

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 17, 1999
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members - None

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

2. INVOCATION

The invocation was given by Pastor Ran Dodson, Heartland Community Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop No. 259, Den 1.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Summer Pennino with the Greater Lodi Area Youth Commission announced the Teen of the Month, Lindsay Thomas from Tokay High School, and the Honorary Teen of the Month, Ngoc Nguyen from Tokay High School.
- b) Mayor Land presented the February Community Improvement Award to Ruth Jimenez, Apartment Manager for 621 Hale Road, for her efforts and accomplishments in eliminating criminal and nuisance activities which has made a drastic improvement in and around the property.
- c) Mayor Land and Myrna Wetzel, representing the Year 2000 Steering Committee, announced the winners of the Track B Year 2000 Place Mat Contest. Mayor Land presented a gift certificate for Barnes & Noble and a Certificate of Recognition to Alicia Kindrick, 1st Grader at Beckman Elementary School. The other winner, Tanya Macias, 6th Grader at Reese Elementary School, was unable to attend the meeting; therefore, she will receive her awards at the March 3, 1999 City Council meeting.
- d) The City Council wished City Manager Flynn a Happy Birthday and presented him with balloons and a birthday cake.

5. CONSENT CALENDAR

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

- a) Claims were approved in the amount of \$4,141,659.88.
- b) The minutes of February 3, 1999 (Regular Meeting) were approved as written.
- c) Approved the plans and specifications for Electric Utility Substructures on Highway 99 south of Kettleman Lane and Thurman Street west of Guild Avenue and authorized advertisement for bids.

- d) Adopted Resolution No. 99-24 awarding the bid for the purchase of 22 polemount transformers and 23 padmount transformers to the bidders whose proposals and equipment meet City of Lodi specifications, and whose transformers are expected to yield the lowest overall life-cycle costs:

Cooper Power Systems, Waukesha, WI	8 ea. 37.5KVA Polemounts	\$ 6,147.14
Kuhlman Industries, Versailles, KY	14 ea. 50KVA Polemounts	\$14,451.43
Howard Industries, Laurel, MS	10 ea. 50KVA 1Ø Padmounts	\$15,623.75
	6 ea. 75KVA 1Ø Padmounts	\$11,462.45
	1 ea. 150KVA 3Ø Padmount	\$ 5,197.86
	4 ea. 300KVA 3Ø Padmount	\$28,695.98
	1 ea. 75KVA 3Ø Padmount	<u>\$ 3,718.45</u>
		\$64,698.49
G E Supply Co., Sacramento	1 ea. 500KVA 3Ø Padmount	\$ 9,891.45

- e) Adopted Resolution No. 99-25 authorizing the Lodi Police Department to use Asset Seizure funds in the amount of \$613.00 to purchase equipment for the Police Investigations Division.
- f) Accepted the improvements under the "1998 Handicap Ramp Retrofit Project, Various Locations" contract, directed the City Engineer to file a Notice of Completion with the County Recorder's Office, and appropriated the funds in accordance with staff recommendation.
- g) Adopted Resolution No. 99-26 authorizing the City Manager to submit four REMOVE grant applications for alternatively-fueled vehicles (AFV's) to the San Joaquin Valley Unified Air Pollution Control District.
- h) Adopted Resolution No. 99-27 approving Program Supplement No. 019 to State-Local Transportation Partnership Program Agreement No. SLTPP-5154 for construction of the Highway 12 – Kettleman Lane/Highway 99 interchange improvements, and authorized the City Manager to execute the agreement.
- i) Agenda item #E-9 entitled, "Authorize City Manager to submit application to San Joaquin County Council of Governments (COG) for Measure K Funds for Downtown Park-and-Ride structure" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- j) Adopted Resolution No. 99-29 authorizing the City Manager to submit a request to Congress for a discretionary grant under TEA21 for three compressed natural gas (CNG) buses for GrapeLine.
- k) Adopted Resolution No. 99-30 amending Section 4 of the Traffic Resolution by approving angle parking on the south side of Elm Street between Church Street and School Street, and north side between School Street and Sacramento Street.
- l) Took the following actions regarding the Public Benefits Program Grant:
- Adopted Resolution No. 99-31 entitled, "A Resolution Of The Lodi City Council Authorizing The City Manager To Provide A Public Benefits Charge (PBC) Grant To Wallace, Incorporated";
 - Adopted Resolution No. 99-32 entitled, "A Resolution Of The Lodi City Council Authorizing The City Manager To Provide A Public Benefits Charge (PBC) Grant To Twin Arbors Athletic Club"; and
 - Adopted Resolution No. 99-33 entitled, "A Resolution Of The Lodi City Council Authorizing The City Manager To Provide A Public Benefits Charge (PBC) Grant To Lodi Unified School District (LUSD)".

