

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, AUGUST 2, 2000**

1. ROLL CALL

The Regular City Council meeting of August 2, 2000 was called to order by Mayor Mann at 7:03 p.m.

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

2. INVOCATION

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented a proclamation to Kimberly Smith, Supervising Dietitian, and Maria Carrasco, Nutrition Assistant II, with Delta Health Care WIC, proclaiming the week of August 1 – 7, 2000 as "World Breastfeeding Week" in the City of Lodi. Ms. Smith reported that WIC serves 1,400 – 1,500 clients in the Lodi area. She described the health benefits of breastfeeding for both the mother and child and noted that in 1996 the percentage of women breastfeeding within their agency has increased from 28% to 53.9%.
  - b) William Crabtree with the Lodi Arts Commission updated the City Council with the many activities and accomplishments of the Arts Commission, including:
    - > Children's Summer Theater Program: 1,352 people attended the four shows of Charlie and the Chocolate Factory;
    - > Free Lunchtime Live music concerts every Thursday at noon;
    - > Under the Columns Concerts at Hutchins Street Square, August 19, Tony Windle and Mombo Hernandez;
    - > Auditions will be held at Hutchins Street Square on August 16 – 17 for the Senior Follies and on August 20 – 21 for Secret Garden.
  - c) Mayor Mann presented the Distinguished Budget Presentation Award to Deputy City Manager Keeter. Ms. Keeter accepted the award on behalf of the Finance Department, the City Manager, and all the Department Heads. This award was given by the Government Finance Officers Association to governmental units that publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan and as a communication device. This is the first year that the City of Lodi has received "An Outstanding Policy Document" notation on the award.
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5. CONSENT CALENDAR

In accordance with the 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 \$3,154,980.92.
- b) The minutes of July 19, 2000 (Regular Meeting) were approved as written.

- c) Accepted the quarterly report of the City of Lodi pooled money investment account as required by SB564.
- d) Received information regarding the sale of scrap metal in accordance with Lodi Municipal Code Section 2.12.120. The scrap metal was sold to the high bidder, Sunshine Steel Enterprises, of Sacramento, who paid \$2,005.69, for the following items:

Insulated Aluminum	4,882 lbs.
Bare and Insulated Copper	1,599 lbs.
Insulated Al/Concentric Copper	480 lbs.
Scrap Iron	1 lot
- e) Approved the plans and specifications for electrical improvements to the Softball Complex and Armory Park and authorized advertising for bids.
- f) Approved the specifications for 6,000 feet of #750kcmil XHHW (insulated) copper cable for the Electric Utility Department and authorized advertising for bids.
- g) Agenda item #E-7 entitled, "Specifications and advertisement for bids for Latex Modified Chip Seal for Various City Streets, 2000" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- h) Adopted Resolution No. 2000-132 authorizing the purchase of four additional portable lifts from Municipal Maintenance Equipment, Inc., of Sacramento, in the amount of \$32,253.75, and appropriated funds in accordance with staff recommendation.
- i) Agenda item #E-9 entitled, "Award contract for Type II Polymer Modified Slurry Seal for Various City Streets, 2000" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- j) Accepted the improvements under the "Lower Sacramento Road, 1,000 Feet South of Lodi Avenue, Culvert Extension" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- k) Accepted the improvements under the "Lodi Lake Fishing Dock, 1101 West Turner Road" contract, appropriated funds in accordance with staff recommendation, and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- l) Adopted Resolution No. 2000-134 accepting the development improvements for Lodi West, Unit No. 6, Tract No. 2914.
- m) Adopted Resolution No. 2000-135 accepting the development improvements at Business Park Drive.
- n) Adopted Resolution No. 2000-136 approving the siting and construction of a Countywide household hazardous waste consolidation facility.
- o) Adopted Resolution No. 2000-137 authorizing the City Manager to execute Department of Energy Western Area Power Administration Contract 92-SAO-20056, Exhibit A, Revision 4.
- p) Agenda item #E-16 entitled, "Approval of a Public Benefits Program Grant to establish a pilot project for the Lodi Lawn Mower Rebate Program" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- q) Agenda item #E-17 entitled, "Set Public Hearing for August 16, 2000 to consider electric residential and commercial rate changes" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.

