

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 6, 2002**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of March 6, 2002 was called to order by Mayor Pennino at 5:37 p.m.

Present: Council Members – Hitchcock (arrived at 5:44 p.m.), Howard, Land, and Mayor Pennino

Absent: Council Members – Nakanishi

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Prospective lease of property located at 100 East Pine Street, Lodi, CA (APN 043-072-01); the negotiating parties are the City of Lodi and the Lodi Adopt-A-Child Foundation, a non-profit 501(c) 3 community-based organization; price and terms of the lease are under negotiation; Government Code §54956.8 (PW)
- b) Actual litigation: Government Code §54956.9(a); one case; *People of the State of California and the City of Lodi, California v. M & P Investments, et al.*; United States District Court, Eastern District of California; Case No. CIV-S-00-2441 FCD JFM (CA)

C-3 ADJOURN TO CLOSED SESSION

At 5:37 p.m., Mayor Pennino adjourned the meeting to a Closed Session to discuss the above matters.

The closed session adjourned at 7:00 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:10 p.m., Mayor Pennino reconvened the City Council meeting, and City Attorney Hays disclosed that there was no reportable action taken with regard to Items C-2 (a) and C-2 (b).

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of March 6, 2002 was called to order by Mayor Pennino at 7:10 p.m.

Present: Council Members – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. INVOCATION

The invocation was given by Pastor Gene Napier, Temple Baptist Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Pennino presented a proclamation to Rob Lechner, Electric Utility Manager of Customer Programs, proclaiming the month of April 2002 as “Lodi All Emergency Preparedness Month” in the City of Lodi. Mr. Lechner reported that the Lodi All Emergency Preparedness Expo will be held on April 13, from 9:00 a.m. to 4:00 p.m. at the Grape Festival Grounds.

D-2 (b) Mayor Pennino and Council Member Land presented a proclamation to Mr. Chris Fosse, President of the American Red Cross Board of Directors, proclaiming the month of March 2002 as “American Red Cross Month” in the City of Lodi.

D-3 (a) Jennifer Walth, member of the Lodi Arts Commission, updated the City Council on the activities and accomplishments of the Arts Commission.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Howard, Land second, unanimously approved the following items hereinafter set forth:

- E-1 Claims were approved in the amount of \$3,866,592.86.
 - E-2 The minutes of January 15, 2002 (Shirtsleeve Session), January 29, 2002 (Shirtsleeve Session), February 6, 2002 (Regular Meeting), and February 26, 2002 (Shirtsleeve Session) were approved as written.
 - E-3 Received report of the sale of scrap metal.
 - E-4 Approved the specifications for power utility duct and fittings as requested by staff and authorized advertisement for bids.
 - E-5 Adopted Resolution No. 2002-45 awarding the bid for the purchase of 75 Holophane *Prismasphere*® globe-style luminaires to the low bidder, G. E. Supply Company, of North Highlands, CA, in the amount of \$43,800.38.
 - E-6 Adopted Resolution No. 2002-46 authorizing the purchase of a network integrated printer from the Xerox Corporation to replace the six-year old copy machine currently used by the Lodi Police Department Investigations Unit in the amount of approximately \$13,000 (pricing for the Xerox equipment will be under the California Communities Purchasing Bid Program agreement).
 - E-7 Accepted donation of one vehicle to the Police Department fleet and authorized an increase in the number of vehicles assigned to this department.
 - E-8 Approved payment to the Lodi-Tokay Rotary Club in the amount of \$18,000, sponsoring the aerial fireworks show at the 2002 Oooh Ahhh Festival at Lodi Lake.
 - E-9 Set public hearing for March 20, 2002 to consider the Planning Commission's recommendation that the City Council adopt the 2001 Growth Management Allocations.
 - E-10 Set public hearing for April 3, 2002 to consider Reimbursement Agreement #RA-02-01 for Public Improvements for Richards Ranch, Tract No. 2636, and Thayer Ranch, Tract No. 2850.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Frank Alegre stated that the Shanghai building lease between the City and Lodi Adopt-A-Child is moving too slowly. He asked the Council to direct staff to work more expeditiously and suggested that the City Manager be present at meetings related to this matter. He expressed concern that Adopt-A-Child coordinators may be lost due to continual resistance toward them. He urged the Council and the public to "put your money where your mouth is" if they want to help the youth in Lodi.
- Don Swanson stated that the residents of Casa de Lodi Mobile Estates are pleased that the City has installed a light at the intersection of Lockeford Street and Beckman Road. He believed that the bicycle lane on Turner Road in front of Casa de Lodi should be narrowed to improve the traffic flow.

