

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 6, 2008**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of February 6, 2008, was called to order by Mayor Mounce at 6:05 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian [excluding C-2(a) and C-2(b)], and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and Deputy City Clerk Perrin

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) 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
- b) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco Superior Court, Case No. CGC-05-441976
- c) Actual Litigation: Government Code §54956.9(a); One Case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651
- d) Conference with Dean Gualco, Human Resources Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Lodi City Mid-Management Association Pursuant to Government Code §54957.6
- e) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Cynthia Green against City of Lodi Based on Property Damage

C-3 ADJOURN TO CLOSED SESSION

At 6:05 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 7:15 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:19 p.m., Mayor Mounce reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), Council voted to not pursue the case against Mr. Speakerman who recently passed away; therefore, this particular matter is resolved.

Items C-2 (b), C-2 (c), C-2 (d), and C-2 (e) were all discussion and direction only.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of February 6, 2008, was called to order by Mayor Mounce at 7:19 p.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and Deputy City Clerk Perrin

B. INVOCATION

The invocation was given by Senior Associate Pastor Glen Barnes, First Baptist Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mounce.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

- D-1 Awards – None
 - D-2 Proclamations – None
 - D-3 Presentations – None
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E. CONSENT CALENDAR

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

- E-1 Claims were approved in the amount of \$5,135,028.80.
 - E-2 The minutes of January 15, 2008 (Shirtsleeve Session), January 22, 2008 (Shirtsleeve Session), January 24, 2008 (Special Meeting / Workshop), and January 29, 2008 (Shirtsleeve Session) were approved as written.
 - E-3 Accepted the quarterly report of the City of Lodi pooled money investments as required by Senate Bill 564 and the City of Lodi Investment Policy.
 - E-4 Approved the City of Lodi Annual Investment Policy and Internal Control Guidelines.
 - E-5 “Approve Request for Proposals and Authorize Advertisement for Architect Services to Prepare the Grape Bowl Phase I Renovation Design” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
 - E-6 “Approve Request for Proposals and Authorize Advertisement for Engineering Services to Prepare a Specific Plan Report for the Harney Lane Widening Project, ½-Mile West of Lower Sacramento Road to 540 Feet West of Stockton Street” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
 - E-7 Adopted Resolution No. 2008-11 rejecting the low bid and awarding the contract to the next lowest responsible bidder to replace and upgrade the existing Utility Supervisory Control and Data Acquisition System to Survalent Technology, of Mississauga, Ontario Canada, and appropriating funds in the amount of \$199,600.
 - E-8 Adopted Resolution No. 2008-12 accepting improvements at 1125 East Pine Street.
 - E-9 Adopted Resolution No. 2008-13 approving contract with Pyro Spectaculars, Inc. for 2008 Fourth of July.
 - E-10 “Adopt Resolution Authorizing the City Manager to Execute the Revised Exclusive Feasibility Study Period Agreement with PAM Development, Inc., for the Railroad Avenue Senior Housing Project” was **pulled from the agenda**.
 - E-11 Adopted Resolution No. 2008-14 approving the Hazard Mitigation Plan.
 - E-12 “Adopt Resolution to Approve the Forgiving of the Remaining Loan Balance of \$359,950 from the Lodi Veteran’s Monument Foundation, a Non-Profit Corporation of California” was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar**.
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ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-5 "Approve Request for Proposals and Authorize Advertisement for Architect Services to Prepare the Grape Bowl Phase I Renovation Design"

City Manager King explained that the Phase 1 design, which is conceptual at this time, would address the entrance plaza and the Americans with Disabilities Act (ADA) ramps on the west side of the facility.

In response to Council Member Hitchcock, Public Works Director Prima stated that the estimate for the Phase I plan is \$120,000 and \$1.1 million was the original estimate for the west end entry work. Phase I does not address all of the issues at the Grape Bowl; only the immediate ADA concerns. Council Member Hitchcock expressed concern that the Council has not had an opportunity to weigh in on whether the City should spend \$1.1 million on this project and she felt this action was premature.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated that Community Development Block Grant (CDBG) funding and donations would be put toward the Phase I plans. Mr. King added that the ADA Transition Plan states the City will move forward on the handicap issues around this timeframe, but the City does not have the funding to implement the maximum renovations to make it a more user-friendly, multi-purpose facility.