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

- m) Agenda item #E-13 entitled, "Set Public Hearing for March 3, 1999 to consider and approve community input and proposals for uses of the City's 1999-2000 Federal Allocation of Community Development Block Grant (CDBG) and HOME funds" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- n) Adopted Resolution No. 99-34 approving destruction of certain records retained by the City Clerk's Office.

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-9 entitled, "Authorize City Manager to submit application to San Joaquin County Council of Governments (COG) for Measure K Funds for Downtown Park-and-Ride structure".

Public Works Director Prima presented the following report.

The Measure K Park-and-Ride Lot Program provides for five two-year funding cycles. In March 1998, this competitive process yielded SMART and the City of Escalon funds for their projects. Of the \$300,000 allocated to this program, \$151,562 remains in the balance. The City of Lodi will request the entire amount.

The park-and-ride structure is intended to be used as a parking lot for buses and Downtown employees/shoppers. However, with the pending Amtrak service between Stockton and Sacramento, and the future potential for Altamont Commuter Express service, more parking in the vicinity of the multimodal station will be required. Staff submitted a two-year spending plan to Caltrans that included a request for \$3.2 million, 80% of the estimated projected cost. Caltrans is Lodi's designated recipient of Federal Transit Administration formula funds. Because Amtrak, ACE, SMART, and other transit providers will be taking advantage of the parking structure, it is a Federal Transit Administration-eligible project. The \$151,562 the City of Lodi is requesting will cover part of the \$800,000 required for the match. Staff will continue to secure the remaining balance.

Staff recommended construction of a three- to four-story parking structure, which would include ground-floor retail space in accordance with the Downtown concept plan. Rental revenue could serve as a source to secure the remaining portion of the match.

Speaking on the matter was Phillip Wyle, who questioned if there will be a fee imposed for the public to park in this parking facility. City Manager Flynn indicated that at this time staff does not anticipate an extra fee.

Following further discussion, the City Council, on motion of Council Member Pennino, Land second, unanimously adopted the following resolutions:

- Resolution No. 99-28 entitled, "A Resolution Of The Lodi City Council Authorizing The City Manager To Submit Application To San Joaquin County Council Of Governments (COG) For Measure K Funds For Downtown Park-And-Ride Structure"; and
- Resolution No. 99-37 entitled, "A Resolution Of The Lodi City Council Authorizing The City Manager To Submit Application To San Joaquin Valley Unified Air Pollution Control District For 'Reduce Motor Vehicle Emissions' (REMOVE) Funds For The Downtown Park-And-Ride Structure".

- b) Agenda item #E-13 entitled, "Set Public Hearing for March 3, 1999 to consider and approve community input and proposals for uses of the City's 1999-2000 Federal Allocation of Community Development Block Grant (CDBG) and HOME funds".

Community Development Director Bartlam informed the City Council that the City anticipates receiving \$734,293.00 in Community Development Block Grant (CDBG) funds and \$216,671 in HOME funds from the Federal government for the coming fiscal year. The CDBG funds can be used for a wide range of community development projects as long as they meet one of the National objectives. The objectives are: 1) To address the needs of low to moderate income persons; 2) To eliminate slum or blighted conditions; and 3) To resolve an urgent need. The HOME funds are reserved for housing and housing related activities such as rehabilitation and new construction. Activities undertaken with HOME funds also must meet the needs of low to moderate income persons.

Council Member Nakanishi removed this item for questions and clarifications, which were responded to by Community Development Director Bartlam.

The City Council, on motion of Council Member Nakanishi, Hitchcock second, unanimously set a Public Hearing for March 3, 1999 to consider and approve community input and proposals for uses of the City's 1999-2000 Federal Allocation of Community Development Block Grant (CDBG) and HOME funds.

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 Land, Mann second, unanimously rejected the following claims:

- 1. Jeremy Spears, date of loss 9/17/98
- 2. Abraham Gamez, date of loss 12/17/98
- 3. Frances Burton, date of loss 12/18/98
- 4. Lorna McDowell, date of loss 7/31/98

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

- 1. Planning Commission report of January 27, 1999

- c) The City Council, on motion of Council Member Pennino, Hitchcock second, unanimously made the following reappointments/appointments to the East Side Improvement Committee:

East Side Improvement Committee

Virginia Lahr	Term to expire March 1, 2002
Camille Green	Term to expire March 1, 2002
Stacey Torkelsen	Term to expire March 1, 2002
Mickey Woodward	Term to expire March 1, 2001

- d) The City Council, on motion of Council Member Mann, Hitchcock second, unanimously made the following appointment the Year 2000 Steering Committee:

Year 2000 Steering Committee

Carol Farron	Unspecified term
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- e) The City Council, on motion of Council Member Pennino, Mann second, unanimously made the following appointment to the San Joaquin County Council of Governments (COG).

