

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 1, 2002**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of May 1, 2002 was called to order by Mayor Pennino at 6:03 p.m.

Present: Council Members – Hitchcock (arrived at 6:27 p.m.), Howard, Land, Nakanishi, and Mayor Pennino

Absent: Council Members – None

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) Conference with legal counsel; anticipated litigation; significant exposure to litigation pursuant to subdivision (b) of §54956.9; two cases; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed (CA)
- c) 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 6:03 p.m., Mayor Pennino adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:57 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:04 p.m., Mayor Pennino reconvened the City Council meeting, and City Attorney Hays disclosed the following actions.

In regard to Item C-2 (a), Council heard a report and provided direction to staff related to the prospective lease of property located at 100 East Pine Street, Lodi, CA (APN 043-072-01).

In regard to Item C-2 (b), Council provided direction to staff with regard to how to proceed in both cases.

In regard to Item C-2 (c), the City Council did not discuss this matter.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of May 1, 2002 was called to order by Mayor Pennino at 7:04 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 Natalie Reyes, representative of the Baha'i.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 199.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Pennino presented a proclamation to Brad Jones, Veteran Representative with the Employment Development Department, proclaiming the month of May 2002 as “Veteran Appreciation Month” in the City of Lodi.

Cynthia Haynes, Community Promotions Coordinator, announced that a dedication ceremony for the All Veterans Memorial Plaza will be held on May 22.

D-2 (b) Mayor Pennino presented a proclamation to Rosa Trujillo with San Joaquin Council of Governments proclaiming the week of May 13 – 17, 2002 as “California Bike to Work Week” and May 14, 2002 as “Lodi Bike to Work Day” in the City of Lodi.

D-2 (c) Mayor Pennino presented a proclamation to Boyd Lambertson, Postmaster; Amanda Solway, US Postal Carrier; Bob Livensparger, Union President; and Captain Frank Severs, representing Salvation Army, proclaiming Saturday, May 11, 2002 as “National Letter Carrier Food Drive Day” in the City of Lodi.

Ms. Solway reported that this is the 10th annual can food drive. Last year 29,310 pounds of non-perishable foods were collected in Lodi, which helps to supply the Salvation Army’s Empty Pantries Program.

Mr. Lambertson thanked the community for its past support. Since its inception the canned food drive in Lodi has collected 180,000 pounds of food.

Capt. Severs stated that the food drive will help the Northern San Joaquin County Food Bank to distribute approximately 17,000 food boxes to local residents. The Salvation Army’s Hot Meals Program delivers approximately 70,000 meals to the needy.

Mr. Livensparger thanked Ms. Solway for coordinating the National Letter Carrier Food Drive Day for the past ten years.

D-3 (a) Mayor Pennino presented a Certificate of Recognition to Scoutmaster Ken Moffitt on behalf of Boy Scout Troop 199 for achieving Troop of the Year 2001 from the 49er District Awards Committee.

D-3 (b) Mayor Pro Tempore Hitchcock presented a Certificate of Recognition to Paul McKelvey and Billy Reynolds of Boy Scout Troop 199 for obtaining the rank of Eagle Scout and read a statement of congratulations on behalf of Bill Huyett, Superintendent of Schools.

Council Member Nakanishi recommended that it be made a standard practice for the City Council to honor all future eagle scouts at its meetings.

Mayor Pennino replied that it has been agreed to do so.

D-3 (c) “Presentation of Certificate of Appreciation to Pacific Gas & Electric Company for its many community contributions to the City of Lodi” was **pulled from the agenda**.

D-3 (d) Community Promotions Coordinator, Cynthia Haynes, reported that the Lodi Memorial Hospital Foundation will hold a Walk For The Health Of It event on Saturday, May 18. This year’s event features a special community celebration in honor of the hospital’s 50th Anniversary. Mayor Pennino presented a proclamation to Tracy Williams, Co-Chair of the event, proclaiming Saturday, May 18 as “Walk For The Health of It Day” in the City of Lodi.

D-3 (e) Cynthia Haynes spoke on behalf of the Lodi Chamber of Commerce as Chairman of the Small Business Committee and announced that Lodi’s Small Business Showcase 2002 tradeshow will be held on May 23. Fifty businesses are expected to participate.

