

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, FEBRUARY 5, 2020**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of February 5, 2020, was called to order by Mayor Kuehne at 6:04 p.m.

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

Absent: Council Member Johnson

Also Present: City Manager Schwabauer, City Attorney Magdich, and Administrative Secretary Chadwick

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding AFSCME General Services and Maintenance & Operators, Lodi Professional Firefighters, Council Appointees, and Confidential Employees Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:04 p.m., Mayor Kuehne adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:50 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Kuehne reconvened the City Council meeting, and City Attorney Magdich disclosed the following actions.

Item C-2a) was discussion and direction with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of February 5, 2020, was called to order by Mayor Kuehne at 7:00 p.m.

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

Absent: Council Member Johnson

Also Present: City Manager Schwabauer, City Attorney Magdich, and Administrative Secretary Chadwick

B. Presentations – None

C. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Mounce made a motion, second by Mayor Pro Tempore Nakanishi, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

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: Council Member Johnson

C-1 Receive Register of Claims for December 27, 2019 through January 16, 2020 in the Amount of \$5,561,726.03 (FIN)

Claims were approved in the amount of \$5,561,726.03.

C-2 Approve Minutes (CLK)

The minutes of December 18, 2019 (Regular Meeting), December 24, 2019 (Shirtsleeve Session), December 31, 2019 (Shirtsleeve Session), January 1, 2020 (Regular Meeting), January 7, 2020 (Shirtsleeve Session), January 14, 2020 (Shirtsleeve Session), January 14, 2020 (Special Meeting), January 15, 2020 (Regular Meeting), and January 21, 2020 (Shirtsleeve Session) were approved as written.

C-3 Accept Quarterly Investment Report as Required by the City of Lodi Investment Policy (CM)

Accepted Quarterly Investment Report as required by the City of Lodi Investment Policy.

C-4 Accept Quarterly Report of Purchases Between \$10,000 and \$20,000 (CM)

Accepted Quarterly Report of Purchases between \$10,000 and \$20,000.

C-5 Approve Plans and Specifications and Authorize Advertisement for Bids for Wastewater Main Rehabilitation Program (Project No. 8) (PW)

Approved plans and specifications and authorized advertisement for bids for Wastewater Main Rehabilitation Program (Project No. 8).

C-6 Approve Plans and Specifications and Authorize Advertisement for Well 27 Granular Activated Carbon Filter System (PW)

Item No. C-6 was pulled at the request of staff.

C-7 Approve Specifications and Authorize Advertisement for Bids for 2020 Pavement Maintenance Project (PW)

Approved specifications and authorized advertisement for bids for 2020 Pavement Maintenance Project.

C-8 Approve Specifications and Authorize Advertisement for Bids for Lodi Avenue and Mills Avenue Resurfacing Project (PW)

Approved specifications and authorized advertisement for bids for Lodi Avenue and Mills Avenue Resurfacing Project.

- C-9 Adopt Resolution Awarding Bid for Purchase of Medium Voltage Cable from The Okonite Company, of San Ramon (\$52,474.19) (EU)

Adopted Resolution No. 2020-17 awarding bid for purchase of medium voltage cable from The Okonite Company, of San Ramon, in the amount of \$52,474.19.

- C-10 Adopt Resolution Authorizing Vehicle Replacement and Purchase of Animal Services Truck from Downtown Ford, of Sacramento, Utilizing State of California Contract No. 1-18-23-20A and Appropriate Funds (\$62,900) (PD)

Adopted Resolution No. 2020-18 authorizing vehicle replacement and purchase of Animal Services truck from Downtown Ford, of Sacramento, utilizing State of California Contract No. 1-18-23-20A and appropriating funds in the amount of \$62,900.

- C-11 Adopt Resolution Authorizing City Manager to Execute Change Orders to Water Meter Program Phase 8 (\$270,000), Providing Water Service to Henderson School (13451 North Extension Road), Authorizing City Manager to Execute All Documents Related to Water Service and Reimbursement, and Appropriating Funds (\$270,000) (PW)

Adopted Resolution No.2020-19 authorizing the City Manager to execute change orders to Water Meter Program Phase 8, in the amount of \$270,000, providing water service to Henderson School (13451 North Extension Road), authorizing the City Manager to execute all documents related to water service and reimbursement, and appropriating funds in the amount of \$270,000.

- C-12 Accept Improvements Under Contract for Lockeford Street Improvement Project and Adopt Resolution Amending Traffic Resolution No. 97-148, by Removing Multi-Way Stop Control at Lockeford Street and Stockton Street (PW)

Accepted improvements under contract for Lockeford Street Improvement Project and adopted Resolution No. 2020-20 amending Traffic Resolution No. 97-148 by removing multi-way stop control at Lockeford Street and Stockton Street.