San Joaquin County Council of Governments (COG)

Alan S. Nakanishi, Alternate

- f) The City Clerk announced that her office received a notice of application from Pacific Gas & Electric Company for increases in electric revenues and gas rates. This was for information only, no action required.

9. **REGULAR CALENDAR**

- a) Agenda item #H-1 entitled, "Parking restrictions on Cherokee Lane north of Almond Drive, and on Beckman Road north of Vine Street".

Public Works Director Prima presented the following report, which was prepared based on concerns of the General Managers of Mataga Oldsmobile, located on south Beckman Road, and Lodi Honda and others, located on south Cherokee Lane. The concern of Mataga Oldsmobile's manager is the visibility problem created by trucks parked adjacent to driveways along both Beckman Road and Vine Street frontages. The manager has contacted the company whose trucks are typically parked in the area, with no results. He does not object to prohibiting the parking of all vehicles along the business frontage since there is adequate on-site parking for customers.

The manager of Lodi Honda was also concerned about visibility problems from the driveways created by parked trucks, but had additional concerns about the high vehicle speeds on Cherokee Lane, the danger of hitting parked trucks, lack of sidewalk to provide guidance for parking, and that the trucks take up customer parking in front of the business.

Although we have not received complaints from Omega Restaurant related to truck parking, drivers have indicated it is difficult to make U-turns at Almond Drive when vehicles are parked in front of the restaurant adjacent to this intersection. Also, since the restaurant is next to Lodi Honda, it is likely trucks will move to the restaurant frontage if parking is restricted in front of Lodi Honda. We have also received complaints about truck parking from the mobile home park across the street from Lodi Honda.

RECENT HISTORY ON THE RESTRICTION OF COMMERCIAL-VEHICLE PARKING: Based on concerns related to truck parking, various actions have been taken resulting in the removal of truck parking at certain locations. These actions have sparked objections from those who feel on-street truck parking should not be removed without providing an alternative, such as a City-operated parking lot. Based on these objections, City Council requested that staff review letters received related to truck lots which were solicited by a local truck driver, Gary Lund. The letters did not reference any parking lots in California, but in mostly small Midwest cities (1,500 to 12,000 population). These parking facilities were provided after truck parking was prohibited along all streets during all or portions of the day.

In Lodi, commercial-vehicle parking is still permitted on industrial and some commercial streets, and private parking lots for trucks exist on Turner Road at Cluff Avenue and at Flag City (Highway 12 at Interstate 5). Thus, no further research is planned related to providing a City-operated parking facility unless on-street truck parking is restricted everywhere within the city limits. There is also a policy issue as to whether the City should be competing with these private facilities.

As in the past, staff will respond to property owner, business, and general citizen concerns about safety and nuisances on a case-by-case basis.

EXISTING CONDITIONS: The portion of Cherokee Lane where Lodi Honda is located is along the east side of this four-lane divided roadway. The southern 170± feet of the Lodi Honda property adjacent to the Omega Restaurant has no curb, gutter, or sidewalk. The prevailing speed of traffic traveling in front of these businesses is 48 miles per hour (mph). The posted speed limit is 45 mph. The relatively high speeds can be attributed to the fact that the majority of this traffic is exiting Highway 99. Traffic volumes are approximately 6,900 vehicles per day (vpd) northbound and 5,400 vpd southbound. A review of available accident records for the four-year period from 1995 to 1998 indicates there have been no accidents occurring at these driveways. Staff has confirmed that trucks park in the area intermittently, more often on the west side and more often at night.

The portions of Beckman Road and Vine Street adjacent to Mataga Oldsmobile are both two-lane roadways. The prevailing speed on Beckman Road averages 47 mph and the speed limit on Vine Street is 25 mph. The posted speed limit on Beckman Road is 45 mph. Traffic volumes on Beckman Road and Vine Street are approximately 5,500 and 2,100 vpd, respectively. A review of available accident records for the four-year period from 1995 to 1998 indicates there have been no accidents occurring at any of these driveways. Staff surveyed the area on ten different occasions during the day. On two occasions, trucks were observed parked on Beckman Road adjacent to this property.