D-3 (f) Terri Whitmire, Chairperson of the Lodi Senior Citizens Commission, introduced members of the commission that were present. She thanked Don Ochs for his many years of service on the commission. Recent accomplishments of the commission include: 1) Updating and publishing the third annual Senior Resource Manual; 2) sponsoring an End of Life Decision Seminar in conjunction with Lodi Memorial Hospital; 3) sponsoring a panel discussion regarding senior issues, which included former Mayor Nakanishi; Community Development Director Bartlam; Manager of Customer Programs, Rob Lechner; and former Transportation Manager Carlos Tobar; and 4) on June 22 the Commission will be sponsoring Caregivers Day.

NOTE: City Manager Flynn commented that the presentation for Pacific Gas & Electric Company will be rescheduled, as the individual that was to accept the certificate was unable to attend the meeting. He also announced that Celebration on Central will be held May 19.

E. CONSENT CALENDAR

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

- E-1 Claims were approved in the amount of \$3,121,959.33.
- E-2 The minutes of April 2, 2002 (Shirtsleeve Session), April 2, 2002 (Special Meeting), April 3, 2002 (Regular Meeting), April 9, 2002 (Shirtsleeve Session), April 9, 2002 (Special Meeting), April 11, 2002 (Special Joint Meeting with the Lodi Arts Commission), April 16, 2002 (Shirtsleeve Session), and April 16, 2002 (Special Meeting) were approved as written.
- E-3 Accepted the Quarterly Investment Account report as required by SB 564.
- E-4 Accepted the improvements under the contract for Fire Station #4, 180 North Lower Sacramento Road, directed the City Engineer to file a Notice of Completion with the County Recorder's Office, and received final Contract Change Order.
- E-5 Received Contract Change Order No. 1 for the Aquatics Facility design.
- E-6 Received Contract Change Order No. 1 for Campus Master Plan and Indoor Sports and Activity Complex.
- E-7 Adopted Resolution No. 2002-83 supporting AB 2351 regarding changes to the mandatory minimum penalty provisions of Section 13385 of the Water Code.
- E-8 Adopted Resolution No. 2002-84 authorizing the City Manager to accept the improvements under the Utility Substructures, Cherokee Lane and Sunwest Area contract, directed the Electric Utility Director to file a Notice of Completion with the County Recorder's office, and appropriated additional funds in the amount of \$6,043.80 for the project.
- E-9 Adopted Resolution No. 2002-85 consenting to change of control and internal restructuring of AT&T Corporation to AT&T Comcast Corporation.
- E-10 Approved the request to join in amicus brief in the case of *City of Carlsbad v. Baker, et al.*, San Diego Superior Court Case No. N-78249-1, Court of Appeal No. D039112, Court of Appeal Fourth Appellate District, Division One.
- E-11 Approved the request to join in amicus brief in the case of *Metropolitan Water District of Southern California, et al. v. Superior Court of California (Dewayne Cargill, et al., Real Parties in Interest)*.
- E-12 Set public hearing for May 15, 2002 to consider the Planning Commission's recommendation that the City Council adopt an amended 2001 Growth Management Allocation schedule adding the 77 low-density allocations of the Luckey/Lackyard Development plan.
- E-13 Set public hearing for May 15, 2002 to consider the Planning Commission's recommendation that the City Council approve a request by Laila Sorour for two actions: 1) amend the General Plan from LDR, Low Density Residential to O, Office for 1116 South Fairmont; and 2) rezone 1110 South Fairmont from RCP, Residential Commercial Professional, to Residential Garden Apartment to permit the construction of two duplexes.

Continued May 1, 2002

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

G. PUBLIC HEARINGS

None.