Mayor Pro Tempore Hansen expressed support for addressing the handicap issues now so that the facility can continue to be utilized and that the City is in compliance with the ADA Transition Plan.

Council Member Johnson stated this has been an ongoing problem for years and steps have been taken to allocate and raise money. Phase I will not fix all of the issues; however, it is the beginning step to saving the Grape Bowl. Mr. Johnson urged staff to negotiate with opponents during the plan phase to look at every opportunity possible for addressing the ADA requirements.

Mayor Mounce expressed concern that the Grape Bowl plans would ultimately be shelved, similar to the plans for the indoor sports center, aquatic center, animal shelter, and library. She added that Lodi Unified School District is the only entity currently using the Grape Bowl, yet it is not willing to help pay for the improvements.

In response to Council Member Hitchcock, Mr. Prima stated that the ramp issues are not solely ADA requirements; they are also Building Code conditions relating to the exiting of large numbers of people. This phase will bring the City closer to meeting the major compliance issues; however, he anticipated there would be future requests for capital maintenance (e.g. inadequate concession stands, field repairs, drainage, etc.).

Council Member Katzakian questioned how much longer the facility can be used if the ADA requirements are not addressed, to which City Attorney Schwabauer responded that the ADA Transition Plan does not have an exact date; however, the City must comply with the plan it created, or it could be sued.

Mayor Mounce stated she had been supportive of this request until learning the cost for the architectural design services, which would address only the minimum requirements. Mr. Prima reminded Council that there is a step in the process to return with the design costs, as this request is only for the request for proposals.

Jack Fiori, member of the Grape Bowl Ad Hoc Committee, stated that the private fund-raising committee has contacted individuals, developers, and private citizens and to date has raised over \$100,000. The committee initially received great commitments until the economy fell.

In response to Mayor Mounce, Mr. Fiori stated that the Grape Bowl needs to be marketed out to the general public and he believed that providing adequate entrances and restrooms would generate more interest in the facility.

Council Member Johnson stated that the Council needs to have the political will to market the facility despite objections by local residents. He further added that redevelopment funding may be a viable option down the road.

Mr. King reminded Council that in 2007 CDBG funds were appropriated for the project and that the San Joaquin County Board of Supervisors contributed \$250,000 from its 2007 discretionary fund and another \$200,000 in 2008. The County gave the City two years to comply in moving this project forward, and the CDBG funds are only available for a limited time.

Community Improvement Manager Joseph Wood reported that the City is currently within the guidelines to hold the CDBG funds for another year, but no longer than that.

In response to Mayor Mounce, Mr. Prima stated that the general rule for estimating the request for proposal cost is to calculate 10% of the estimated construction cost.

Mayor Pro Tempore Hansen pointed out that the City also uses the Grape Bowl facility for adult and youth sports.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Katzakian second, approved the request for proposals and authorized advertisement for architect services to prepare the Grape Bowl Phase I Renovation design. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Johnson, and Katzakian

Noes: Council Members – Mayor Mounce

Absent: Council Members – None

- E-6 “Approve Request for Proposals and Authorize Advertisement for Engineering Services to Prepare a Specific Plan Report for the Harney Lane Widening Project, ½-Mile West of Lower Sacramento Road to 540 Feet West of Stockton Street”

Public Works Director Prima briefly introduced the subject matter, stating that certain issues pertaining to access still need to be formalized and that public participation will be emphasized in this project.