OPTIONS CONSIDERED

1. Approve "no parking", for all vehicles, adjacent to driveways based on sight-distance analysis.
2. Approve "no commercial-vehicle parking" from 9 a.m. to 9 p.m. everyday, along business frontages.
3. Take no action.

Option 1 – Prohibit parking adjacent to driveways. This option would prohibit parking on Cherokee Lane and on Beckman Road only where the parked vehicles would create a visibility problem based on the roadway configuration and approaching vehicle speeds. Based on a typical analysis, parking along the majority of frontage at these locations would be eliminated; however, a reduced amount of red curb would improve sight distance and retain some parking. On Beckman Road at Mataga Oldsmobile, a 90-foot segment south of the driveway near Vine Street would remain available for parking. Parking north of the driveway would be prohibited along the Mataga Oldsmobile frontage and would extend 52 feet into the vacant property to the north. On Vine Street, vehicle volumes and speeds are lower and should not necessitate the removal of parking to the degree of the other streets with higher traffic volumes and speeds. In addition, parking in the area may be needed for the park site planned on the south side of Vine Street. For these reasons, a sight-distance analysis was not performed on Vine Street.

Sight-distance analyses are generally used at locations that have a verified accident problem or where parking is not needed. This is because the analysis can result in the removal of much available parking, which in most cases is not desired by businesses. At locations where accident frequency is low, shorter lengths of no parking are often installed to preserve parking.

Option 2 – Prohibit parking of commercial vehicles between 9 a.m. and 9 p.m. everyday, or install time zones. Current regulations governing the parking of commercial vehicles allow them to park in front of commercial and industrial areas. Our concern with this option is that there is no accident history to support specifically removing trucks. The only location where this restriction has been approved is on Elm Street in front of Lakewood Mall. Establishing a time zone, say two hours, would allow customer parking and prohibit long-term truck parking. However, we have no provision to patrol areas outside the Downtown and enforcement could be a problem.

Option 3 – Take no action. This option would be to leave conditions as they currently exist. Although no accidents have occurred related to visibility during the survey period, staff does not recommend this option since truck parking has been observed in the area and vehicle speeds are relatively high.

RECOMMENDATIONS

South Cherokee Lane

Considering the issues described above, impacts to adjacent areas, and past practice, staff recommends the changes shown in. This consists of two-hour parking and some red curb. Enforcement of the two-hour parking zone by the Police Department would be on an on-call basis. Staff will also continue to work with Lodi Honda regarding the installation of curb, gutter, or sidewalk along unimproved portions of its frontage. Since Lodi Honda has recently advised staff of its intention to complete these improvements, no direction from Council is requested at this time. Until the improvements are made, edgeline striping will be installed in this area in line with the existing curbline, which will keep parked vehicles out of the line of sight of drivers exiting the driveways.

At Omega Restaurant, we recommend that 40 feet of no parking be installed just north of the driveway to permit U-turns, and that vehicles six feet or more in height be prohibited along the east side of Cherokee Lane at the intersection of Almond Drive. Unfortunately, per the State vehicle code, this restriction cannot be used at driveways, but only at the intersection of two roadways. The Omega Restaurant owner has been contacted and he supports these restrictions. Opposite Lodi Honda, staff recommends adding 50 feet of red curb on the north side of the driveways to improve sight distance.

Mataga Oldsmobile on Beckman Road and Vine Street

Since this business indicated they do not need on-street parking, it is recommended that parking on Beckman Road be removed. In addition, we recommend shortening the no-parking zone north of the driveway near Mataga Oldsmobile's property line to just 15 feet beyond the existing fire hydrant. We do not recommend extending the no-parking zone in front of the adjacent vacant property currently for sale due to the absence of an accident problem at this driveway.

On Vine Street, our recommendation is to install 20 feet of no parking adjacent to the two westerly driveways and in front of the fire hydrants. This is less restrictive because of the lower vehicle speeds and traffic volumes. Parking will remain adjacent to the east driveway, as there is no access through the fence.

Should Council concur with staff's recommendation, a resolution approving the no-parking zones, and a resolution amending Sections 3B and 3D of Traffic Resolution #97-148 for the restriction of vehicles six feet or more in height and two-hour parking, must be adopted.

Speaking on the matter were the following persons:

1. Phillip Wyle indicated that truck drivers need a place to park and questioned what they are supposed to do when they are prohibited from parking their trucks. There needs to be a designated place for semi trucks to park.