- r) Set Public Hearing for August 16, 2000 to consider the Planning Commission's recommendation for approval to the City Council for a General Plan Amendment GPA-LU-00-01 and Rezoning Z-00-03 to change from PQP (Public-Quasi Public) designation with a P (Public) zoning, to LDR (Low-Density Residential) designation with an R-1 (Single Family), and certification of Negative Declaration ND-00-04 as adequate environmental documentation on behalf of First Baptist Church of Lodi and Lodi Unified School District (LUSD) for a property located at 109 North Mills Avenue.
- s) Adopted Resolution No. 2000-141 awarding the contract for Well 26 Well Drilling, 1020 Bridgetown Drive, to Arthur & Orum Well Drilling, Inc., of Fresno, in the amount of \$111,427, and appropriated funds in accordance with staff recommendation.

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6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-7 entitled, "Specifications and advertisement for bids for Latex Modified Chip Seal for Various City Streets, 2000" *and* Agenda item #E-9 entitled, "Award contract for Type II Polymer Modified Slurry Seal for Various City Streets, 2000".

Council Member Hitchcock asked that Agenda items #E-7 and #E-9 be considered concurrently.

In response to Council Member Hitchcock, Public Works Director Prima, with the aid of overheads (on file in the City Clerk's Office) reported that since 1996 the square footage of streets that have been maintained by the Street Maintenance Division has increased. He described the various treatments. Oil treatment is done on relatively new streets. Slurry seal is a mainstay treatment for lengthening the life of the street; polymers have added significant improvement. Chip seal is an advanced slurry seal, which requires placing oil and rock on the street and then sweeping it, which is labor intensive. Mr. Prima pointed out that the right technique must be used at the right time given the age, condition of the street, and the traffic load.

Council Member Land pointed out that during the past four years the City has increased the square footage of street maintenance from 200,000 to 600,000. He stated that a number of citizens have asked when Stockton Street, between Pine and Tokay Streets, will be repaved.

Mr. Prima responded that alternative designs on Stockton Street, from Lockeford to Tokay, would be brought forward to the Council sometime during the winter so that work can begin next summer.

MOTION:

The City Council, on motion of Council Member Hitchcock, Pennino second, unanimously approved (#E-7) the specifications for Latex Modified Chip Seal for Various City Streets, 2000 and authorized advertising for bids; and adopted (#E-9) Resolution No. 2000-133 awarding the contract for Type II Polymer Modified Slurry Seal for Various City Streets, 2000 to California Pavement Maintenance Company, Inc., of Sacramento, in the amount of \$64,948.99.

- b) Agenda item #E-16 entitled, "Approval of a Public Benefits Program Grant to establish a pilot project for the Lodi Lawn Mower Rebate Program".

In response to Council Member Hitchcock, Sondra Huff, Manager of Marketing for the Lodi Electric Utility Department, described the rechargeable electric lawn mower pilot program. The department will purchase six rechargeable mulching electric lawn mowers, which will be available on loan to customers for a one-week trial basis. Vouchers in the amount of \$200 will be given toward the purchase of a rechargeable electric lawn mower. They will be asked to turn in their gas mowers to participating vendors at the time of purchase. Ms. Huff reported that it costs approximately \$5 per year to charge the 24-volt battery, which has a one-hour life.

Council Member Pennino suggested the City look into a joint effort with San Joaquin Unified Air Pollution Control District, who will begin a similar program in January.

MOTION:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously adopted Resolution No. 2000-138 approving a Public Benefits Program Grant in the amount of \$25,000 to establish a pilot project known as the Lodi Lawn Mower Rebate.

- c) Agenda item #E-17 entitled, "Set Public Hearing for August 16, 2000 to consider electric residential and commercial rate changes".

NOTE: Council Member Pennino announced that he would abstain from discussion and voting on Agenda item #E-17 due to a potential conflict of interest.

Mayor Pro Tempore Nakanishi pointed out that on August 16, 2000 a public hearing would be held to consider decreasing electric rates, noting that the City is fortunate to have an Electric Utility company.

MOTION:

The City Council, on motion of Mayor Pro Tempore Nakanishi, Hitchcock second, set a Public Hearing for August 16, 2000 to consider electric residential and commercial rate changes by the following vote:

Ayes: Council Members – Hitchcock, Land, Nakanishi and Mann (Mayor)  
Noes: Council Members – None  
Absent: Council Members – None  
Abstain: Council Members – Pennino

7. PUBLIC HEARINGS

None.