G. PUBLIC HEARINGS

- G-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to consider the reallocation of Community Development Block Grant (CDBG) funds for the purchase of blighted property located at 17 East Elm Street (APN 043-082-01) and 22 East Locust Street (APN 043-082-02) (Weber).

Community Development Director Bartlam reported that the property in question is located between Elm and Locust Streets, just east of the Union Pacific railroad right-of-way. Council recently gave staff direction to finalize the purchase of this property and staff is recommending that Community Development Block Grant (CDBG) funds be reallocated from prior year's allocation for its purchase. It is staff's intention to close escrow on the property as soon as possible and proceed with plans and specifications to demolish the structure that fronts on the Elm Street portion of the property.

Council Member Howard pointed out that CDBG funds are available because they have not been spent, which was the result of the cancellation of a previously proposed parking lot project.

Mr. Bartlam confirmed Ms. Howard's statement and added that the private downtown parking lot had been proposed in 2000-01; however, it did not move forward and was subsequently canceled.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Land, Howard second, unanimously adopted Resolution No. 2002-47 approving the reallocation of CDBG funds for the purchase of blighted property located at 17 E. Elm Street (APN 043-082-01) and 22 E. Locust Street (APN 043-082-02).

- G-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to consider and approve community input and proposals for uses of the City's 2002/03 Federal Allocation of Community Development Block Grant (CDBG) and HOME funds and the reallocation of CDBG and HOME funds from previous program years.

NOTE: Due to a potential conflict of interest as a board member for Lodi House; a member of the foundation for Mary Graham Children's Center; and as a commissioner on the Housing Authority of San Joaquin, Council Member Land abstained from discussion and voting on these matters.

Community Development Director Bartlam stated that this is the annual opportunity for the Council to review Community Development Block Grant (CDBG) program applications and staff's recommendation for funding. He pointed out that a "blue sheet" was distributed to Council, which has asterisks denoting changes (filed). The CDBG program is federally funded from the Department of Housing and Urban Development (HUD) for use in primarily low- to moderate-income neighborhoods or for projects that benefit low- and moderate-income individuals. This year, requests totaled just under \$1.2 million, for funding available of \$745,000.

Mr. Bartlam reviewed the 2002-03 CDBG Program funding requests as follows:

- Parks and Recreation requested \$50,000 for an Americans with Disabilities Act (ADA) upgrade to add surfacing material at Legion and Salas Parks playground sites. Staff recommended allocation of funding as requested.