- C-13 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Schatz Construction & Restoration, of Lodi, for Interior Improvements at Carnegie Forum (\$67,482), and Appropriating Funds (\$47,482) (PW)

Adopted Resolution No. 2020-21 authorizing the City Manager to execute Professional Services Agreement with Schatz Construction & Restoration, of Lodi, for interior improvements at Carnegie Forum, in the amount of \$67,482, and appropriating funds in the amount of \$47,482.

- C-14 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Professional Services Agreement with Civil Hydro Tech, LLC, of Sunnyvale, for Central Plume Source Area Closure Report and On-Call Citywide Plume Management Services (\$43,000), and Appropriating Funds (\$43,000) (PW)

Adopted Resolution No. 2020-22 authorizing the City Manager to execute Amendment No. 2 to Professional Services Agreement with Civil Hydro Tech, LLC, of Sunnyvale, for Central Plume Source Area Closure Report and on-call Citywide plume management services, in the amount of \$43,000, and appropriating funds in the amount of \$43,000.

- C-15 Adopt Resolution Authorizing City Manager to Execute Member Task Request Confirmation No. 0149 Pursuant to Shared Services Program Agreement between Northern California Power Agency (NCPA) and Southern California Public Power Authority

(SCPPA) to Administer The Keep Your Cool Commercial Refrigeration Program; Provide Support Services and Install Energy Efficiency Measures to Commercial Refrigeration Customers of Lodi Electric Utility for Remainder of Fiscal Year 2020 and through Fiscal Year 2021, and Authorize Expenditure of \$53,325 (EU)

Adopted Resolution No. 2020-23 authorizing the City Manager to execute Member Task Request Confirmation No. 0149 pursuant to Shared Services Program Agreement between Northern California Power Agency (NCPA) and Southern California Public Power Authority (SCPPA) to administer the Keep Your Cool Commercial Refrigeration Program; provide support services, and install energy efficiency measures to commercial refrigeration customers of Lodi Electric Utility for remainder of Fiscal Year 2020 and through Fiscal Year 2021, and authorizing expenditure of \$53,325.

C-16 Adopt Resolution Approving Final Map for Rose Gate II, Unit No. 1, Tract No. 3896 (PW)

Adopted Resolution No. 2020-24 approving Final Map for Rose Gate II, Unit No. 1, Tract No. 3896.

C-17 Adopt Resolution Foregoing 2020 Pre-Approved Engineering News Record Adjustment for Usage-Based and Flat Water Rates for Residential, Commercial, and Industrial Customers (PW)

Adopted Resolution No. 2020-25 foregoing 2020 pre-approved Engineering News Record adjustment for usage-based and flat water rates for residential, commercial, and industrial customers.

C-18 Authorize Staff to Solicit Proposals for Long-Term Lease Agreement for City-Owned Buildings Located at 100 East Pine Street and 125 North Stockton Street (PW)

Authorized staff to solicit proposals for long-term lease agreement for City-owned buildings located at 100 East Pine Street and 125 North Stockton Street.

C-19 Adopt Resolution Approving City of Lodi Pay Schedule Dated January 30, 2020 (CM)

Adopted Resolution No. 2020-26 approving City of Lodi pay schedule dated January 30, 2020.

C-20 Adopt Resolution Approving Impact Mitigation Fee Program Annual Report for Fiscal Year 2018/19 (CM)

Adopted Resolution No. 2020-27 approving Impact Mitigation Fee Program Annual Report for Fiscal Year 2018/19.

C-21 Confirm Annual Appointment of City Council Members on Various Boards, Committees, and Commissions (CLK)

Confirmed annual appointment of City Council Members on various boards, committees, and commissions.

C-22 Receive Annual Report Regarding Boards, Committees, and Commissions Relating to Attendance, Training, and Filing Requirements (CLK)

Item No. C-22 was pulled by Mayor Pro Tempore Nakanishi for discussion purposes.

In response to Mayor Pro Tempore Nakanishi, City Manager Schwabauer explained that the policy was established by the City Council to provide information regarding the attendance of board and commission member, as well as for their compliance with AB 1234 and other training requirements; the policy requires yearly reporting stating whether or not members are in compliance; and it provides an opportunity for Council to hold members of boards and commissions accountable should there be a problem with attendance or with obligations required under the law. In further response, Mr. Schwabauer stated he believes this has been the policy for the past six or seven years.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to receive annual report regarding boards, committees, and commissions relating to attendance, training, and filing requirements.

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: Council Member Johnson

C-23 Set Public Hearing for March 4, 2020, to Consider Resolution Adopting Pre-Approved, Proposition 218 Consumer Price Index-Based Annual Adjustment to Rates for Solid Waste Collection (PW)

Set public hearing for March 4, 2020, to consider resolution adopting pre-approved Proposition 218 Consumer Price Index-based annual adjustment to rates for solid waste collection.