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 Council Member Land, Hitchcock second, unanimously rejected the following claims:

- a) Fred Boschee, date of loss 3/31/01
- b) Miguel A. Chavez, date of loss 1/30/02
- c) Elm West Condominium Association, date of loss 9/01

H-2 The following report was presented to the City Council:

- a) Planning Commission report of April 10, 2002

H-3 Appointments – None

H-4 Miscellaneous – None

I. REGULAR CALENDAR

I-1 "Discussion regarding the completion of the Lodi Area All Veterans Memorial Plaza" was ***pulled from the agenda.***

I-2 "Indoor Sports and Activity Complex project review and request for direction"

Parks and Recreation Director Baltz recalled that this matter was originally brought before Council on April 3. At that meeting Council asked a series of questions, which have been addressed in the staff report and attachments submitted for this item. He referenced the inventory of existing gyms that the department currently utilizes to offer its programs.

Mr. Baltz reported that in 1994, a Park, Recreation and Open Space Plan was adopted that addressed the need for a recreation center and established design standards for a center in the downtown area. In 1996-97 the City commissioned a Sports and Activity Center Feasibility Study, which was completed by Sports Management Group. On August 15, 2001 the Council reviewed a Request for Qualifications (RFQ) package and authorized staff to move forward on project design work. Advertisements for the RFQ went out in late August for a submittal deadline of September 26. Forty firms expressed an interest, with thirteen submitting statements of qualifications to perform the design work. A group comprised of representatives from the Boosters of Boys/Girls Sports (BOBS) organization, Recreation Commission, Community Development, Lodi Sports Foundation, Public Works, City Administration, and the Parks and Recreation Department reviewed and evaluated the submittals. Six firms were invited to give presentations on October 30, 2001. ELS Architecture and Urban Design (ELS) was selected as the top ranked. On February 6, 2002 Council approved the contract, which included several phases of work that ELS is to perform for the design work. The project is currently in the concept design phase. Tonight staff is asking Council for direction to move forward into the schematic design phase.

In January 2002 the Parks and Recreation Department held a series of public workshops to solicit input from the community about what they believed the primary needs were. On March 7, 2002 a public workshop was held in the Carnegie Forum to obtain input from the community regarding the work ELS was doing. In addition, ELS had been working with a steering committee to develop different concepts. The steering committee was comprised of representatives from the Parks and Recreation Department, BOBS, Lodi Sports Foundation, Recreation Commission, Public Works, and Community

Development, as well as Mr. Vacarezza who attended one meeting. On April 2, 2002 the Recreation Commission reviewed three different options for concept design and voted 4 to 1 to recommend a concept plan that consisted of three basketball courts and multi-use area, which was presented to Council on April 3.

Mr. Baltz stated that ELS has taken its direction from staff, the steering committee, and input from the public. The schemes that were presented on April 3 have now been revised to two primary schemes (A & B) that ELS will present tonight.

Mike Reese, Recreation Supervisor, stated that, as proposed, the indoor sports and activity complex would become the City's family recreation center. He reviewed the objectives of the Parks and Recreation Department and current facilities and programs that are offered. Sports programs being proposed for the new facility include youth and adult basketball, late night hoop, basketball and volleyball tournaments, youth and adult volleyball, badminton, and kickball. In the proposed multi-use space, programs would include karate, yoga, judo, Tai Chi, fitness and aerobics classes, first aide and CPR, cheerleading camps, chess club, bridge, photography, rock climbing, cooking classes, babysitting training, teen nights and dances, game nights, Boy and Girl Scout meetings, coaches training, and community group meetings. The steering committee has directed ELS to create an activity complex to include space for individual exercise and multiple uses.

David Petta of ELS explained that its role in this process has not been to lead, but to provide visual clarity to the concepts, wishes, and needs that were articulated to them. He described the goals as follows: 1) to create a special civic place that connects to Hale Park in the east side of Lodi, and west toward the downtown area, which would connect to a parking garage; 2) to create a place that serves a broad, multi-generational, multi-use; and, 3) to create a facility that delivers a substantial rate of recovery of operational costs. The concepts presented at tonight's meeting have evolved into a physical connection to the parking garage and a pedestrian flyover bridge across the railroad tracks. This allowed for the elimination of some of the surface parking in the recreation campus, which provided even more outdoor recreation spaces.