- Parks and Recreation requested \$9,250 for Hale Park playground fibar surface material. Staff recommended \$10,000 allocation of funding.
- Parks and Recreation requested \$60,000 for Armory Park parking lot improvements. Staff recommended denial of the request. Mr. Bartlam explained that from the County and HUD's perspective, this project is regional in nature and consequently it cannot be determined that it would benefit low- and moderate-income individuals.
- Parks and Recreation requested \$30,000 for a softball complex streetscape project. Staff recommended denial of the request, as this project was also deemed regional in nature.
- Public Works requested \$200,000 for handicap ramp retrofit. Staff recommended allocation of funding as requested.
- Public Works requested \$150,000 for Stockton Street streetscape. Mr. Bartlam explained that this landscaping will complement the new street work that has been done on Stockton Street from Lockeford to Tokay Streets. Staff recommended allocation of funding as requested.
- Hutchins Street Square/Lodi Memorial Hospital requested \$250,000 for an Alzheimer Daycare Facility. Mr. Bartlam reported that this eligible project has not gone through the typical City process for review and approval. Staff recommended denial of the request.
- Mary Graham Children's Center requested \$50,000 for a Child Advocacy Center. Mr. Bartlam commented that this project was brought forward to Council last year as well. It is an eligible project; however, it does not yet have a construction start date. Staff recommended denial of the request.
- Lodi House requested \$10,000 for a playground fence and basement storage project. Staff recommended allocation of funding as requested.
- Housing Authority of San Joaquin requested \$82,363 for rehabilitation of apartment units for transitional housing. Mr. Bartlam stated that this project is better suited for HOME program funding. Staff recommended denial of request.
- Community Development Department's Homebuyers Assistance Program. Mr. Bartlam reported that since its inception, this program has assisted 25 to 30 families in buying homes. Staff recommended \$204,000 allocation of funding.
- \$21,470 was requested for mandated Fair Housing services. Mr. Bartlam stated that the City is required to fund this program. Staff recommended \$30,000 allocation of funding.
- Family Law Service Center requested \$7,800 for a pro rata share of Lodi citizens use of the legal assistance program. Staff recommended allocation of funding as requested.
- San Joaquin Food Bank requested \$10,000 for Food 4 Thought and Senior Brown Bag programs. Staff recommended allocation of funding as requested.
- Laidlaw requested \$5,000 for Dial-a-Ride/Grapeline vouchers for low- and moderate-income individuals to take advantage of the transit service. Staff recommended allocation of funding as requested.
- Emergency Food Bank requested \$25,000 for the Eastside Food Pantry. Staff recommended denial of the request.
- Senior Service Agency requested \$18,833 for the Meals on Wheels program. Staff recommended denial of the request.
- Big Brothers/Big Sisters requested \$25,000 for its mentoring/tutoring program. Mr. Bartlam explained that the program is not eligible for HUD funding because it is not a new service provision, but rather it is a replacement of funding from an existing project. Staff recommended denial of the request.
- LOEL Senior Center requested \$20,000 to replace their in-home meals delivery van. Mr. Bartlam stated that this is not an eligible project because it replaces an existing vehicle. Staff recommended denial of the request.
- Lodi Unified School District requested \$45,690 for its Healthy Families Insurance scholarship program. Staff recommended \$46,000 allocation of funding.

- Council for the Spanish Speaking requested \$35,000 for the Healthy Families scholarship program outreach worker. Staff recommended denial of request.
- Lodi Adopt-A-Child requested \$61,695 for Boy Scout/Girl Scout uniforms. Mr. Bartlam stated that this is not eligible for HUD funding because of Scout program membership restrictions. Staff recommended denial of the request.
- Lodi House requested \$5,000 for operating funds. Mr. Bartlam stated that the County Emergency Shelter Grant program will likely backfill their need for funds. Staff recommended denial of the request.

Mr. Bartlam explained that the HOME program is a grant program provided to the City through the Federal Department of Housing and Urban Development. It must be used for housing related programs for low- and moderate-income individuals. The City did not receive any outside requests for HOME funding. Staff recommended \$140,208 allocation of funding for the Community Development Department's Down Payment Assistance Program and \$100,000 for the owner-occupied Housing Rehabilitation Program.

Mr. Bartlam reported that just over \$280,000 is available from the reallocation of CDBG funds. He reviewed the following requests:

- Lodi Library requested \$9,514 for restroom ADA upgrade. Staff recommended \$10,000 allocation of funding.
- LOEL Senior Center requested \$72,199 for a parking lot project. Staff recommended allocation of funding as requested.
- Parks and Recreation Department requested \$200,000 for the Lodi Lake Park Bicycle/Pedestrian Corridor Project. Mr. Bartlam reported that this project falls under ADA accessibility eligibility. Staff recommended \$208,239 allocation of funding.

Mr. Bartlam stated that \$200,000 of HOME funds is available for reallocation, as it was not spent from prior years. The majority of this money had been allocated to Habitat for Humanity; however, it has focused for the past one and a half years on two houses in Woodbridge. Staff recommended \$100,000 allocation of funding for the Community Development Department's Down Payment Assistance Program and \$100,000 for the Housing Rehabilitation Program.

In response to Mayor Pennino's question regarding the Alzheimer Daycare facility, Mr. Bartlam explained that the Council can reconsider funding the project sometime during the next six to eight months while the CDBG funds are allocated, but not yet funded. In this case, CDBG funds for Community Development Department's Homebuyers Assistance Program could be reallocated for the Alzheimer Daycare Facility.

Council Member Howard suggested that the \$204,000 in CDBG funds for Community Development Department's Homebuyers Assistance Program be allocated to fund other programs that were recommended by staff to be denied.

Mr. Bartlam cautioned that doing so would take away Council's flexibility to fund the Alzheimer Daycare Facility in the future. He also noted that it is the City's "guiding policy" to fund bricks and mortar projects rather than service providers.

