

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JUNE 9, 2020**

A. Call to Order / Roll Call

The Special City Council meeting of June 9, 2020, was called to order by Mayor Kuehne at 7:09 a.m.

NOTE: Due to the COVID-19 pandemic and pursuant to Executive Order N-29-20, the meeting was available for viewing by the public via livestream at www.facebook.com/cityoflodi; the opportunity for public comment was available through councilcomments@lodi.gov.

Present: Council Member Chandler, Council Member Mounce, Mayor Pro Tempore Nakanishi, and Mayor Kuehne

Absent: None

Also Present: City Manager Schwabauer, City Attorney Magdich, and Assistant City Clerk Farris

B. Regular Calendar

B-1 Adopt Resolution Approving Temporary Downtown Public Parking Stall Dining Standard Plan and Encroachment Permit, and Authorizing Expenditures (\$20,000); Receive Direction Regarding Long-Term Closure of Elm Street, Between School Street and Sacramento Street to Vehicles (PW)

Public Works Director Charlie Swimley provided a presentation regarding temporary Downtown Public Parking Stall Dining Standard Plan and encroachment permit. Specific topics of discussion included overview, Standard Plan and encroachment permit, and compliance and liability.

In response to Council Member Mounce, Mr. Swimley stated the encroachment permit fee for this type of closure would be \$47.

In response to Council Member Mounce, Mr. Swimley stated that the decision whether to bring in or chain up the tables and chairs each night would be up to the restaurant, with the only restriction being that the furniture must be removed after 48 hours if not in use.

Council Member Mounce expressed concerns about theft and vandalism.

In response to Council Member Chandler, Senior Engineering Technician Denise Wiman stated that she has worked for 12 years with the Downtown businesses and Risk Management on encroachment permits, and the City is at very low risk for trip and fall issues related to Downtown outdoor seating.

Mayor Kuehne suggested additional language be included to require businesses to either secure or move their furniture indoors overnight.

Council Member Chandler disagreed, stating these businesses are already experienced and the City should not make the process more prohibitive.

Mr. Swimley stated seven businesses have expressed interest in the program: Shangri La, Dancing Fox, Smack Pie Pizza, Porter's Pub, Lodi Beer Company, The Brick House, and West

Oak Nosh.

In response to Council Member Mounce, Mr. Swimley explained the barriers are water-filled K rail, a sturdy plastic which is light and maneuverable when empty but very heavy when filled with water. The barriers are available through a local traffic safety company, City Rise, and would cost \$60 per month each. Staff felt this was the most practical way to provide a barrier between the seating areas and traffic.

City Manager Schwabauer stated the City would fund the barriers as an economic development effort. Mr. Swimley further noted that if all seven businesses move forward, the cost would be approximately \$5,000 through September 30; if other businesses join, then the cost would increase.

In response to Mayor Kuehne, Mr. Swimley confirmed that all the businesses except Shangri La currently have outdoor dining.

In response to Council Member Chandler, Mr. Swimley stated that when Community Development Director John Della Monica did a survey, he did not receive a response indicating concern regarding the impact to Downtown parking. Mr. Schwabauer noted that most businesses expressed appreciation for the project.

Council Member Mounce commented that one business in particular would be unhappy with the reduced parking, and Mr. Schwabauer noted that curbside pickup would be available for some retail stores.

Council Member Mounce stated that she had discussed the situation regarding this store with Mr. Della Monica, as the owner already has serious concerns regarding Downtown parking, and he will extend three parking spots; she urged staff to work with the owner.

In response to Mayor Pro Tempore Nakanishi, Mr. Schwabauer stated the money being used to fund the program is not free or discretionary, but the revenue the City receives from Downtown is due to the restaurants and stores, and that helping them helps grow the City's revenue. He further stated that generally the City does not do a lot of give-aways, but this is a unique situation where the restrictions are government imposed, so it seems appropriate for government to help ease the burden.

Mr. Swimley added that this is an effort to preserve the Downtown restaurants' longevity.

Mayor Pro Tempore Nakanishi indicated support of the program.

Council Member Chandler stated he supports the program.