D. Comments by the Public on Non-Agenda Items THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3I). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

Matt Rempfer, City of Lodi Public Works employee speaking on behalf of the AFSCME bargaining team for Maintenance & Operators and General Services, stated that AFSCME members were in attendance at the Council meeting because they care about their families, their careers, and the community. He asked that Council recognize the hard work and effort put forth by the employees represented by AFSCME, and they would like to thank Council for their continued support.

E. Comments by the City Council Members on Non-Agenda Items

Council Member Chandler reported that at the Northern California Power Agency (NCPA) Strategic Conference held earlier this month in Sacramento, there was a wine tasting competition among the 16 communities that are part of NCPA, and Lodi won top red wine with Michael David's Earthquake zinfandel. He stated that on January 27, he spent the day at the State capitol advocating on behalf of NCPA and other municipally-owned electric utilities, meeting with Senator Galgiani and Assembly Members Eggman and Cooper, who have been very supportive of the needs of NCPA.

Council Member Mounce congratulated City Manager Schwabauer on the success of the

PCE/TCE issue and thanked him for his hard work over the years to finally reach this point. In regard to SB 50, Council Member Mounce stated she had reached out to representatives on this bill and the League has worked very hard on this issue; for now the bill has been put at bay but she expects it to return. Council Member Mounce also addressed the needs of the East Side. She stated that cars are often parked for long periods of time, making street sweeping difficult. Further, originally, the Lodi Improvement Committee (LIC) worked in tandem with Code Enforcement, however, LIC has moved away from enforcement. The East Side needs both enforcement and education; if LIC is not going to put their focus on the enforcement part, then Council needs to give Code Enforcement more help. Nancy Baker and Code Enforcement are doing an amazing job, but they need help. Council Member Mounce also addressed the homelessness issue in Downtown, which is ever increasing. She stated that the City needs to come up with a plan for somewhere for the homeless to go, as they are destroying the Downtown, and she asked that Council move forward with a low-barrier shelter.

Mayor Kuehne reinforced Council Member Mounce's comments on Code Enforcement and the need to increase staffing. He further stated there are conversations taking place regarding a low-barrier shelter, including conversations with Assemblymember Cooper's office regarding funding, and things are looking hopeful. Mayor Kuehne further stated that the City is in a healthy place and he gave his thanks to the employees for standing by the City and working hard, and it is appreciated.

F. Comments by the City Manager on Non-Agenda Items

City Manager Schwabauer echoed Mayor Kuehne's comments.

G. Public Hearings – None

H. Regular Calendar

H-1 Adopt Resolution Amending Salary Ranges for Positions of Electric Distribution Operator I, Electric Distribution Operator II, and Electric Distribution Operator Supervisor within Electric Utility Department (CM)

Human Resources Manager Adele Post provided a presentation regarding amendment of the salary ranges for the positions of Electric Distribution Operator I, Electric Distribution Operator II, and Electric Distribution Operator Supervisor within the Electric Utility Department. Specific topics of discussion included highly-technical positions, the need to develop in-house candidates, providing training and development opportunities with the ability to advance within the department, providing competitive wages to retain employees and attract qualified external candidates, qualifications of Electric Distribution Operator position, 2015 changes to job descriptions, negative impact of changes on common industry practice of the transition path of Lineman to Operator, critical need to fill vacancies, the need for salary range adjustments for internal promotion opportunities within Electric Utility staff and to attract qualified external applicants, and IBEW agreement to salary range changes.

Council Member Mounce made a motion, second by Council Member Chandler, to adopt Resolution No. 2020-28 amending the salary ranges for the positions of Electric Distribution Operator I, Electric Distribution Operator II, and Electric Distribution Operator Supervisor within Electric Utility Department.

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: Council Member Johnson

H-2 Adopt Resolution Amending Salary Ranges for Positions of Utilities Superintendent, Water Plant Superintendent, and Wastewater Plant Superintendent within Public Works Department (CM)

Human Resources Manager Adele Post provided a presentation regarding amendment of the salary ranges for the positions of Utilities Superintendent, Water Plant Superintendent, and Wastewater Plant Superintendent within the Public Works Department. Specific topics of discussion included two-step range adjustment of 5% each to address internal compaction and labor market competitiveness, respectively; the 24-month vacancy of Wastewater Plant Superintendent position; unsuccessful recruitment for vacancy; need for competitive salary to attract qualified candidates; need for salary range adjustment to retain qualified staff; benchmark of superintendent positions together; and possible future impact on Utilities Manager position due to 10% differential.

Council Member Mounce made a motion, second by Council Member Chandler, to adopt Resolution No. 2020-29 amending the salary ranges for the positions of Utilities Superintendent, Water Plant Superintendent, and Wastewater Plant Superintendent within the Public Works Department.

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: Council Member Johnson

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:39 p.m.

ATTEST:

Kari Chadwick  
Administrative Secretary