With the aid of an overhead presentation (filed) Mr. Petta described Scheme A, which has a multi-use space, two basketball courts in the middle of the project, with a parking lot by Locust Street. It eliminated parking in the Main Street corridor and adds three outdoor basketball courts. They would be hard surface courts and for special events could be parked over providing a dual use. Towards Elm Street there is temporary staff parking. A pedestrian bridge connects to the parking garage.

Mr. Petta stated that Scheme B adds the third basketball court where the parking lot is shown in Scheme A. It includes a soccer field in a size suitable to serve all age groups and ability levels. The pedestrian bridge is part of a future phase and the project presented is planned to accept the bridge connection.

Displaying overhead conceptual diagrams (filed) Clarence Mamuyac, ELS Project Designer, explained that they have determined where all the large components land on the site and what they look like volumetrically. He described the location for the double gym area, cardio loft on the mezzanine level, and main reception area with small café. A large multi-use space could be subdivided into three rooms. The potential exists to add a third gymnasium. There is an opportunity for a hybrid, i.e., where a portion of the building could be constructed in a simple "tilt-up construction." A higher standard construction would be accomplished where the lobby, café, and cardio loft was located, as these areas face Elm Street – the main entrance. Mr. Mamuyac reviewed the proposed outside elements.

Mr. Baltz noted that the project began with the assumption of a 30,000 square foot facility. He clarified that staff is requesting direction from Council related to the design, not for construction approval, or for funding the entire project.

In response to Mayor Pro Tempore Hitchcock, Mr. Baltz explained that the work ELS is doing includes design of an indoor sports center, as well as master campus planning. Focus is being placed on the project as it exists from Main Street west to the railroad tracks for budget purposes. Other aspects of the master plan include renovation of the old fire station, which would necessitate staff moving out of the current corp yard and relocating the Parks Division. Budget approval was given only for moving forward with the indoor sports complex planning.

Mr. Petta noted that the master plan was described in more detail at the April 3 meeting. ELS staff is confident that phase one of the project will fit into the master plan.

Mayor Pro Tempore Hitchcock believed that according to the proposal it appeared Parks and Recreation staff would be moving to a smaller space. She suggested that staff be located in the indoor sports center so that the public can find them more easily.

Mr. Petta clarified that the new space would be two stories and is exactly the same square footage as they currently have.

City Manager Flynn reiterated that there are plans to move the Parks Division to the Municipal Service Center, following the relocation of Electric Utility to its new site.

Mr. Mamuyac added that the indoor family recreation center has administration and management offices within it. The more global administration facilities are proposed for the fire house structure. He stated that if it is necessary to plan for future growth of Parks and Recreation, in terms of office space, there is plenty of real estate in the vicinity.

Mayor Pro Tempore Hitchcock did not feel that it made sense to have part of the administration staff in one building and part in another. In addition she expressed concern over the limited amount of space devoted to youth activities and noted that many people in the community do not want to pay for other amenities.

Mr. Petta explained that 15,230 square feet is gym space, and an additional 4,800 square feet of supporting space is planned for locker rooms, check in, storage rooms, etc. The gross area of the facility is 31,825 square feet. The gym and supporting area are the main focus and take up 75% of the facility, with the multi-use space covering 25%.

Council Member Howard noted that at the last meeting she had shared her opinion that a better project could be produced for the cost. Since that time, she visited Sacramento and brought back information to City staff. In addition she and the Parks and Recreation Director, as well as other individuals, visited two sites in the Sacramento, Rockland area. She believed that in order to best meet the needs of Parks and Recreation, it is important to look at the "big picture," particularly when considering relocation of the Maintenance Division staff, the need to hire additional staff, etc. She stated that tonight's discussion regarding "tilt-ups" came about because of the Sacramento visit. She suggested that this construction technique be used for more than just the third court as referenced.

Mr. Petta replied that the intention is to utilize all the economics of tilt up construction for the project, as he pointed out, there is no reason to spend a lot of money on a wall that faces the railroad tracks.