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), and Human Resources staff, the City Council, on motion of Council Member Pennino, Hitchcock second, unanimously rejected the following claim:
1. Erma Zielski, date of loss 5/30/00
- b) City Clerk Blackston read the following ABC Licenses:
1. Cheryl A. Rau to Brian Douglas Baumbach et al., Lakewood Liquors, 215 Lakewood Mall, Lodi, Off-Sale General, Person to Person Transfer
  2. Bert L. Heim to Nahla Ibrahim Warra, Hollywood Café, 315 South Cherokee Lane, Lodi, On-Sale Beer and Wine, Person to Person Transfer
- c) The following report was presented to the City Council:
1. Planning Commission report of July 12, 2000
- d) The City Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously made the following appointments/reappointments to the Greater Lodi Area Youth Commission:

Greater Lodi Area Youth Commission

New appointments:

Megan Hawley	Term to expire August 30, 2002
Jackson Grant	Term to expire August 30, 2002
Ashkon Shaahinfar	Term to expire August 30, 2001

Reappointments:

Julia Rough	Term to expire August 30, 2002
Alisha Thawley	Term to expire August 30, 2002
Ashleigh Kruger	Term to expire August 30, 2002

*Continued August 2, 2000*

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

East Side Improvement Committee

Felix Magana

Term to expire March 1, 2002

9. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Authorize City Manager to execute a professional services agreement for design of a Veteran's Monument".

Public Works Director Prima reported that a few months ago the Council authorized moving forward with the design of the Veteran's Monument and approved the concept as designed by Wenell Mattheis Bowe Architects. He noted that the architectural firm has gone beyond their initial scope of the concept phase and has researched costs and material for the project. Mr. Prima stated that originally there was discussion about doing some of the work in house, but the departments of Electric Utility and Public Works decided it would be better to have the architect handle the entire project. Approval is needed on the \$40,000 design. Mr. Prima stated the intent is to move forward with the project, complete the plans and specifications, go out to bid, and get the monument built soon.

Council Member Hitchcock stated it was her understanding that the Council has not approved the \$450,000 expenditure. She expressed support of the memorial, but noted that members of the community have voiced concerns regarding the price and the fact that it should be funded by private donations. Ms. Hitchcock stated that she approves the City paying for the design, however, she did not want to voice support in proceeding forward beyond that.

Mr. Prima replied that the money was placed in the budget. The typical process is to complete the design and then come back to the Council for authorization to advertise for bids and to construct the project. He clarified that approval is being requested tonight to appropriate an additional \$15,000 and to authorize the City Manager to execute the design contract.

Council Member Pennino reiterated that the approval being requested tonight is for the design only. He recalled that during the budget meetings, two or three Council Members (himself included) expressed strong desire to seek contributions for the monument. There was also discussion about "upfronting" the project and accepting private contributions over a period of time. Mr. Pennino strongly encouraged the committee to conduct public meetings and get participation on the design process.

Mayor Pro Tempore Nakanishi announced that his priorities for funding projects are: 1) Public safety, 2) Skate Park, and 3) Veteran's Monument.

Council Member Keith Land stated that he is in full support of the Veteran's Monument and expressed confidence that money would be raised by the committee.

PUBLIC COMMENTS:

1. Bob Johnson, 1311 Midvale Road, Lodi, spoke in support of the memorial; however, he urged the Council to stop the process now and seek additional design proposals. He pointed out that the only proposal submitted has been from Wenell Mattheis Bowe Architects. He implied that the project could be done adequately for less money, and suggested that the Council look at the \$60,000 Firefighter's Memorial in City of Stockton as an example.
2. Chuck Higgs, 8722 Dearcreek Circle, Stockton, stated that the committee is looking for ways to cut costs and noted that a brochure has been developed for the purpose of soliciting donations.
3. John Connelly, 1225 South Sunset, Lodi, announced that he is a veteran of WWII, the Korean War, and the Vietnam War. He asserted that \$450,000 is an outrageously high amount for any monument.

Mayor Mann clarified that this is not his project, it is the veteran's project. He appointed approximately 20 members to the committee with the intent of getting representation from all interested parties and veterans groups. He provided no input to the committee. They pooled their ideas and agreed upon the concept presented. The money to build the monument will be largely paid for by the veterans group.

Council Member Pennino expressed concern that the design has been "done in a tunnel". He urged the City Manager, staff, and the committee to get public input on the design concept before it is too late to make modifications or changes.