Greg Costa, representing a cherry packing/shipping business on Harney Lane, expressed concerns regarding potential business interruptions during the widening project, which is estimated to take up to two years. From the middle of April to June, there are refrigerated tractor trailers continuously moving in and out of the business, and any interruptions during that time period would affect their ability to operate. He pointed out that he heard about the Council meetings by accident and requested that the City communicate with the stakeholders, preferably via phone or fax. In regard to the stakeholder meetings, he requested that they be scheduled either before or after the cherry season. The request for proposals is currently worded to preclude a left-turn lane onto the northern part of his property, and he requested it be re-worded to not entirely rule out the possibility. Various studies indicate that non-residential is the best use for the property, which would require a left-turn lane, and he further hoped the request for proposals would take into account the upcoming General Plan update.

Mike Carouba stated that the plan is preliminary at this time; however, he hoped there would be a market based adjustment with access to the intersection for non-residential opportunities. No potential for left-turn access would limit the area to residential only.

Council Member Johnson urged staff to properly notify residents and business owners on Harney Lane throughout this process.

In response to Council Member Hitchcock, Mr. Prima stated that left-turn lanes on major intersections depend on the traffic volume as well as needs of the businesses. He stressed that this is a preliminary plan and that it will be compatible with the General Plan in regard to land use.

In response to Mayor Mounce, Mr. Prima explained that notification is sent to property and business owners based on Assessors records, which will be handled by the consultant. In further response, Mr. Prima pointed out there is a grade separation near the railroad on Harney Lane that is close to Mr. Costa's property, which will not have access.

In response to Council Member Hitchcock, Mr. Prima stated the General Plan will determine the land use and the road will follow the General Plan.

In response to Mayor Pro Tempore Hansen, Mr. Prima confirmed that the concerns brought up at this meeting by Mr. Costa would be passed along to the consultant.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, unanimously approved the request for proposals and authorized advertisement for engineering services to prepare a Specific Plan Report for the Harney Lane Widening Project, ½-mile west of Lower Sacramento Road to 540 feet west of Stockton Street.

- E-12 "Adopt Resolution to Approve the Forgiving of the Remaining Loan Balance of \$359,950 from the Lodi Veteran's Monument Foundation, a Non-Profit Corporation of California"

City Manager King provided a brief introduction of the subject matter, stating that the Lodi Veteran's Monument Foundation has disbanded and the organization disbursed its last remaining funds of \$10,000. It is necessary to write off the balance owing so that it no longer shows as an asset.

Deputy City Manager Jim Krueger added that, from an accounting standpoint, it is not possible to collect on a debt from an organization that no longer exists; therefore, it should be written off that the receivable has no value.

Mayor Pro Tempore Hansen stated that the organization made an admirable effort in raising funds, believed the group's intention to repay the debt was genuine, and felt the City had a responsibility too in honoring its veterans. For those reasons, he believed the request was reasonable.

Council Member Hitchcock believed this action would set a precedent of canceling out debts and she wondered if Council would have approved this project knowing the debt would not be repaid as promised. She preferred the account remain active in order to encourage future donations.

Council Member Johnson pointed out that donations can still be made to this and other projects through the Lodi Community Foundation and he believed the project was approved with only the best intentions; however, there are no guarantees on the success of this or any other project.

Mayor Mounce agreed that, from an accounting standpoint, accounts on the books will be audited and there is an expectation that, if an organization no longer exists, it should not remain on the ledger.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Hansen, Johnson second, adopted Resolution No. 2008-15 forgiving the remaining loan balance of \$359,950 from the Lodi Veteran's Monument Foundation, a non-profit corporation of California. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katakian, and Mayor Mounce