In response to questions posed by Council Member Howard, Mr. Baltz reported that an expense estimate was developed based on operating, hypothetically, this facility for 4,600 hours per year. Staffing would consist of a part-time facility supervisor totaling 5,559 hours, and part-time receptionist and cashiers working 4,590 hours. Full-time staff would include two individuals in maintenance and one facility manager. Currently, Parks and Recreation utilizes contracts for instructors to teach different programs. Seventy percent of the revenue received from these classes is retained by the instructor, with 30% going back to the City. If such activities were going on in the new facility, staffing might consist of a receptionist, the facility manager, and one maintenance person. Daily hours of

operation were estimated based on 14 hours a day beginning at 6:00 a.m. and closing at 9:00 or 10:00 p.m., with Saturdays and Sundays operating from 9:00 a.m. to 5:00 p.m. The basketball backboards will have the capability of being lowered, and this has been factored into the cost estimate that the City has been given by ELS.

Council Member Howard was pleased that a walkover is being considered and noted that the idea had been one of her first suggestions as a Council Member. She believed that an emphasis should be placed on a simplified design in order to maximize service. Consideration should be given to the complete project, e.g., relocation of staff, utilizing other space available to the City, and the cost of the walkover.

Council Member Nakanishi noted that his preference was mainly for youth basketball courts. He asked for further information about earlier studies that were done, which indicated a desire for multi-use space.

Mr. Baltz read the following information from section 5 of the 1994 Park, Recreation and Open Space Plan, entitled "Design Requirements for a Successful Indoor Recreation Facility":

1. A recreation center should be somewhat centralized in the community and be very visible to the passing public.
2. The facility should provide a wide range of facilities and activities of interest to all age groups.
3. Spaces should be provided for competitive and active sports, passive activities, receptions, and general leisure.
4. Multi-use spaces should be favored over single-purpose spaces. Flexibility is very important.
5. The building should be attractive with a comfortable environment suitable for both active and leisure activities. Active recreation spaces should be clearly separated from passive spaces.
6. If leased space is developed as part of the facility, it should be considered as temporary and a place for future expansion.
7. Activities and spaces that generate revenue are very important. This will help to offset the operating cost.

Mr. Flynn added that the Open Space Plan was prepared by a consultant group who worked with the community. He described the Plan and the proposed indoor recreation facility as a grassroots recommendation.

Council Member Nakanishi pointed out that the cost has increased from the original \$6 million estimate. He stated that it is important that fees charged are sufficient.

Mayor Pro Tempore Hitchcock stated that it appeared the concept increased after the visit to Roseville and encouragement of the consultants for a more substantial facility. She heard from a couple of community members who, after viewing the April 3 City Council meeting, said they did not object to paying for things that benefited youth; however, 30% of the project is directed toward other uses.

In reply to Council Member Howard, Mr. Baltz explained that the rate of recovery will be dependent upon what type of facility is built. At the April 3 meeting, for the three-court design, a letter from the sub consultants indicated a cost recovery rate of 35% to 55% was possible. From surveying other communities, it was discovered that there are varying rates of recovery, some ranging well above 60%.

Council Member Howard reported that The Net in Rockland is approximately 70,000 square feet. Its monthly overhead is between \$115,000 and \$125,000 and it has nearly 100 employees. Ms. Howard suggested having the indoor sports complex project brought to a private company, and use the City's money for building the pedestrian walkover and relocating the Parks Maintenance Division.

Council Member Land stated that he has been a member of the Lodi community for 51 years and has been involved with sporting programs for many years. He disagreed with the earlier inference by Ms. Hitchcock that this project has expanded or changed dramatically over the past six months. He pointed out that the plan developed in the 1990s addressed the same issues that are being proposed now. The Lodi Sports and Activity Center Feasibility Study also addressed many of the same concepts. There has been a lot of community involvement in this process. He thanked the Lodi Sports Foundation, the Recreation Commission, the BOBS, and the steering committee for their hard work. He noted that he received a phone call from Mr. Phillips and a letter from Frank Alegre recommending Scheme B. He asked how much it would cost to redesign Scheme B to Scheme A.

Mr. Petta replied that it could be designed and bid all at once and the City could then choose to build two or three courts.

Mayor Pennino stated that exhaustive studies have already been done and the private sector has previously been approached about the project. He spoke in support of building an indoor sports center that all people can use, noting that many individuals cannot afford to belong to health clubs. In addition, this project could greatly benefit revitalization efforts on the eastside. He strongly supported the pedestrian crossing.

