary Fuhs proclaiming August 4, 1998 as "National Night Out 1998" in the City of Lodi.
- b) Suzanne Radotic with the Greater Lodi Area Youth Commission recognized the Teen of the Month Seema Bhardway from Tokay High School and the Honorary Teen of the Month Michelle Cheeves from Liberty High.

5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$5,071,240.45.
- b) The minutes of July 1, 1998 (Regular Meeting) were approved as written.
- c) Received the report of the sale of surplus vehicles totaling \$23,382.50.
- d) Approved the plans and specifications for Intersection Lighting Project and authorized advertising for bids.
- e) Approved the specifications for Type II Slurry Seal for Various City Streets, 1998 and authorized advertising for bids.
- f) Approved the specifications for 20,000 feet of #750Kcmil jacketed 15kV concentric neutral primary underground cable for the Electric Utility Department and authorized advertising for bids.
- g) Agenda item #E-7 entitled, "Contract award for Recreation Program T-shirts" was pulled from the agenda pursuant to staff's request.

- h) Agenda item #E-8 entitled, "Contract award for Tokay Street Reconstruction, Mills Avenue to Fairmont Avenue" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- i) Adopted Resolution No. 98-112 approving the Program Supplement to the Administering Agency-State Agreement for Federal-aid Projects No. 10-5154 for the Elm Street Reconstruction and Bike Lane Striping, Hutchins Street to Lower Sacramento Road Project.
- j) Agenda item #E-10 entitled, "Purchase and Sale Agreement for Multimodal Station Site" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- k) Agenda item #E-11 entitled, "Amend agreement with San Joaquin Regional Rail Commission for acquisition/ownership/construction of the Lodi Multimodal Station" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- l) Adopted Resolution No. 98-115 authorizing the City Manager to execute the contract with United States of America Department of Energy Western Area Power Administration (WAPA) for bill crediting with City of Lodi (Contract 98-SNR-69).
- m) Adopted Resolution No. 98-110 approving the destruction of certain files retained by the Lodi Fire Prevention Bureau.
- n) Agenda item #E-14 entitled, "Salary adjustments for certain Electric Utility Mid-Management" was pulled from the agenda pursuant to staff's request.
- o) Adopted Resolution No. 98-116 awarding the new contract for Workers' Compensation claims administration to Innovative Care Solutions (ICS).
- p) Set Public Hearing for August 19, 1998 to consider receiving comments on the City of Lodi's Public Health Goals Report.

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-8 entitled, "Contract award for Tokay Street Reconstruction, Mills Avenue to Fairmont Avenue".

Public Works Director Prima provided the following report:

This project consists of reconstructing approximately 113,000 square feet of asphalt concrete pavement. The Program Supplement for this project was approved October 16, 1997, by Resolution No. 97-159.

Plans and specifications for this project were approved on January 7, 1998. The City received the following three bids for this project:

Bidder	Location	Bid
Engineer's Estimate		\$203,223.50
Granite Construction Company	Stockton	\$251,943.00
Teichert Construction	Stockton	\$252,391.00
A. M. Stephens Construction	Lodi	\$316,210.90

This project is primarily funded by the Federal Intermodal Surface Transportation Enhancement Act (ISTEA) Program which will pay 88.53% of the cost of construction not to exceed \$250,000. The balance of the cost will be funded locally through Gas Tax funds.

Mayor Pro Tempore Land expressed a concern that all of the bids came in considerably higher than the Engineer's estimate. Public Works Director Prima explained that the higher costs are due to weather conditions and matters of public convenience.

Following further discussion, the City Council, on motion of Mayor Pro Tempore Land, Johnson second, unanimously adopted Resolution No. 98-111 awarding the contract for Tokay Street Reconstruction, Mills Avenue to Fairmont Avenue to Granite Construction, of Stockton, in the amount of \$251,943.00 and appropriated funds in accordance with staff recommendation.

- b) Agenda item #E-10 entitled, "Purchase and Sale Agreement for Multimodal Station Site" and Agenda item #E-11 entitled, "Amend agreement with San Joaquin Regional Rail Commission for acquisition/ownership/construction of the Lodi Multimodal Station".

Public Works Director Prima provided a report on the two following items:

#E-10

An Agreement has been reached with Union Pacific Railroad Company (UPRR) on the purchase of the property needed for the multimodal station. The negotiated final price for the property is \$400,000. This is slightly higher than the City's appraised value of the property, but lower than the price UPRR's appraiser placed on the property. The Federal Transportation Administration (FTA), which is contributing 80% of the purchase price, has approved the amount needed and as soon as all documents are executed and the FTA is notified, the money will be wired to the City. The City Attorney has reviewed the Agreement.

The relocation of the Sante Fe Pacific Pipeline Co.'s (SFPP) pipeline, which runs across the site we are acquiring, is still under discussion. Staff hopes to finalize the agreement for this work in the next week or two after verifying the costs of the relocation work that were supplied as part of the agreement. SFPP will complete the relocation work with its crews. When the pipeline issues are resolved, staff will bring the agreement to the City Council for approval.

The pipeline relocation, as well as the removal of the switch for the UPRR team track presently located on the property the City is acquiring, will be paid for under the construction phase of the project.

#E-11

On April 2, 1997, the City Council approved an agreement with San Joaquin Regional Rail Commission (SJRRRC) for the site acquisition, design, and construction of the Lodi multimodal station. As part of that agreement, SJRRRC was responsible for bidding and awarding the construction project as well as for processing of payments from the construction contractor.