Noes: Council Members – Hitchcock

Absent: Council Members – None

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Beth Kim, owner of the Comfort Suites on Kettleman Lane and past president of the Lodi Conference and Visitors Bureau (LCVB), updated Council on the recent accomplishments of LCVB, including Huell Howser's visit to Lodi in October; the televised broadcast of his Lodi show on Thursday, February 7 at 8 p.m. on KVIE Channel 6; the Salmonid Restoration Conference in Lodi from March 5 – 8, which will bring an estimated 400 to 500 attendees and an economic impact of \$20,000 to \$30,000; and the completion of the 2008 Lodi Community & Visitors Guide, which was produced in conjunction with the Chamber of Commerce.
- Ann Cerney expressed her concern that redevelopment is being portrayed by City staff with only positives and not enough information is being presented regarding the down side of debt. Redevelopment agencies require that 20% of funding be used for affordable housing; however, that has not occurred in California. To date, she has not heard a definitive dollar amount presented to the public, only a conceptual amount, and she stated that she looks forward to more realistic discussions in the future.
- Dave Hinchman agreed with the comments concerning redevelopment and hoped the public would soon be provided with a more accurate picture. Mr. Hinchman requested the City assume the \$1,000 cost to print the list of important phone numbers for senior citizens, which would be mailed out with the City utility bills. This is a helpful resource for seniors and to date very little money has been spent toward Senior Citizens Commission activities. He further believed the City should look closely at its spending.
- Pastor Glen Barnes with First Baptist Church invited the Council and public to attend the presentation of "Step into Africa World Vision Experience: AIDS." Lodi was chosen as one of 70 cities in the United States to host the interactive experience that will give attendees a first-hand journey into the life of a child impacted by the HIV/AIDS crisis. The event will be open to the public February 28 through March 3, and a special breakfast and exhibit walk through specifically for community leaders from the government, education, business, and medical fields will be held on March 3 from 7 to 9 a.m.

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

- Council Member Johnson asked staff to look into the required landscaping that was to be done at the Archer Daniels Midland facility on the corner of Victor Road and Cluff Avenue. The purpose of the greenery was to screen the facility from the highway; however, the landscaping has yet to be completed.
- Mayor Pro Tempore Hansen reported on the San Joaquin Valley Regional Transportation Planning conference he attended in Stockton, which focused on transportation, financing, San Joaquin Council of Governments (SJCOG) One Voice Trip, Route 99, and high-speed rail. He also attended the Northern California Power Agency annual strategic planning workshop January 23 – 25, at which plans for the upcoming year were reviewed and legislative updates were addressed, and the SJCOG meeting, at which the strategic plan for Measure K renewal was approved. Mr. Hansen reported that the timeline for Highway 12 improvements has moved up from 2011 to 2010. In regard to the upcoming difficult budget year, Mr. Hansen requested Council be informed throughout the entire process, particularly if there are potential layoffs as is happening in other cities. He further questioned if Council will be invited to participate in the recruitment process for Police Chief and Public Works Director.
- Council Member Johnson pointed out that high-speed rail is not the same issue as the commuter rail project that is still moving forward.
- Mayor Mounce reported that she recently attended a League of California Cities event in Sacramento and participated in sessions dealing with educating new council members on how to effectively conduct a meeting, land use planning, ethics training, dealing with the media, financial responsibilities, and audit training. She also attended a Lodi Improvement Committee meeting, at which street sweeping was discussed, and she requested that the results of street sweeping on the various test streets (discussed at a past Shirtsleeve Session) be provided to Council. Ms. Mounce expressed gratitude to the Animal Shelter staff and volunteers for their enduring and heart felt efforts at the outdated facility and requested a Council on-site tour of the shelter. Mayor Mounce wished her mother a happy birthday.

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

- City Manager King thanked Ms. Cerney and Mr. Hinchman for their comments and he welcomed the opportunity to meet with them to discuss their concerns regarding redevelopment. He was unaware of the \$1,000 request for printing and mailing the senior brochure and stated he would look into the matter. Mr. King responded that he anticipates 2008-09 to be a difficult fiscal year and staff will be looking closely at revenue projections and layoffs through attrition. Further, Council will be asked to select a representative(s) to work with staff on the various high-profile recruitments.

In response to Mr. King, Mr. Hinchman stated he believed that City staff needs to get more people interested in redevelopment and meet with groups on an individual basis to talk about the issue and answer questions.

I. PUBLIC HEARINGS

None.