Council Member Hitchcock stated that she is not in favor of spending \$450,000 of the City's money to pay for the project. She stressed the importance of including the public in the process and ensuring that community buy-in has been obtained before moving forward.

MOTION:

The City Council, on motion of Mayor Pro Tempore Nakanishi, Land second, unanimously authorized the City Manager to sign a professional services agreement with Wenell Mattheis Bowe Architects (WMB) for the design of an all-military Veterans Monument to be located in the Civic Center mall, between City Hall and the Carnegie Forum, and appropriated an additional \$15,000 for the project.

Mayor Mann pointed out that by forming the committee, he was trying to streamline the project without sacrificing public input. He stated that it would be a mistake to approve this proposal if the Council is not prepared to proceed at sometime in the near future.

- b) Agenda item #H-2 entitled, "Mayor's Ad Hoc Skate Park Committee Report, authorize the City Manager to negotiate the construction and operation of the Skate Park with Spohn Ranch, and approve the location at Kofu Park".

Parks and Recreation Director Williamson stated that the Skate Park Committee was formed over eight months ago. Prior to coming to a decision, the committee visited many sites in California, held a public meeting, attended a State Parks and Recreation Conference, and met with consultants.

Michael Reese, Recreation Supervisor, who serves as City staff liaison to the committee, reported that the committee is composed of six teenagers and two adults. They held a town hall meeting at the Library on May 8 to receive input from citizens. Over 100 people attended. The public recommended an at-grade facility with polyethylene ramps because they are safe, quiet, durable, and can withstand being emersed in water. The public ranked 19 locations and Kofu Park was selected by a 4-1 margin. Reasons cited were that the park is centrally located, highly visible, public transportation is available, there is existing parking and restrooms, and the bowl like setting was desirable.

The committee recommends Spohn Ranch to construct and operate the facility. A pro shop will be included in the plans. The Parks and Recreation Commission approved the recommendation on August 1 by a 5-0 vote.

Mr. Reese outlined the negotiating points with Spohn Ranch as follows:

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|---|---|
| > Construction and operating costs        | > Staffing level  |
| > Concession operations                   | > Termination or renewal of agreement                   |
| > Liability insurance to protect the City | > City's share of the revenue                           |
| > Hours of operation (dawn to dusk)       | > Membership and entry fees (resident and non-resident) |
| > Equipment and facility maintenance      | > Conflict resolution procedures                        |
| > Equipment trade out (ramp rotation)     | > Scheduling of events                                  |
|   | > Advertising, signage, and sponsorship                 |

*Continued August 2, 2000*

David Vaccarezza, chairman of the committee, introduced Mike Graffigna who provided information regarding surfaces. Mr. Graffigna gave the following reasons for choosing above ground polyethylene ramps: 1) they are easy to disassemble, as opposed to the \$40,000 it would cost to demolish concrete ramps, 2) less expensive per square foot, 3) skating surface is better, 4) less injuries than concrete, and 5) can change the design of the ramps.

Jerry Callahan reported that after visiting skate parks in San Diego and the Los Angeles region, the committee decided that a 5,000 square foot park was preferable. He stated that Spohn Ranch is operating 12 skate parks throughout the country. He added that polyethylene is quieter than cement, and placing the park down in the basin will help prevent sound from traveling outside.

In response to Council Member Hitchcock, Mr. Vaccarezza stated that the entry fee would be \$3 per skater. There will be a guaranteed revenue stream back to the City that needs to be negotiated in the 3 – 8% range. Based on anticipated usage it is estimated that between \$15,000 to \$20,000 will be generated back to the City on an annual basis.

Mr. Vaccarezza stated that Bill Meehleis has made a generous offer to build the skate park pro shop. It is anticipated that the Skate Park can be built for less than \$250,000. The park will be built with all age groups in mind and will have ramps of all sizes.

Council Member Land read messages received from Jane Thurman regarding consideration of Salas Park, and from Sandra Hieb who expressed concern about noise. He asked whether input from the neighborhood had been obtained.

Mr. Reese replied that Salas Park received only one-third-place vote. The Salas Park drain basin may entirely fill with water, and the location was not desirable because it would require youth to cross the railroad tracks and Highway 12. Mr. Reese stated that there was no mailing of notices or a canvas of the neighborhood surrounding Kofu Park.