PUBLIC COMMENTS:

- Bob Johnson, Chairman of the Recreation Commission, pointed out that the 1994 master plan was encouraged, funded, and accepted by the Council. The 1996 Feasibility Study by Sports Management Group was funded and accepted by the Council. Council provided direction to form a steering committee, hire a consultant, and hold public meetings – all of which have been done. He stated that there is no difference between what was discovered in 1994, 1996, or today. People of the community want a multi-faceted full-service facility. He urged council to approve Scheme B.

Council Member Howard stated that her concern is with the entire master plan and recognizing the evolution of current and future needs such as more staff to accommodate the proposed aquatics center, DeBenedetti Park, the sports complex, and relocating the service center.

Mr. Johnson stated that 70% of what Ms. Howard just referred to was not in the master plan.

Council Member Nakanishi asked Mr. Johnson whether he believed it was financially feasible to build this project.

Mr. Johnson replied that from his experience as a Recreation Commission member for nearly 15 years, and the extent of projects he has seen Councils fund over the past eight years, that the City should be able to fund the indoor sports complex.

Mayor Pro Tempore Hitchcock asked Mr. Johnson if he was satisfied with the entire master plan for the area.

Mr. Johnson responded that he was surprised to know that ELS was working on a master plan, as it was his understanding that only the indoor sports complex would be addressed. He added that the master plan would probably not be completed for a very long time.

- Ken Sasaki, member of the Recreation Commission, stated that he was pleased with the progress that has been made since he gave the presentation to Council on February 21 regarding Parks and Recreation priorities. He believed that the indoor sports complex would benefit downtown businesses and eastside redevelopment efforts.

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- Tony Alegre, President of the BOBS, reviewed the increased number of sports program participants since 1995 and stated that there was an inadequate amount of practice time for these programs due to a lack of facilities. He spoke in support of the indoor sports complex having a kitchen and meeting rooms, and stated that the facility needs a minimum of three basketball courts.
- John Johnson, Lodi Sports Foundation, stated that approving the two-court design will allow a challenge for the sports community to build the third court. He believed that the indoor sports complex is needed in large part to provide a positive alternative for youth in the community and noted that high school drop out rates are increasing, as well as drug use. He stated that support for the indoor sports complex has been expressed from the Chief of Police, the sports community, downtown businesses, and the community in general.
- Pat Patrick, Chief Executive Officer (CEO) of the Chamber of Commerce, spoke on behalf of his board and members, stating that they support Scheme B. He believed the indoor sports complex would greatly benefit the downtown businesses and would bring the east and west sides of Lodi together. He favored a quality design for the exterior, as opposed to the less expensive tilt up construction.
- Peter Westbrook stated that he was speaking as the President of the Downtown Lodi Business Partnership (DLBP) and a private citizen. The DLBP supports Scheme B. He agreed with Mr. Patrick's comments and stated that he was opposed to the tilt up exterior concept. He emphasized the importance of integrating the community by pulling the eastside into the downtown area and getting rid of the stigma that exists beyond Sacramento Street.
- Nathaniel Sekula representing the Lodi Tigers stated that the team is in favor of Scheme B and noted that more year-round opportunities to play basketball are needed.
- Chuck Easterling spoke in support of Scheme B and felt that this was an excellent opportunity to tie the east and west sides of the community together and continue revitalization.

In reply to Council Member Land, Mr. Easterling stated that he believed the indoor sports complex would increase the values of property downtown and the community would profit through sales tax revenue.

- Del Smith stated that the facility in this location would significantly change traffic patterns and positively impact downtown businesses. It is an excellent opportunity for the east side of Lodi and will help at-risk youth in the community. He supported Scheme B.

Mayor Pennino commented that Mr. Smith, his wife, and the Munson's just recently purchased Hazel's restaurant.