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 The following postings/appointments were made:

- a) The City Council, on motion of Mayor Mounce, Johnson second, unanimously directed the City Clerk to post for the following expiring terms and vacancies:

Senior Citizens Commission

David Hinchman Term to expire December 31, 2008

Lodi Budget/Finance Committee

Frank Alegre Term to expire June 30, 2009

Lodi Improvement Committee

Ron Lesan Term to expire March 1, 2008

Mikki Simpson Term to expire March 1, 2008

Rosie Ortiz Term to expire March 1, 2008

J-3 Miscellaneous – None

RECESS

At 9:13 p.m., Mayor Mounce called for a recess, and the City Council meeting reconvened at 9:25 p.m.

K. REGULAR CALENDAR

K-1 “Adopt Resolutions Approving Paratransit Service Policy and Implementing Proposed Changes to Existing Dial-A-Ride Services”

Public Works Director Prima reported that the first resolution is to adopt policies for providing Americans with Disabilities Act (ADA) paratransit service as part of the Dial-A-Ride system; the second is to make changes to Dial-A-Ride to deal with the impact of this adjustment in service. The City spends more money on Dial-A-Ride versus the fixed-route system, yet one of the biggest complaints is that Dial-A-Ride cannot meet the demand. With the priority ADA service being added, there will need to be adjustments to the system in order to make it run more efficiently. The main concern regarding the proposed paratransit service policy that was brought up at previous meetings was the too cumbersome certification process, and staff has met with representatives of the Senior Citizens Commission, Lodi Memorial Hospital Adult Day Care Center, Loel Center, and Senior Center to fine tune the process. Further outreach with similar organizations will take

place following approval of the policy. The most significant change from the last time this was brought before Council is that certifications will be accepted from a variety of medical professionals with staff verifying the information. Reservations will be highly encouraged on Dial-A-Ride; therefore, those who do not reserve a ride in advance will be charged a substantial surcharge (i.e. double the fare). With these changes and the software implementation to track rides, the system will run more efficiently and will help keep costs to a minimum, thereby allowing more money to go toward improving the fixed-route system.

Mayor Pro Tempore Hansen suggested that staff contact the kidney dialysis company in Lodi as part of its outreach program and stated he was pleased to see progress made to address the concerns brought up at the previous meetings.

In response to Mayor Pro Tempore Hansen, Mr. Prima stated that staff reviewed the proposed form with interested parties, many of whom were familiar with it from the San Joaquin Regional Transit District (SJRTD). The City's form is less complicated than the SJRTD form, and the City will accept completed forms from those who went through the SJRTD process. In regard to the fare surcharge, staff intends to implement a 30-day warning period in order to get riders accustomed to the change.

In response to Council Member Hitchcock, Transportation Manager Tiffani Fink stated that medical professionals would include registered nurses, licensed vocational nurses, and case workers from outreach facilities, in addition to physicians. Some cities have more stringent requirements that include an assessment to determine one's physical capabilities, whereas other cities have less strict requirements that involve a self certification process. Ms. Fink stated that the trend is based on size, and many of the smaller urban areas are still in the realm of certifications due to smaller number of clientele and less funding.

In response to Mayor Mounce, Tracy Williams with the Loel Center stated that staff has appropriately addressed the concerns brought up previously and she supported the proposal.

In response to Council Member Hitchcock, Mr. Prima stated this is a three-year certification.

MOTION/ VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted the following resolutions:

- Resolution No. 2008-16 approving the Paratransit Service Policy; and
- Resolution No. 2008-17 approving implementation of changes to existing Dial-A-Ride services.

K-2 "Review Action Plan for Enhancing Utility Billing and Collection Services in the Financial Services Division"

City Manager King briefly introduced the subject matter, stating that this item is being brought before Council in response to concerns raised regarding customer service in the Financial Services Division.

With the aid of a PowerPoint presentation (filed), Deputy City Manager Krueger outlined the concerns, which include long lines, long waits on the telephone, non-traditional payment options, billing errors, and courteous customer service. Immediate actions that were taken include staffing changes, temporary customer service boost, and assistance from Information Systems staff.

