

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 2, 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, Fire Chief Kenley, Police Hansen, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Rick Matters, St. John The Baptist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sieglock.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Sieglock presented a Certificate of Recognition to Rob Alcott, East Bay Municipal Utility District's (EBMUD) Acting Manager of Water System Operations, celebrating EBMUD's 75th Anniversary.
- b) Agenda item #D-3(a) entitled, "Presentation by the Lodi Senior Citizens Commission regarding Elder Abuse Conference" was pulled from the agenda and will be rescheduled for the October 7, 1998 City Council meeting.
- c) Janet Dillon with the Lodi Arts Commission updated the City Council on the many activities of the Arts Commission.
- d) Dr. Norm King with the Lodi Unified School District (LUSD) made a presentation to the City Council regarding the LUSD Science Camp Fund. Further, Mayor Sieglock presented a Resolution of Appreciation to Dr. King for his dedication to the youth of this community in allowing youngsters the opportunity to participate in the Science Camp program.
- e) Rob Lechner, Chairperson of the Lodi Year 2000 Steering Committee, displayed the Year 2000 T-shirts, which will go on sale at various events for \$10.00 each plus tax. Further, Mr. Lechner presented a shirt to each City Council Member, the City Manager and the City Attorney.
- f) Mayor Sieglock presented a Certificate of Recognition to Fire Chief Kenley for completion of the Fire Chief Certification Program. Mr. Kenley recently became one of the first six fire chiefs statewide to complete the new Fire Chief Certification Program.

5. RECESS

Mayor Sieglock called for a five-minute recess and the City Council meeting reconvened at approximately 8:30 p.m.

6. 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 \$2,885,265.43.
- b) The minutes of August 19, 1998 (Regular Meeting) and August 25, 1998 (Special Meeting) were approved as written.
- c) Approved the Request for Proposals (RFP) for security services at Hutchins Street Square and authorized advertising for bids.
- d) Adopted Resolution No. 98-131 approving the installation of no-parking zones on the north of side of Kettleman Lane, from New Beckman Road to 90 feet west of New Beckman Road, and on the east side of Beckman Road, from Kettleman Lane to 1,640 feet north of Kettleman Lane.

Council Member Johnson indicated his concern regarding truck parking in various areas throughout the City. Staff was asked if "no parking" areas could be established for trucks only. The City Attorney responded that the California Vehicle Code addresses "vehicles" and does not separate cars from trucks as it pertains to this matter.

Mayor Pro Tempore Land acknowledged that the "no parking" zone proposed on the east side of Beckman Road, from Kettleman Lane to 1,640 feet north of Kettleman Lane was only temporary.

- e) Authorized the City Manager to execute an acquisition agreement with McDonald's Corporation at 841 East Kettleman Lane.
- f) Authorized the City Manager to execute a professional services agreement with George Miers & Associates, of Moraga, to establish programming and prepare basic (schematic) drawings for the Public Safety Building renovation.

Council Member Johnson had previously indicated his desire for public input regarding this project and was pleased to see the comments contained in the staff report. Council Member Johnson encouraged Lodi citizens to give their input regarding this project.

- g) Adopted Resolution of Intention No. 98-132 approving an amendment to the contract between Public Employees' Retirement System (PERS) and the City of Lodi and further introduced Ordinance No. 1664 entitled, "An Ordinance Of The Lodi City Council Authorizing An Amendment To The Contract Between The City Council Of The City Of Lodi And The Board Of Administration Of The Public Employees' Retirement System" by the following vote:

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

Council Member Johnson indicated that he voted "No" on this item because of the dollars it would take to process, and he does not believe this is appropriate.

Mayor Pro Tempore Land received staff confirmation that each member of the City Council would have the option of whether or not they wished to participate.

- h) Introduced Ordinance No. 1665 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 6.12 Of The Lodi Municipal Code By Repealing And Reenacting Section 6.12.030 And 6.12.060, Relating To Dogs And Cats License-Renewal-Delinquency And Dog Vaccination-Required-Certificate-Exceptions, Respectively".
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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 claims:

1. Linda Bianchi, date of loss 7/10/98
2. Steven Wages, date of loss 2/10/98

9. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Amend Lodi Municipal Code Chapters 9 and 12 relative to encroachments within the public right-of-way for sidewalk seating and alcohol consumption".