Mayor Pro Tempore Hitchcock asked what criteria was used to recommend allocations for services.

Mr. Bartlam explained that the Family Law Service Center, San Joaquin Food Bank, and Laidlaw Dial-A-Ride/Grappleline are projects that have been funded annually for over six years. The LUSD Healthy Families Insurance scholarship program was recommended for funding because it is a start-up program.

In reply to Mayor Pro Tempore Hitchcock, Mr. Bartlam confirmed that if more bricks and mortar projects had been submitted for funding, they would have been given preference over services.

Council Member Land pointed out that if recommended amounts were not higher than the amounts requested, there would be \$10,166 available to fund other projects. Mr. Bartlam replied that the amounts recommended were "rounded" figures. Council Member Land was not in favor of funding a new service, i.e., LUSD Healthy Families Insurance scholarship program.

Council Member Nakanishi expressed support for the Alzheimer Daycare Facility and preferred that the \$204,000 recommended allocation of CDBG funds for the Community Development Department's Homebuyers Assistance Program be allocated for other services instead.

Mayor Pennino stated that staff requested \$204,000 for the Homebuyers Assistance Program as a placeholder in the event Council wished to reconsider funding the Alzheimer Daycare Facility in the future.

Hearing Opened to the Public

- a) Don Bennett, Director of the Greater Stockton Emergency Food Bank, stated that over the past three years they have significantly expanded services in the Lodi area. They have partnered with Heritage and Lawrence Schools and are serving 150 welfare families a week referred by Lodi Memorial Hospital. Since November they have received 30 referrals from Red Cross and law enforcement services. The Food Bank donates thousands of pounds of food to the annual Celebration on Central event.
- b) Georgette Hunefeld, representing the Mary Graham Children's Shelter, reported that they have provided services to 200 children from the Lodi area. She stated that a foundation was established a year ago to raise funding to support programs, education, equipment, and capital improvements. There was a shortfall in funds and delay in construction of the Child Advocacy Center. The Center is the last component of the Mary Graham Children Shelter replacement project now in development. The foundation has raised 50% of the funding needed to build the Center and has matching grants for the \$50,000 requested in CDBG funds. The Center will be used for forensic interviews and examinations, as well as a medical clinic for children seen at the Shelter and for foster family children. They also have an emergency support system for infants born prematurely at San Joaquin General Hospital. Last year more than 2,000 children were seen at the Advocacy Center, of which 14% were from the Lodi area.
- c) Paul Rengh, CEO of the Second Harvest Food Bank, explained that a year ago the Board of Directors for the San Joaquin and Stanislaus County Food Banks merged the two corporations into one entity and now operate as the Second Harvest Food Bank. In the past year they have distributed over 414,000 pounds of food in Lodi. There are 230 low-income seniors that participate in the Senior Brown Bag program. The Food for Thought program serves 80 children and rewards them for participating in after school tutorial programs. In two weeks they plan to open a third site for the program at Lawrence School to serve 100 children. They delivered 5,700 granola bars to supplement the juice that Lawrence School procured for distribution in between SAT 9 testing. The Food Bank also provides food to ten non-profit charities in Lodi that have food closet or feeding programs.
- d) Sally Macauley, Coordinator of Health Services for LUSD, explained that scholarships for the Healthy Families Insurance program will cost a maximum of \$16 a month. They will ask eligible participating families to pledge to have physical and dental examinations and recommended follow up. She stated that for every prevention dollar that is spent, \$3 in treatment is saved. It is hoped that families participating in the program for a year will find that it is worthwhile and continue it on their own in the future. There are 27,339 students in LUSD, half of which reside in the City of Lodi. Free or reduced lunch is provided to 14,260 students in the District and 6,897 of these students are on Medi-Cal. Ms. Macauley believed that 613 families would be eligible for Healthy Families Insurance, and LUSD is requesting CDBG funding for 300 families.

In answer to Council questions, Ms. Macauley stated that LUSD has not requested funds for this program from any other source. They had not yet considered how to fund the program next year, and Ms. Macauley reiterated her hope that participants will choose to pay for the insurance on their own in future years. All the scholarships will go to families that live in the City of Lodi. Ms. Macauley stated that LUSD will not be requesting CDBG funds for this program again next year.