Due to reduced staffing at SJRRRC and its potential adverse impact on the delivery of the multimodal station, SJRRRC has requested that the City of Lodi assume responsibility for bidding, award and payment processing for the construction of the station. Staff intends to handle these tasks with current staff, including our contracted Construction Manager, Gary Wiman, who is currently wrapping up work at Hutchins Street Square. These costs will be charged to the project.

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Council Member Johnson requested a status report on the rail line, and Council Member Pennino and Public Works Director Prima provided an update regarding the matter.

Following additional questions, Council Member Johnson expressed his concern about the City of Modesto which recently built a rail line and the train never came. He does not want any money spent on this matter until the City is assured that the train will use the line.

The City Council, on motion of Council Member Pennino, Sieglock second, 1) adopted Resolution No. 98-113 approving the Purchase and Sale Agreement between UPRR and the City of Lodi for the multimodal station site, authorized the City Manager to sign the Purchase and Sale Agreement on behalf of the City, and appropriated funds for this acquisition pursuant to staff's recommendation and 2) adopted Resolution No. 98-114 authorizing the City Manager to execute an amendment to the agreement with the SJRRC for the acquisition/ownership/construction of the Lodi Multimodal Station by the following vote:

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

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 Mayor Sieglock, Land second, unanimously rejected the following claim:

1. Lyman Nabbs, date of loss, 7/2/97

b) City Clerk Reimche read the following ABC License:

1. French Camp LLC to Woolsey Oil Inc., Norms 76, 633 East Victor Road, Lodi, Off-Sale Beer and Wine, Person to Person Transfer

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

1. Planning Commission report of June 24, 1998

d) City Clerk Reimche provided for information a letter from Select Portage Airport Commuter Express (SPACE) Shuttle Corp. notifying of pick up points, routes and tariff schedules for airport shuttle service to San Francisco, Oakland and Sacramento international airports.

9. REGULAR CALENDAR

None.

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Ken Jeffers, 2145 West Kettleman Lane, #329, Lodi, introduced himself as the President of the Highway 12 Committee, indicating that they are forming a task force regarding issues and funding pertaining to Highway 12. Mr. Jeffers invited representatives of the City to join them, along with representatives of the California Highway Patrol, the Chamber of Commerce, the County Council of Governments and the Board of Supervisors at this meeting which will be held at The Point Restaurant in Rio Vista at 12 noon on July 30, 1998.

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

- a) City Manager Flynn advised the community of the City's new 1250 AM radio station, which is a public information station to announce emergencies and general information regarding the City.

It was announced that at a recent event attended by City officials, the new teachers of the community were introduced.

- b) Mayor Sieglock stated that he and Mayor Pro Tempore Land attended a recent function at the Loel Center where it was announced that the Center is planning to expand their facility. The opportunities that such an expansion will allow were outlined. The Mayor, following a request, received Council's tacit concurrence that the City would help them wherever possible as it pertains to permits, etc. for this expansion.
- c) Mayor Pro Tempore Land spoke about the heavy debt load Northern California Power Agency (NCPA) is carrying and the fact that they have done some debt restructuring which will result in a savings to NCPA of approximately \$48 million. Mayor Pro Tempore Land stated that they are working hard to keep our rates low.
- d) Mayor Sieglock announced that Barbara Reed, Secretary to the City Manager, is retiring on July 31, 1998. She has worked for the City of Lodi for 27 years in various departments. Mrs. Reed will be working for the City part time after July 31, 1998.
- e) Council Member Johnson asked for a staff update on what has been done following the recent incident of a disabled man taking a fall from his wheelchair while attempting to cross the railroad tracks. Staff provided the City Council with information regarding letters that had been sent to the Union Pacific Railroad indicating that, because of the poor condition of the tracks, the crossings were in need of immediate repairs.

Council Member Pennino added that \$4 million had been allocated for these kinds of repairs; however, it was determined that these funds were being held by the railroad. Discussion followed as to whether or not the City could make the necessary repairs. The City Council indicated its concern that these repairs be made at the earliest possible time.

- f) City Manager Dixon Flynn announced that City Engineer Bob Murdoch and his wife just became parents of a baby girl.
- g) Council Member Johnson announced that this Saturday between 7:00 a.m. - 11:00 a.m., the City of Lodi Parks and Recreation Department will be holding a water safety program at Blakely Park.
- h) City Manager Dixon Flynn introduced the new President/CEO of the Lodi District Chamber of Commerce, Bob Andosca. Mr. Andosca came forward and gave a brief synopsis of his background and indicated that he was very interested in working closely with the City of Lodi.

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13. CLOSED SESSION

Mayor Sieglock adjourned the City Council meeting at approximately 7:50 p.m. 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) **There was no need to discuss this matter.**
- 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 **There was no need to discuss this matter.**
- 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 **There was no need to discuss this matter.**
- d) Prospective lease of City property (275± acres adjacent to White Slough Water Pollution Control Facility); the negotiating parties are ProStyle Sports, the California Youth Soccer Association (CYSA) and the City of Lodi. Price and terms of the lease are under negotiation

14. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 9:00 p.m., and Mayor Sieglock disclosed the following actions:

There was no final action taken in this matter.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 9:00 p.m.

ATTEST:

Alice M. Reimche
City Clerk