Council Member Pennino indicated that Ron Cole, former Stockton Council Member and a representative of the California Trucking Association, would like to organize a meeting with the City of Lodi. City Manager Flynn responded that he will take care of this matter.

2. Alfonso S. Cabrallo, 1700 South Cherokee Lane, Lodi, complimented the City Council on the Cherokee Lane beautification; however, he is concerned about a sight distance problem. The parked semi trucks block the view of the egressing and ingressing traffic. Mr. Cabrallo felt that Council Member Mann's suggestion of limited parking would help alleviate some of this problem.

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Council Member Hitchcock recommended that the City discuss this matter with the League of California Cities.

The City Council, on motion of Council Member Pennino, Mann second, unanimously adopted the following resolutions:

- Resolution No. 99-35 entitled, "A Resolution Of The Lodi City Council Approving The Installation Of No-Parking Zones At Various Locations" as set forth below:
 - **Cherokee Lane** – install 50 feet of no parking on the west side of Cherokee Lane, just north of the driveways located at 1721 and 1651 South Cherokee Lane; and
 - **Cherokee Lane** – install 40 feet of no parking on the east side of Cherokee Lane, just north of the southerly driveway located at 1800 South Cherokee Lane.
- Resolution No. 99-36 entitled, "A Resolution Of The Lodi City Council Approving Parking Restrictions, And Thereby Amending Traffic Resolution No. 97-148" as set forth below:
 - **Cherokee Lane** – prohibit the parking of vehicles six feet or more in height on the east side of Cherokee Lane from Almond Drive to 100 feet north of Almond Drive;
 - **Cherokee Lane** – restrict commercial vehicle parking from 7:30 a.m. to 9:00 p.m., everyday on the east side of Cherokee Lane from 180 feet north of Almond Drive 653 feet north of Almond Drive in front of the property addressed 1700 and 1740 South Cherokee Lane; and
 - **Beckman Road** – restrict commercial vehicle parking from 7:00 a.m. to 8:00 p.m., everyday on the east side of Beckman Road from Vine Street to 350 feet north of Vine Street in front of the property addressed 880 South Beckman Road.

- b) Agenda item #H-2 entitled, "East Side Improvement Committee phone survey results".

Community Improvement Manager Wood informed the City Council that the East Side Improvement Committee conducted an informal survey of residents throughout the City of Lodi, asking the question, "What is your number one civic concern which may personally effect you and/or your neighborhood?"

From that survey, 268 responses were received, and the results were shared with the City Council by Community Improvement Manager Wood and Lodi East Side Improvement Committee Chairperson, Virginia Lahr.

Questions were posed by the City Council regarding the method of the survey. This matter was for information only; therefore, there was no Council action required.

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Mike D. McIntyre, co-owner of the 5-0 Skate Park, 615 West Locust Street, Lodi, informed the City Council that, due to an accident involving a youngster, the skate park will be closing on February 28, 1999. As a result of this accident, the youth sued the City of Lodi, which in turn was turned over to the insurance company. Mr. McIntyre feels that a travesty occurred when the City told the insurance company to sue Mr. Miller, the owner of the property. Lodi has lost a thriving business and a fun activity for the youth of this community. Unfortunately, Mr. Miller cannot find another facility to rent in the same price range and cannot get insurance because of this pending law suit.

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City Manager Flynn stated that staff has been working on alternative solutions that will be brought back at a later time. Further, City Attorney Hays responded to questions regarding the exempting of skateboard proprietors. There was a cap put on age, so they only have immunity for up to 14 years of age.

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

- a) Council Members voiced complaints about the selling of private vehicles on Lower Sacramento Road, between Vine Street and Tokay Street. They feel the City needs to do a better job of enforcement. City Manager Flynn responded that he will look further into the matter.
- b) Council Member Hitchcock apologized to citizens for not returning a lot of her phone calls. She had a problem with her voice mail box, which has now been corrected, and she will return her phone calls.
- c) City Manager Flynn sent condolences to the family of Marlene Burton-Knapp, a retired 27-year employee of the Lodi Police Department, who passed away last week.

13. CLOSED SESSION

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

- a) Actual litigation: Government Code §54956.9(a). One case. Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 LKK PAN
- b) Prospective lease of City property (275± acres adjacent to White Slough Water Pollution Control Facility); the negotiating parties are Pro Style Sports 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 11:05 p.m., and Mayor Land disclosed that there were no final actions taken in these matters.

15. ADJOURNMENT

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

ATTEST:

Alice M. Reimche
City Clerk