Council Member Howard expressed concern that this is a pilot program without any type of backup funding for the future. She believed that the majority of participants would likely not continue the insurance on their own. Providing the scholarships may create a dependency. She suggested that education may be a better way of encouraging participation. She asked Council to consider funding LOEL Senior Center's request for the replacement of its in-home meals delivery van.

Mr. Bartlam explained that LOEL Senior Center's request for delivery van replacement is not an eligible project. From HUD's perspective, replacing an existing van does not expand the service.

Mayor Pro Tempore Hitchcock asked staff to develop a policy regarding CDBG funding, which delineates what is and is not eligible, as well as the preference to fund bricks and mortar projects, and pilot programs over ongoing expenses. She asked that the policy be presented to Council for adoption prior to the next opportunity to submit CDBG funding applications.

Public Portion of Hearing Closed

MOTION #1:

Council Member Howard made a motion, Land second, to adopt Resolution No. 2002-48 approving the projected use of funds for the 2002/03 CDBG and HOME entitlements, with the exception of the Lodi House, City of Lodi's Homebuyers Assistance Program, and the Lodi Unified School District's Healthy Families Insurance Scholarship Program.

DISCUSSION:

Council Member Land voiced support for Ms. Hitchcock's suggestion that staff develop a policy and felt that it should specify that only bricks and mortar projects will be funded and that services will not be considered by the Council for CDBG funding allocations.

VOTE:

The above motion carried by a unanimous vote.

MOTION #2 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hitchcock, Howard second, adopted Resolution No. 2002-49 approving the projected use of funds for the 2002/03 CDBG entitlements for the Lodi House. The motion carried by the following vote:

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

MOTION #3 / VOTE:

The City Council, on motion of Mayor Pro Tempore Hitchcock, Land second, adopted Resolution No. 2002-50 approving the projected use of funds for the 2002/03 CDBG entitlements for the City of Lodi's Homebuyers Assistance Program. The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Land, and Mayor Pennino
Noes: Council Members – Howard and Nakanishi
Absent: Council Members – None

MOTION #4:

Council Member Nakanishi made a motion, Pennino second, to adopt Resolution No. 2002-51 approving the projected use of funds for the 2002/03 CDBG entitlements for the Lodi Unified School District's Healthy Families Insurance Scholarship Program.

DISCUSSION:

Mayor Pennino asked that benchmarking on this program be done and that Council be informed of the progress. Although this is a service program, he felt that funding was justified because of the large number of children in the community who do not have health insurance coverage.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hitchcock, Land, Nakanishi, and Mayor Pennino

Noes: Council Members – Howard

Absent: Council Members – None

RECESS

At 8:40 p.m., Mayor Pennino called for a recess and the City Council meeting reconvened at 8:48 p.m.

H. COMMUNICATIONS

H-1 On recommendation of the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), and Human Resources staff, the City Council, on motion of Mayor Pro Tempore Hitchcock, Land second, unanimously rejected the following claims:

- a) Milton Klipfel, date of loss 1/29/02
- b) Neil Gedda, date of loss 1/29/02
- c) Bruce Salisbury, date of loss 1/29/02
- d) Roger McCormick, date of loss 1/29/02
- e) Jane Nuss, date of loss 1/29/02
- f) Ray Maravilla, date of loss 1/29/02
- g) Robert Gardner, date of loss 1/29/02
- h) Gottlieb Kammerer, date of loss 1/29/02
- i) Lorraine Bosholm, date of loss 1/29/02

Council Member Nakanishi noted that these claims stemmed from damages that resulted following a power outage and he asked who is responsible.

City Attorney Hays explained that the City handles claims if outages are caused due to the negligence of City workforce. The circumstance which occurred on January 29 involved a third party vehicle that damaged the City's electric system and subsequently caused a power outage. The City does not act as a guarantor in this type of situation because it could not have prevented the event from occurring.

In reply to Council Member Land, Mr. Hays stated that electrical surge protectors can prevent damages from occurring to electrical equipment.

Council Member Nakanishi suggested that Electric Utility provide this information to its customers.