In response to Mayor Pro Tempore Hansen, Mr. Krueger stated that the statistic of 65,000 calls per year was tracked manually and is not the most current data. One solution to dealing with the heavy calls was to have a staff member serve as a receptionist to queue the phone calls and provide the option of leaving a voice mail message. Unfortunately, the phone system is antiquated and cannot handle the high volume of calls.

In response to Council Member Hitchcock, Mr. Krueger stated there are 13 employees assigned to the customer service area and their time is split among the counter, phone, and office duties. The employees are cross trained; however, it is a cumbersome system to learn and the training takes concentrated time and effort. Employees have been moved on a temporary basis from the back accounting offices to the counter and from the Purchasing Division to assist with customer service.

Mayor Mounce stated that there have been staff cut backs in this division over the last two to three years and moving resources from department to department is not the answer.

Discussion ensued among Mayor Mounce, Council Members Johnson and Katzakian, Mr. Krueger, and Mr. King as to the types of over the counter service, why some people prefer to pay their bills in person, how Lodi compares to other cities in cash payments, and possible incentives to those who pay by check or money order.

Mr. Krueger reviewed other potential solutions including repositioning staff to better serve, audio visual equipment, name badges, outside experts to better train staff, task force to tackle billing issues, and alternatives to traditional payment modes such as advance payments, drop box and lock box payments with self service stubs, on-line payments, quick payments, and pay stations.

In response to Mayor Mounce, Mr. Krueger stated that staff from Electric Utility and Financial Services would sit on the task force.

Mr. Krueger reviewed the long-term issues including replacing the outdated billing and collection software, working toward a plan for excellent customer service, developing standards, and measuring performance against those standards. As part of the customer service action plan, the staffing needs will be analyzed for efficiencies and effectiveness against all Internal Services Department divisions.

Council Member Hitchcock suggested surveying other cities' statistical data on how they handle heavy traffic.

Greg Ramirez, Vice President of the Lodi Chapter of the American Federation of State County & Municipal Employees (AFSCME) Local 146, speaking on behalf of the 184 members of the General Services and Maintenance & Operators units, read a prepared statement (filed) regarding alleged rude customer service, long waits, staffing levels, re-assignment of Purchasing Division staff, Field Service Division meter mis-reads, purchase of new utility billing software, alternative payment options, and the proposed task force. Mr. Ramirez submitted the following requests: 1) The re-assignment of the Purchasing Technician be reviewed and returned to the Purchasing Division; 2) The need for additional staff be reviewed and recruitments begin for customer service representatives to man the front windows and telephones, Field Service workers for late and weekend work, and full-time meter readers versus part-time; 3) Modern, efficient utility billing software and equipment be purchased with input from line staff; and 4) line staff be included in the task force.

Felix Huerta, business agent for AFSCME, reminded Council that many of these proposals affect conditions of employment, such as changes in job duties, transferring, requiring name badges, etc., and are subject to meet and confer. He expressed concern that the employees were not made aware of these proposed changes before today. Mr. Huerta suggested that Spanish speaking employees be hired to better assist the public, the plan to improve service be communicated to the Hispanic community, and that a Spanish language survey be conducted. He further believed that it was unnecessary to hire outside experts to train the customer service representatives.

Council Member Hitchcock questioned if the requirement to wear name badges was truly a meet and confer matter, to which Mr. Huerta responded in the affirmative, stating that it would be a change in employment conditions from the past. Council Member Hitchcock expressed concern that this type of position did not encourage openness and reasonableness.

Mr. Ramirez clarified that employees are concerned about what the name badges will say (e.g. first name only or first and last names) and employees have not been given an opportunity to voice their thoughts on the matter.

Council Member Johnson was not in support of offering incentives or discounts for people paying in advance or by any means other than cash; instead, he suggested charging a premium to those who pay over the counter.

Mayor Mounce suggested charging a premium for on-line credit card payments similar to what other companies do.