- Tom Sanchez noted that Central Valley Waste has supported many Lodi projects in the past and supports the indoor sports complex. He favored Scheme B and stated that if the kitchen, café, and meeting rooms can help offset costs, they should be included in the project.
- Toni Gore stated that she has lived in Lodi for one and a half years and is a social worker with the family resource and referral agency. She also volunteers as a soccer and basketball coach. Providing safe places for children will decrease the need for police officers, social workers, etc. Athletics help children gain self esteem, leadership skills, and learn responsibility and teamwork.

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- Ken Bingaman reported that he has attended 80% of the meetings related to the indoor sports center and never heard anyone speak against it or say they did not want their taxes raised to pay for it.
- Nick Sikeotis spoke about the lack of facilities for sports practice. He felt it was important to keep children's fees low and voiced support for Scheme B.
- Elvera Melby stated that she has been involved with the Parks and Recreation Department since the mid-1950s and has seen tremendous growth in participation over the years. She favored Scheme A and believed that the site selected for the facility is ideal.

Council Member Land stated that at the April 3 meeting he proposed moving forward on the two-court design with multi-use facilities; however, due to information presented this evening, he would prefer to design the three-court facility, which would then allow the flexibility later of constructing either the two- or three-court facility depending on funding.

MOTION:

Council Member Land made a motion, Nakanishi second, to approve Scheme B for the schematic design phase of the Indoor Sports and Activity Complex project.

DISCUSSION:

Mayor Pro Tempore Hitchcock expressed concern that the ancillary spaces would create a very staff-intensive, high-overhead facility. She preferred to maximize the space that is committed for recreation purposes.

In reply to Mayor Pro Tempore Hitchcock, Mr. Baltz reported that according to the research staff has done, the multi-use fitness areas bring in revenue.

Council Member Nakanishi stated that the Recreation Commission will likely need to prioritize the projects once funding is considered, as well as raise rates for the programs.

Council Member Howard challenged ELS and staff to incorporate the maximum amount of space, facility, and service that can be provided into the final design.

Mayor Pro Tempore Hitchcock favored tilt up construction only if the end result was a quality, aesthetically pleasing facility.

Mayor Pennino recommended that the design be improved from what was displayed this evening, noting that the facility should be a showpiece.

VOTE:

The above motion carried by a unanimous vote.

RECESS

At 10:14 p.m., Mayor Pennino called for a recess and the City Council meeting reconvened at 10:26 p.m.

I. REGULAR CALENDAR (Continued)

- I-3 "Adopt resolution approving job specification and salary range for the position of Purchasing Technician and reclassification of Purchasing Assistant to Purchasing Technician"

Amy Flores, Management Analyst Trainee, requested that Council approve the reclassification of the position of Purchasing Assistant to Purchasing Technician in the Finance Department and to reallocate the incumbent. In addition, approval of the Purchasing Technician job specification and salary range is needed. These actions will not increase the number of allocated positions.

In response to Mayor Pro Tempore Hitchcock, Ms. Flores reported that the salary of the Purchasing Assistant is 15% below the Technician. Purchasing Technician is a newly created classification and, if approved, the Purchasing Assistant classification will be eliminated.

Joel Harris, Purchasing Officer, explained that due to significant changes in job responsibilities of the Purchasing Assistant, it was deemed appropriate to assign the position title change, as well as to compensate the individual for increased duties. Due to the size of the City, he did not anticipate the need for additional levels in the department and was in favor of eliminating the Purchasing Assistant classification.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hitchcock, Land second, unanimously adopted Resolution No. 2002-86 approving the job specification and following salary range for the position of Purchasing Technician and reclassification of Purchasing Assistant to Purchasing Technician.

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
\$2,649.93	\$2,782.42	\$2,921.54	\$3,067.62	\$3,221.00

I-4 "Adopt resolution approving revised job specification for Firefighter I/II"

Amy Flores, Management Analyst Trainee, requested that Council approve the revisions to the Firefighter I/II job specification to accurately reflect the duties and revisions to the minimum qualifications necessary to apply for the position.

In response to Council Member Land, Verne Person, Fire Division Chief, explained that the proposed revisions would allow for a wider pool of applicants.

In reply to Mayor Pro Tempore Hitchcock, Division Chief Person confirmed that a Firefighter I certificate is required prior to employment.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously adopted Resolution No. 2002-87 approving the revised job specification for Firefighter I/II.