H-2 Reports: Boards/Commissions/Task Forces/Committees – None

H-3 Appointments – None

H-4 Miscellaneous – None

I. REGULAR CALENDAR

- I-1 "Adopt resolution authorizing the City Manager to provide a Public Benefits Program Grant in the amount of \$75,000 to fund the Lodi Refrigerator/Freezer Environmental Recycling Project, and to execute a contract with JACO Environmental, Inc. to manage the project"

Rob Lechner, Electric Utility Manager of Customer Programs, stated that the Lodi Refrigerator/Freezer Environmental Recycling Project will run through the end of April. For customers who have inefficient working refrigerators and freezers, JACO Environmental will haul them away and customers will receive a \$50 rebate per appliance up to \$100. Non-working appliances will be hauled away for free; however, no rebate is given.

In reply to Mayor Pro Tempore Hitchcock, Mr. Lechner reported that the City will be paying JACO \$125 for each appliance it disposes.

MOTION/ VOTE:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously adopted Resolution No. 2002-52 authorizing the City Manager to provide a Public Benefits Program Grant in the amount of \$75,000 to fund the Lodi Refrigerator/Freezer Environmental Recycling Project, and to execute a contract with JACO Environmental, Inc. to manage the project.

- I-2 "Adopt resolution authorizing the City Manager to provide a Public Benefits Program Grant in the amount of \$50,000 to fund the Lodi Cooling Cash Rebate Program"

Rob Lechner, Electric Utility Manager of Customer Programs, stated that the Lodi Cooling Cash Rebate Program will run from April 1 through September 30. Rebates of \$50 per ton will be provided to residential customers who upgrade their existing central air conditioning system to a 12 seasonal energy efficiency rated unit. For customers upgrading to a 14 seasonal energy efficiency rated unit, the rebates will be \$225 per ton up to a maximum of six tons.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously adopted Resolution No. 2002-53 authorizing the City Manager to provide a Public Benefits Program Grant in the amount of \$50,000 to fund the Lodi Cooling Cash Rebate Program.

- I-3 "Adopt resolution authorizing the City Manager to execute a Contract Change Order for the Lodi Station Parking Structure for the tenant improvements at Pine Street retail space for interim use by Fire Administration; and appropriate \$120,000 for the project"

Public Works Director Prima explained that temporary quarters for Fire Administration is needed until the old public safety building remodel is completed in three and a half years. Staff recommended that space in the Pine Street frontage of the Lodi Station Parking Structure be used for this purpose. The estimated cost for tenant improvements is \$100,000 and an additional \$20,000 is being requested for moving expenses, furniture, etc. Mr. Prima reported that when amortizing the \$100,000 over three and a half years, the cost on a monthly per square foot basis is less than other alternatives for trailer space or leasing elsewhere. He pointed out that a long-term advantage of this project will be that the City will have improved space that can be rented or used for other City purposes once Fire Administration vacates.

In response to inquiries by Mayor Pennino, Mr. Prima clarified that the space is east of the driveway near the Lodi Arch, which had previously been considered for transit purposes.

At Mayor Pro Tempore Hitchcock's request, Mr. Prima reviewed a table entitled, "Fire Administration Interim Office Location Study" (filed).

Council Member Land questioned why the standard bid process is not being used for this project.

Mr. Prima stated that it is considered a design, build process. There are no plans to bid on and if staff were to proceed with a design, bid, build process it would add an additional three months to the project.

City Manager Flynn noted that this is considered part of the overall parking structure project.

In response to Council Member Land, Gary Wiman, Construction Project Manager, explained that the \$100,000 amount was arrived at after meeting with an architect and Fire Administration to determine their office needs. Staff then worked with the contractor to ensure that the layout would work in the office space available. The contractor then received pricing from subcontractors based on the square footage.

Mayor Pennino asked that the drawings and specifications for the tenant improvements be brought back to Council for approval. The space may be used for transit or retail in the future and he preferred that it be more of a "universal" design, rather than strictly for office space.

In reply to questions posed by Mayor Pro Tempore Hitchcock, Mr. Prima stated that this portion of the parking structure will be excluded from the retail space master lease. During the next few months staff will be working on a space analysis for the old public safety building and looking at governmental functions in that building. The analysis will also evaluate all the Civic Center departments, transit, and other entities, to consider their space needs over the next twenty years.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Nakanishi second, unanimously adopted Resolution No. 2002-54 authorizing the City Manager to execute a Contract Change Order for tenant improvements to the Pine Street retail space at the Lodi Station Parking Structure for interim use by Fire Administration; and appropriated \$120,000 for the project.