In response to Council Member Chandler, City Attorney Magdich stated the State has not yet moved into Phase 3; the State has issued guidelines and left it up to the County Public Health Officers to make decisions on which types of businesses may re-open; the guidelines which came out yesterday include movie theaters, but decisions will be made at the local level; Dr. Park is reviewing the newest information; the City may learn more following today's Board of Supervisors meeting; and staff is monitoring this on a daily basis.

Council Member Mounce indicated support of the program as it is helping Downtown businesses.

In response to Mayor Kuehne, Mr. Swimley verified that the City will pay for the barriers and waive the permit fees, but the businesses are responsible for paying for ABC license expenses.

In response to Mayor Kuehne, Mr. Swimley stated that ramps will not be required, as the restaurants will need to make provisions for required ADA seating either inside or outside on the sidewalk; and the number of tables accommodated in the parking stalls depends on the size of the table and the type of stall, but seats for eight to ten customers would be gained.

In response to Council Member Mounce's question regarding lighting, Mr. Swimley stated that the outlets in the tree wells are no longer functioning and have been de-energized.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-123 approving temporary Downtown Public Parking Stall Dining Standard Plan and encroachment permit, and authorizing expenditures in the amount of \$20,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Mounce, Mayor Pro Tempore Nakanishi, and Mayor Kuehne

Noes: None

Absent: None

Public Works Director Charlie Swimley provided a PowerPoint presentation regarding a long-term closure on Elm Street. Specific topics of discussion included background, location, pictures, and request for Council direction.

In response to Council Member Chandler, Mr. Swimley stated that all businesses in the area, including wine tasting rooms, would be part of the program, and that the idea originated in the early 2000's when the entire area was reconstructed. In further response, Mr. Swimley stated traffic impacts have not been studied in detail but Downtown streets are well gridded, so he does not expect a big impact on Pine Street and Locust Street; staff will study in greater detail if Council approves of the concept; and that the closure could be on weekends, a week at a time, or during an event.

Council Member Chandler stated he would need concrete responses from area businesses before making a decision.

Council Member Mounce stated that the closure would force cars utilizing the parking lot to use the alleys and they would not be adequate for ingress and egress, noting the poor lighting and size. She noted that patrons exiting the parking lot will see all of the homeless on Sacramento Street, which is not a welcoming site. She further stated that she feels that to make the project work, the parking lot would need to be closed or serious changes would need to be made to the alleys and a stop sign added on Locust Street at School Street and a stop sign or signal added on Locust Street at Sacramento Street. She questioned whether the owners of the movie theater have been consulted and noted that the loading zone adjacent to the theater is now being used for parking. She further stated that she feels the pushback would be too great and that the Merlot event center would not want the parking lot closed.

Mayor Pro Tempore Nakanishi stated he felt the project should be brought back next year with more information.

Mayor Kuehne stated he is not opposed to the project as the area was originally designed for this, but more vetting is needed for the traffic flow in the parking lot, and that only two or three businesses would benefit from it. He suggested a partial closure from the medallion west to Church Street, which would accommodate the two larger restaurants, to judge how well it would

work.

Mr. Swimley stated that he understood the direction from Council is to wait on the project and come back next year, following outreach to the businesses, with a site plan. He further stated staff would begin looking at the questions brought up today.

Council Member Mounce stated the project would be a good idea if a hotel was located where the parking lot is, as was the original plan. She further stated that she would not be opposed to temporary closures over a weekend.

Mayor Kuehne expressed support for Council Member Mounce's suggestion of temporary weekend closures.

In response to Council Member Chandler, Mr. Swimley noted that usage of the parking garage is minimal and there has been an uptick in vandalism; a security guard dedicated to the facility has been added.

Council Member Mounce suggested turning the parking lot into a civic center, as proposed in the past by Council Member Johnson, where the public can gather with tables, chairs, and free Wi-Fi.

In response to Mayor Kuehne, Mr. Swimley stated that the sidewalk cleaning project will focus on sidewalks without extending out into the street and should begin within the next couple weeks.

C. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:52 a.m.

ATTEST:

Pamela M. Farris
Assistant City Clerk