J. ORDINANCES

None.

K. MEETING OF THE CITY OF LODI REDEVELOPMENT AGENCY

At 10:45 p.m., Mayor Pennino adjourned the City Council meeting to conduct the meeting of the City of Lodi Redevelopment Agency. Following the call to order, Secretary Blackston recorded roll.

K-1 "Refer the proposed Redevelopment Plan to the Project Area Committee for review and to the Planning Commission for review and determination of consistency with the General Plan"

Council Member Nakanishi asked who would be obligated if the Redevelopment Agency were to loan money to someone and they defaulted.

Community Development Director Bartlam replied that it would depend on how the loan documents were drawn up. He added that it was improbable that a loan would be brought to the Agency Board that did not have collateral as back up.

Council Member Nakanishi asked who would be obligated to pay the base tax if the increment decreased.

Mr. Bartlam explained that if the project area did not have increment then there would be no financial resources to do the programs. If, as an example, a project was done and later demolished for some reason, then there would be no increment being generated from the property; however, tax is not paid on something that does not exist. In order for the project area to have negative value, there would have to be long-term depression in the geographic area. Mr. Bartlam was unaware of that occurring before. He also indicated that there has never been any bankrupt redevelopment agencies and believed that for that to occur there would have to be mismanagement within the agency.

In answer to Mayor Pro Tempore Hitchcock, Mr. Bartlam stated that he did not know of any circumstances where a redevelopment agency has ever faulted on a debt obligation.

City Attorney Hays noted that there have been situations where developers have undertaken projects in a redevelopment project area and the developers themselves have had difficulties.

MOTION / VOTE:

The Agency, on motion of Member Hitchcock, Howard second, adopted Resolution No. RDA2002-02 referring the proposed Redevelopment Plan for the Lodi Redevelopment Project No. 1 to the Planning Commission of the City of Lodi and the Project Area Committee for report and recommendation. The motion carried by the following vote:

Ayes: Members – Hitchcock, Howard, Land, and Chairperson Pennino

Noes: Members – Nakanishi

Absent: Members – None

There being no further business, Chairperson Pennino adjourned the meeting of the Redevelopment Agency and reconvened the meeting of the City Council at 10:55 p.m.

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

- Council Member Nakanishi congratulated Deputy City Clerk Jennifer Perrin for having been awarded the designation of Certified Municipal Clerk by the International Institute of Municipal Clerks.
- Council Member Howard commented that she had an opportunity to attend Tokay High School's Safari Chevrolet event last Thursday. She thanked teacher Debbie Chiene, Dennis Calton from Sanborn Chevrolet, and students Daniel in the business department, Amanda in sales, and Anna in Finance.
- Council Member Land thanked the Mayor and Council Member Howard for attending the committee meeting last week with Representative Mike Machado regarding AB1717. He stated that in hindsight, he wished that the message sent to the state was that Lodi opposed AB1717 and that it would not be accepted even with amendments. In addition, he reported that Northern California Power Agency (NCPA) refinanced a hydro plant and the net present value of the refinancing was \$10 million. Legal fees for NCPA are up substantially due to the interconnection agreement with Pacific Gas and Electric (PG&E) and also because of the PG&E bankruptcy. He commented that he had attended the Loel Center volunteer recognition dinner. He also mentioned that, with the recent award to Deputy City Clerk Jennifer Perrin, everyone in the City Clerk's office is now a Certified Municipal Clerk.
- Mayor Pro Tempore Hitchcock expressed her appreciation to Deputy City Clerk Jennifer Perrin for her dedication in earning the award. She thanked all those who participated with the City, the Seventh Day Adventist Academy, and the Lodi Unified School District on the recent Clay Roberts program.
- Mayor Pennino commended the Fire Department for the excellent job it did on the memorial service and dedication of Fire Station #4.

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

- City Manager Flynn announced that Human Resources Director Narloch and Economic Development Coordinator Goehring's birthdays are on May 12.

Continued May 1, 2002

N. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:02 p.m.

ATTEST:

Susan J. Blackston
City Clerk