NOTE: The following items were discussed and heard out of order.

- I-5 "Authorize the City Manager to execute a reimbursable agreement with Lodi Boys and Girls Club who will administer and operate an after school program at Thornton School and accept the term agreement with the Human Services Agency of San Joaquin County to fully fund the program to include the City's administrative costs"

Deputy City Manager Keeter reported that this proposal is a three-way collaboration with the County Human Services Agency and the Lodi Boys and Girls Club working with the City to provide an after school program for Thornton School. Previously this program was provided by the Galt Boys and Girls Club; however, they had to withdraw their services. The agreement uses the City as a conduit for advancing grant funds to the Lodi Boys and Girls Club. As expenses for the after school program are paid by the Club, they will submit monthly statements to the City. The City will then submit the statements to the Human Services Agency, who will reimburse the City.

In response to Council Member Land, City Attorney Hays stated that the agreement shields the City from liability.

Bill Huyett, Director of the Boys and Girls Club Board, explained that due to cash flow difficulties the Club cannot advance money for the program, and it needs the assistance of the City in order to provide the after school program.

In reply to Council Member Nakanishi, City Manager Flynn explained that the City will front the cash for the program and then be reimbursed by the Human Services Agency. Ms. Keeter noted that the total amount is \$99,000, which is divided into fifths.

Council Member Howard asked what the turnaround time will be for reimbursement to the City, what guarantee it has for payment, and whether the City will have to hire additional staff to administer the program. She asked that Council be provided in the future with feedback on the program, how effective it is, and the status of reimbursement.

Janet Hamilton, Management Analyst II, reported that reimbursement is expected to take six weeks. The Human Services Agency has \$12 million for three years, and has already appropriated the grant money for this program through December 2002. No additional City staff will be needed to administer the program.

PUBLIC COMMENTS:

- Sam Garamendi, representing Thornton (New Hope) School thanked the Council for supporting the after school program.

Council Member Howard pointed out that this agreement sustains the program through 2002 and asked how it will be funded after that time.

- Richard Jones, Executive Director of the Lodi Boys and Girls Club, reported that they were awarded a \$35,000 grant from the Boys and Girls Club of America to start the program. They are seeking additional grants for funding beyond 2002.

In reply to Council Member Nakanishi, Mr. Jones reported that there are just over 200 students in Thornton School and 50 to 75 are enrolled in the after school program.

Ms. Hamilton corrected her earlier statement, noting that the program is through October 31, 2002.

Mr. Garamendi commented that the program takes place on the school site and there are in-kind services such as custodial, outdoor fields, etc.

Mayor Pennino expressed concern about the City's increase in social programs. He pointed out that there will be a compounding cost to the City in loss of staff time and interest on the money. He felt that social services is the County's role.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously authorized the City Manager to execute a reimbursable agreement with Lodi Boys and Girls Club who will administer and operate an after school program at Thornton School and accept the term agreement with the Human Services Agency of San Joaquin County to fully fund the program to include the City's administrative costs.

- I-4 "Approve plans and specifications and advertisement for bids for the new Lodi Police Department building"

Public Works Director Prima reported that a number of comments were received from residents and businesses affected by the abandonment of Pleasant Avenue. They would like to see the north portion of Pleasant Avenue made for two-way traffic. In order to accomplish this it will be necessary to slightly widen the north side of Pleasant Avenue. A separate set of plans will be developed for this, and it is anticipated to be a \$10,000 project. Two to three trees will have to be removed on Elm Street in order to accommodate the driveways for the new Police Department building. The size of the building has increased slightly due to the addition of surge space on the second floor that is currently under negotiations with the County for a court. Staff will return to Council with a lease agreement. Mr. Prima explained that accommodating a court required adding a third elevator and some changes to the sally port on the west side of the building.

At the request of Mayor Pennino, Mr. Prima reviewed the "Police, Public Safety, Civic Center Projects Schedule" (filed).

In reply to Council Member Howard, Mr. Prima reported that there will not be a shooting range in the Police Department building. An outdoor range may be developed elsewhere in the future.

Council Member Howard suggested that staff consider leasing office space for an FBI agent, which may offer the potential benefit of providing services across jurisdiction lines.