In response to Council Member Land, Mr. Prima reported that the issue of a sound wall along Ham Lane adjacent to Kofu Park was brought before the Council on at least two occasions before. He recalled that at one point it was suggested that if the property owners would pay the cost of replacing the wood fences, the City would pick up the difference and upgrade it to a block wall and do landscaping. There was not enough interest from the property owners to do so, nor was there enough support to do an assessment district. Mr. Prima noted that the fence was originally built by the developer of the subdivision. It has been the City's policy that the type of reverse frontage fence is what gets approved at the time the project is originally developed, and it should not be the City's responsibility to upgrade them. The cost of a sound wall would be approximately \$100,000.

Council Member Pennino voiced strong support for the location of Kofu Park. In regard to Salas Park, he noted that a commitment has already been made to a BMX organization for the Century Boulevard area. He expressed concern regarding the hours of operation and did not support opening the Skate Park at 6:00 a.m. He asked the Committee to have a public meeting with all the property owners around the radius of Kofu Park.

Council Member Hitchcock stated that a sound wall should be considered if the property owners are negatively impacted by the Skate Park. She suggested having Spohn Ranch work with the school district in terms of using school identification cards to make sure students are not in the park when they should be in school.

Mayor Pro Tempore Nakanishi voiced support for the Skate Park; however, he expressed reservations about the location and suggested that it be restudied. He stated that if the park is built at Kofu Park a sound wall should be built. He noted that last week he attended a seminar with 100 other City Council Members and many positive comments were raised about the benefits of Skate Parks.

PUBLIC COMMENTS:

1. John Connelly, 1225 South Sunset, Lodi, spoke in opposition of the proposed location. He reviewed the history of Kofu Park and maintained that it is overused. He raised safety concerns due to the recent removal of a crosswalk near the park and suggested Vinewood Park as a better location. He maintained that the Kofu Park basin floods five to six times every spring and it takes an inordinate amount of time to dry out.

Mr. Prima reported that Kofu Park has a separate plumbing valve and side gate installed that allows segregation between the south and north basin. It could be set up so that the south basin stays shut off. If the north basin fills it would automatically overflow into the south basin. This arrangement would reduce the number of times per year that the south basin floods.

Council Member Land asked City Manager Flynn to provide him with information about the cinder block fence that was proposed four to five years ago.

2. Josh Kobrin, 2605 Crafton Lane, Stockton, assured the Council that the park will be built for all age groups. He felt that dusk to dawn hours were a good idea because it allows an opportunity to skate when the park is not crowded. If there is a noise problem in the area it would be from the traffic on the road, not from the Skate Park.
3. Joseph Millunzi, 611 Louie Avenue, Lodi, spoke in support of the Skate Park and the location. He suggested getting money to fund the project by offering sponsorships of the ramps allowing businesses to advertise their firms.
4. Barbara McWilliams, 1245 South Sunset, Lodi, reviewed the history of Kofu Park. She expressed concern about the potential loss of property value to homeowners in the area, increased noise and traffic, and overuse of the park.

MOTION:

The City Council, on motion of Council Member Pennino, Land second, unanimously approved the recommendations of the Skate Park Committee and City staff, authorizing the City Manager to negotiate a contract with Spohn Ranch to build and operate a Skate Park at Kofu Park.

Council Member Pennino commented that if the sound level dramatically increases due to the Skate Park he would support funding a sound wall. He suggested that the sound level be measured on Cardinal and Sunset Streets.

In response to Council Member Hitchcock, Community Development Director Bartlam explained that if noise and traffic impacts were found to be significantly above the existing conditions, the City would be required to mitigate them in order to allow the project to move forward.

- c) Agenda item #H-3 entitled, "Introduce Ordinance amending Chapter 15.04 – Section 15.04.055 of the Building Code to extend the component of the Central City Revitalization Program – Downtown Business District Special Inspections" was pulled from the agenda pursuant to staff's request.
- d) Agenda item #H-4 entitled, "Award contract for Beckman Road Reconstruction and Bike Lake Striping, 1,000 Feet South of Vine Street to 700 Feet North of Pine Street (approximately \$635,000)".

Public Works Director Prima described the reconstruction project. Beckman Road will be rebuilt from the freeway ramps just south of Victor Road to just north of Kettleman Lane. Sidewalks will be added as well as concrete work along the freeway frontage between the fence and the curb. Mr. Prima recommended that the Council award the contract to Granite Construction Company.