Mayor Pro Tempore Hansen expressed concern regarding moving Information Systems staff as they are the backbone in operating the computer system, to which Mr. Krueger responded that the individual who is moving to Finance already spends approximately 80% of his time working on issues related to financial services. This employee will need support from another Information Systems staff member who is an expert in the customer service software, but this would be a temporary assignment.

Mayor Pro Tempore Hansen expressed support for the pay stations. In regard to name badges, he believed that people have the right to know who is serving them.

Rob Lechner, Manager of Customer Services and Programs, reported that there are currently two pay stations in town and staff is working with the companies who run those stations. Both stores combined take in 1,000 payments per week and receive approximately 150 inquiries a week as to when Lodi utility payments will be offered. If additional pay stations are desired, the vendor information would need to be supplied to the store owner in order to get the station up and running.

In response to Council Member Hitchcock, Mr. Lechner explained that the store charges the customer a service fee to process the payment; there is no exchange of funds with the City.

In response to Council Member Hitchcock, Mr. Krueger stated that the current billing software program is difficult and manually-intensive to operate and it would be prudent to replace it with comprehensive software to deal with all of financial services; however, the City is facing a challenging budget year ahead. Mr. Krueger confirmed that the financial services staff would be involved with the decision making process on the software.

MOTION / VOTE:

There was no Council action taken on this matter.

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously voted to hear only Items K-7 and K-8 following the 11:00 p.m. hour.

K. REGULAR CALENDAR (Continued)

K-3 "Presentation of Electric, Water, and Wastewater Utility First and Second Quarter (Fiscal Year 2007-08) Financial Reports" was ***pulled from the agenda pursuant to the above vote.***

K-4 "Adopt Resolution Amending Memorandum of Understanding between the City of Lodi and the International Brotherhood of Electric Workers for the Period January 1, 2008 through December 31, 2011" was ***pulled from the agenda pursuant to the above vote.***

K-5 “Adopt Resolution Amending Memorandum of Understanding between the City of Lodi and the Lodi Police Dispatchers Association for the Period November 6, 2007 through April 30, 2011” was **pulled from the agenda pursuant to the above vote.**

K-6 “Receive Report Regarding Status of Mokelumne River Bank in the General Vicinity of Pigs Lake within Lodi Lake Park Nature Area” was **pulled from the agenda pursuant to the above vote.**

K-7 “Approve Six-Month Budgets for PCE/TCE Related Litigation Cases”

City Attorney Schwabauer reported that the proposed budgets are \$1.068 million for the Envision case and \$300,000 for M & P Investments. He further updated Council that the City was successful in removing \$4 million from the \$14 million suit that Mr. Donovan filed, in which he claims he is owed a percentage of the City's settlement.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Mounce second, approved the six-month budgets for the following PCE/TCE related cases: M & P Investments (\$300,000) and Envision (\$1.068 million). The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Katzakian, and Mayor Mounce

Noes: Council Members – Hitchcock

Absent: Council Members – None

K-8 “Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$136,051.84)”

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Hitchcock second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$136,039.84, as amended in the Blue Sheet and detailed below:

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8008	106312	12/01/07	City of Lodi v. Envision	\$134,843.69
			Less Deduction by CA	(12.00)
			Total	\$134,831.69

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
	100351.7323			
11233.026	236342	12/25/07	Lodi First v. City of Lodi	\$ 285.00
11233.027	236342	12/25/07	Citizens for Open Government v. City of Lodi	\$ 98.10
11233.028	236342	12/25/07	Personnel and Employment	\$ 55.00
11233.029	236342	12/25/07	AT&T v. City of Lodi	\$ 234.80
11233.030	236342	12/25/07	Water Supply Issues	\$ 329.00
			Total	\$ 1,001.90

JAMS Mediation Services

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
0001385927-110		12/28/2007	State of CA v. M&P Investments	\$ 206.25
			Total	\$ 206.25

Continued February 6, 2008

L. ORDINANCES

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 11:09 p.m.

ATTEST:

Jennifer M. Perrin
Deputy City Clerk