Community Development Director Bartlam and Public Works Director Prima provided the following report:

Staff from various City departments, as well as members of the Downtown Lodi Business Partnership (LDBP), have been working on a set of standards which downtown business owners can follow should they desire to encroach onto the public sidewalk. The standards outlined in the ordinance provide minimums for access, visibility and design issues. Further, a specific section dealing with alcoholic beverage consumption has been added to allow greater flexibility to the Business Partnership in conducting their special events.

The new language pulls together several chapters of the Code and places all the standards within the Encroachment Section in order to reduce confusion and ease the application process. As a result of this modification, business owners in the downtown will be able to utilize the sidewalk area for tables and chairs, restaurants, and with the proper permits, be able to serve alcoholic beverages and the downtown business association will have the ability to sell and have alcohol consumed within the right-of-way for special events.

A diagram that indicates graphically the standards contained within the Ordinance will be used as an information sheet and accompany the application package.

Following discussion, the City Council, on motion of Council Member Pennino, Sieglock second, unanimously took the following actions:

- Introduced Ordinance No. 1666 entitled, "An Ordinance Of The Lodi City Council Repealing And Reenacting Lodi Municipal Code Title 9, Public Peace, Morals And Welfare, Chapter 9.04.010, Relating To Alcoholic Beverage - Open Container In Public"; and

- Introduced Ordinance No. 1667 entitled, "An Ordinance Of The Lodi City Council Amending Lodi Municipal Code Chapter 12.04 - Encroachments By Adding Sections 12.04.10 (F) 'Definitions', And 12.04.425 'Sidewalk Dining Area'".

10. ORDINANCES

- a) Ordinance No. 1663 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning The Publicly Zoned Portion Of 16891 North Lower Sacramento Road, From PUB, Public, To R-2, Residential Single-Family" having been introduced at a regular meeting of the Lodi City Council held August 19, 1998 was brought up for passage on motion of Mayor Sieglock, Johnson second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

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

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Mr. Ron Bruegel, Marketing Director of the Pollardville Ghost Town, and Mr. Neil Pollard unveiled plans for upcoming events that will coincide with the State's 150th anniversary celebration. Pollardville Ghost Town is located on Highway 99, south of Lodi. Mr. Bruegel encouraged the Council and members of the public to attend a Lodi "Run For The Gold" day celebration on Sunday, October 18, 1998.
- b) Virginia Snyder, 303 Louie Avenue, Lodi, representing the Lodi Historical Society, addressed the City Council regarding the saving of Lincoln School stating that it is felt it could be used as a resource center. She wanted to take this opportunity to notify the City Council that their group is working toward saving the subject building.

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

- a) Richard Hanner was recognized for his outstanding work with The Record. Mr. Hanner has accepted the position of Managing Editor with the Lodi News Sentinel. Further, Mr. Jeff Hood, the new Lodi Bureau Chief for The Record, was introduced.
- b) City Manager Flynn reported that the National Society of Fundraising Executives (NSFRE) California's Capitol Chapter awarded General Mills of Lodi the 1998 Outstanding Corporate Grant Maker Award. The award will be given during a banquet at the Sacramento Convention Center as part of the NSFRE's observation of National Philanthropy Day on November 18, 1998. Deputy City Manager Keeter was congratulated for preparing the innovative documentation submitted nominating General Mills of Lodi to receive this prestigious award.
- c) Mayor Sieglock addressed the City Council concerning Lodi's continued efforts regarding business retention and economic development. The Mayor indicated that most new jobs in the City are developed from existing businesses. The Mayor congratulated Tony Goehring, Economic Development Coordinator for the City of Lodi, for the excellent job he is doing. Further, Mayor Sieglock commented on the important role of the San Joaquin Partnership indicating that, because of their efforts, 24 new businesses are locating in San Joaquin County this year. The Mayor also recommended that if anyone is looking for employment, this organization can be very helpful. Mayor Sieglock indicated that international companies are looking at San Joaquin County as a location to establish businesses.

Continued September 2, 1998

13. CLOSED SESSION

Mayor Sieglock announced that there was no need to discuss the following Closed Session items:

- 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

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Sieglock adjourned the meeting at approximately 8:00 p.m.

ATTEST:

Alice M. Reimche
City Clerk