MOTION:

The City Council, on motion of Council Member Pennino, Hitchcock second, unanimously adopted Resolution No. 2000-139 awarding the contract for Beckman Road Reconstruction and Bike Lane Striping, 1,000 Feet South of Vine Street to 700 Feet North of Pine Street to Granite Construction, of Stockton, in the amount of \$915,287.40 and appropriated funds in accordance with staff recommendation.

- e) Agenda item #H-5 entitled, "Authorize increase of \$2,513.75 to the monthly fee paid to Mid-Central Valley Insurance Producers, Inc., and authorize staff to request competitive proposals for Broker of Record contract".

City Manager Flynn reported that the City has been working with Mid-Central Valley Insurance Producers for the past 30 months.

Human Resources Director Narloch reported that in addition to providing the brokerage service, Mid-Central Valley administers all the City's health plans, claim disputes, actuarial analysis, reconciliation of bills, and supplies preliminary figures/projections for budget costs.

Council Member Pennino stated that he would like to see customer satisfaction included as a component in the request for proposals.

Council Member Land indicated that the monthly increase will be nearly doubling what TBS was offering to provide brokerage of record services to the City in 1998.

PUBLIC COMMENTS:

1. Jim Eilers, 893 West Turner Road, Lodi, described the additional work his company has done for the City during the past 30 months, such as eligibility statements, and electronic transferring and reporting. They hired two additional staff members who spend 80-90% of their time on the City account. He opposed the request for proposals, alleging that it would be unfair because competitors will know what he is charging.
2. Ron Dancer, 603 Turner Road, Lodi, stated that the most valuable service that Mid-Central Valley offers is their personalized customer service. He cited several examples where their representatives have resolved difficult problems for customers.

MOTION:

The City Council, on motion of Mayor Mann, Land second, unanimously adopted Resolution No. 2000-140 authorizing an increase of \$2,513.75 to the monthly fee paid to Mid-Central Valley Insurance Producers, Inc. for their services as Broker of Record, and authorize staff to request competitive proposals for the Broker of Record contract.

10. ORDINANCES

None.

11. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Robert Haro, 329 Flora, Lodi, stated that he is the manager of a business in Lodi that details and hand washes cars. Over the years he has had to comply with City ordinances and has installed sand and grease traps for wastewater. He is aware that there are other businesses, specifically mobile detailers, who are not complying and asked the Council to look into this matter.

Mayor Mann stated that the situation will be corrected and Public Works Director Prima will contact Mr. Haro.

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

- a) Council Member Pennino announced that 1,500 – 2,000 teenagers are anticipated to attend the Wet N' Wild event on Saturday at Lodi Lake.
- b) Council Member Hitchcock asked the City Manager to provide the Council with a weekly status/update report.
- c) In response to Council Member Land, City Manager Flynn stated that the landscaping work on Hutchins Street would be taken care of this week.  
  
Council Member Land stated that National Night Out was very successful. A citizen asked if the City could put a turn lane in at Church Street and Lodi Avenue.  
  
Public Works Director Prima noted that this issue was previously brought before the Council. He stated that he would bring it back for reconsideration.
- d) Mayor Pro Tempore Nakanishi stated that he participated in National Night Out and received no complaints from citizens.
- e) City Manager Flynn thanked the Lodi Police Department for their work related to National Night Out, and proclaimed that Lodi has the finest Police Officers in the State of California.

13. CLOSED SESSION

Mayor Mann adjourned the City Council meeting at 10:30 p.m. to a Closed Session to discuss the following matters:

- a) Actual litigation: Government Code §54956.9(a); one case; American Stores Properties, Inc., and Lucky Stores, Inc. v. City of Lodi, et al., United States District Court, Eastern District, Case No. S-97-1853 WBS JFM
- b) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. Randtron, a dissolved California Corporation, Superior Court, County of Sacramento Case No. 99AS02335
- c) Actual litigation: Government Code §54956.9(a); one case; Odd Fellow Hall Association of Lodi, Inc., v. City of Lodi, United States District Court, Eastern District, Case No. CIV S-00-1138 GEB GGH

14. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at 11:10 p.m., and Mayor Mann disclosed that, in regard to all three matters, the City Council authorized City Attorney Hays to file the global PCE/TCE action at will.

15. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:10 p.m.

ATTEST:

Susan J. Blackston  
City Clerk