

**LODI CITY COUNCIL  
SHIRTSLEEVE SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, MARCH 1, 2011**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, March 1, 2011, commencing at 7:00 a.m.

Present: Council Member Katzakian, Council Member Nakanishi, and Mayor Johnson  
Absent: Council Member Hansen, and Mayor Pro Tempore Mounce  
Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 Discussion on the Sale and Use of State Fire Marshal Approved Fireworks Within the City Limits of Lodi (FD)

City Manager Rad Bartlam provided a brief introduction to the subject matter of the sale and use of certain fireworks within the City limits.

Fire Chief Kevin Donnelly provided a brief presentation regarding the sale and use of State Fire Marshal approved fireworks within the City of Lodi as set forth in the staff report. Specific topics of discussion included national and state fireworks regulations, risks associated with the use of fireworks, perspective of neighboring cities in the County, SB 839 which allows for fee collection for education and enforcement, involvement by non-profit organizations, and efforts related to program administration and enforcement.

In response to Mayor Johnson, Chief Donnelly and Mr. Bartlam stated the Fire Department will use an hourly rate to apply to the model, which essentially includes the creation and administration of the program, site inspections, and enforcement efforts, which could also involve the Police Department.

Dennis Revell of TNT Fireworks provided a brief presentation and specifically discussed fireworks regulations, community trends in permitting fireworks, non-profit involvement, program administration, and operations.

In response to Council Member Nakanishi, Mr. Revell stated Stockton generated approximately \$1.2 million in gross sales revenue for its non-profits last year.

In response to Mr. Bartlam, Mr. Revell stated there are approximately 24 to 26 registered fireworks wholesalers in the State and 4 in the Central Valley. He stated he is not sure about the operations of other wholesalers as the operations outlined in the presentation (on file) are those for TNT only.

In response to Council Member Nakanishi, Mr. Bartlam stated there are approximately 300 non-profits operating in the City. He stated that, while the City Council can set up the program, it would not want to choose which non-profits are involved and therefore could use the lottery system instead.

In response to Council Member Katzakian, Chief Donnelly confirmed that the ordinance could restrict certain areas such as riverfront.

In response to Mayor Johnson, City Attorney Schwabauer stated he will get back to the Council on the question of whether a request for proposals would be necessary since there are several fireworks distributors throughout the State.

In response to Council Member Katzakian, Mr. Bartlam stated the earliest an ordinance could come up for first reading is April, with a second reading in mid-April, and an effective date in mid-May. Mr. Bartlam stated the administration and lottery would be held around the same time.

The following individuals spoke in support of permitting Safe and Sane fireworks in the City based on the overall financial benefits to the community, non-profit organizations, City, and selected vendor:

Dennis Revell, TNT Fireworks  
Richard Jones, Boys and Girls Club  
Arlene Farley, Project Thank You  
Grant Fletcher, Lodi Lions Club  
Merle Gooler, Swenson Golf Course Fireworks Booth Operator  
Rita Sperling, Children's Dreamworks  
Elizabeth Westphal, Project Thank You  
Carl Cox, parent in community  
Louis Franklin, Tokay High School Athletics  
Rick Engelhardt, Boosters of Boys/Girls Sports Organization  
Rudy Gutierrez, First Baptist Church Ministries  
Pat Patrick, Chamber of Commerce  
Ryan Conner, Phantom Fireworks  
Linda Wigam, TNT supporter  
Stan Fendrich, Kiwanis

The City Council provided general direction to pursue an ordinance modification allowing for Safe and Sane fireworks within the City.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 8:17 a.m.

ATTEST:

Randi Johl  
City Clerk