At the request of Mayor Pro Tempore Hitchcock, architect George Miers reviewed the floor plans of the Police Department building. He reported that the Police Department will occupy 50,000 square feet and 7,000 square feet will be leased space.

In response to Council Member Howard, Mr. Miers stated that public parking will be on Elm Street. No public parking will be available in the secure parking area. The new building design does not allow for a vehicle fuel station behind the building, as is currently available.

In answer to Council inquiries, Police Chief Adams reported that the new jail will have video surveillance equipment and will be designed to meet current standards. The current police building has 26,000 square feet. He believed that 52,000 square feet will accommodate the Police Department for the next 30 years. The additional 7,000 square feet may be needed by the Police Department in 20 to 30 years. The design includes parking for 90 vehicles, which is enough for all the police on staff.

Gary Wiman, Construction Project Manager, stated that the space needs for the first floor were larger than the space needs for the second floor. He explained that it is less expensive to construct a facility initially as a complete two-story building, rather than adding on later. It is anticipated that the Police Department will use the additional space on the second floor at some time in the future.

Judge Warner reported that currently there are two separate court facilities in Lodi. One is adjacent to the Police Department and the other is across the street. The court is in the process of preparing a master plan for facilities. It appears to be an ideal situation to have a courtroom above the Police Department in the new building. This would allow a secure way to move individuals in custody between the holding facility and courtroom without taking them on public streets. He predicted that if the court does remain in Lodi and expands, it would build a separate facility, which would free up space for the Police Department in the future.

In reply to Mayor Pro Tempore Hitchcock, Judge Warner stated that the City owns Department 1, which is adjacent to the Police Department. The county owns Department 2, which is in the old Pacific Telephone building. He hoped that at some point in the future there would be a single court building adjacent to the Police Department.

Council Member Nakanishi expressed approval of the design of the new Lodi Police Department building.

Council Member Land concurred with Mr. Nakanishi and suggested that if the County decides to move the court system out of Lodi, the Council should make a concerted effort to persuade them to keep the court in the City.

Mayor Pennino pointed out that since the 90 parking spaces accommodates all the police on staff, then there would not be a need for the Civic Center parking structure.

Mr. Prima disagreed, noting that the site is designed for secure parking of police vehicles. It will not accommodate the police vehicles and employees in the long term. It is only during an interim period that employees will be allowed to park in the secured area.

Mayor Pennino responded that the Civic Center parking structure could then be delayed during the interim period.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Nakanishi second, unanimously approved the plans and specifications for the new Lodi Police Department building and authorized advertisement for bids.

J. ORDINANCES

J-1 Ordinance No. 1709 entitled, "An Ordinance of the City Council of the City of Lodi Repealing and Reenacting Chapter 13.16 of the Lodi Municipal Code Relating to Solid Waste" having been introduced at a regular meeting of the Lodi City Council held February 20, 2002 was brought up for passage on motion of Council Member Land, Nakanishi 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 – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino

Noes: Council Members – None

Absent: Council Members – None

Abstain: Council Members – None

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

- Mayor Pennino thanked City Clerk Blackston, Fire Chief Pretz, Firefighters, and Lodi citizens for hosting New York Firefighter Doug Spano and his wife Debra. He congratulated Council Member Nakanishi for his successful Primary Election run for Assembly District 10.
- Council Member Nakanishi stated that he will savor his final nine months on the Council.
- Mayor Pro Tempore Hitchcock mentioned that New York Firefighter Doug Spano spoke to the students of Clairmont School. She thanked Steve Dutra, Park Superintendent, and Arilee Pollard for the recent Arbor Day program. Ms. Hitchcock stated that she also enjoyed the dedication of the infield at Blakely Park, which was funded by Jim and Annette Murdaca's Foundation. She thanked General Mills for its generous donation of \$10,000 for the Council's Auction Dinner, which benefits the Lodi Boys and Girls Club. She also expressed gratitude to Janet Hamilton and Shereen Scherle for preparing the dinner, to Phillips Vineyards for donating the wine, and to the staff that assisted.
- Council Member Land also congratulated Council Member Nakanishi for his Primary Election victory as a candidate for Assembly Member.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager Flynn also congratulated Council Member Nakanishi and announced that he and Deputy City Manager Keeter have birthdays this month.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:44 p.m.

ATTEST:

Susan J. Blackston
City Clerk