

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 18, 2020**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of March 18, 2020, was called to order by Mayor Kuehne at 6:49 p.m.

Present: Council Member Chandler, Council Member Mounce, and Mayor Kuehne

Absent: Mayor Pro Tempore Nakanishi

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

NOTE: Council Member Mounce participated in the meeting via teleconference.

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Council Appointees, and Confidential Employees Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:49 p.m., Mayor Kuehne adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 7:00 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:05, Mayor Kuehne reconvened the City Council meeting and adjourned to a Special Meeting.

At 7:40, Mayor Kuehne reconvened the City Council meeting, and Deputy City Manager disclosed the following actions.

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

A. Call to Order / Roll Call

The Regular City Council meeting of March 18, 2020, was called to order by Mayor Kuehne at 7:40 p.m.

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

NOTE: Council Member Mounce participated in the meeting via teleconference.

B. Presentations – None

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

Council Member Mounce made a motion, second by Council Member Chandler, to approve the following items hereinafter set forth 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: None

- C-1 Receive Register of Claims for February 14, 2020 through February 27, 2020 in the Amount of \$6,557,680.48 (FIN)

Claims were approved in the amount of \$6,557,680.48.

- C-2 Approve Minutes (CLK)

The minutes of February 19, 2020 (Regular Meeting), February 25, 2020 (Shirtsleeve Session), February 25, 2020 (Special Meeting), and March 3, 2020 (Shirtsleeve Session) were approved as written.

- C-3 Approve Specifications and Authorize Advertisement for Bids for 2020 Downtown Concrete Cleaning, Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (Not to Exceed \$25,000) (PW)

Approved specifications and authorized advertisement for bids for 2020 Downtown Concrete Cleaning; and adopted Resolution No. 2020-50 authorizing the City Manager to award contract to lowest responsive bidder in an amount not to exceed \$25,000.

- C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Lodi Electric Utility Facility Renovation Project, and Adopt Resolution Authorizing City Manager to Execute Agreements with Mobile Modular Management Corporation, of Livermore (\$181,422), and WMB Architects, Inc., of Stockton (\$65,000)

Approved plans and specifications and authorized advertisement for bids for Lodi Electric Utility Facility Renovation Project, and adopted Resolution No. 2020-51 authorizing the City Manager to execute agreements with Mobile Modular Management Corporation, of Livermore, in the amount of \$181,422, and WMB Architects, Inc., of Stockton, in the amount of \$65,000.

- C-5 Adopt Resolution Awarding Bids for Purchase of 47 Wood Poles from Stella Jones, of Tacoma, Washington (\$49,714.90) and 28 Wood Poles from Oeser, of Bellingham, Washington (\$26,789.72) (EU)

Adopted Resolution No. 2020-52 awarding bids for purchase of 47 wood poles from Stella Jones, of Tacoma, Washington, in the amount of \$49,714.90, and 28 wood poles from Oeser, of Bellingham, Washington, in the amount of \$26,789.72.

- C-6 Adopt Resolution Authorizing Purchase of Self-Contained Breathing Apparatus Masks and Tanks from Bauer Compressors, of Livermore, and Gas Masks from Adamson Police Products, of Livermore, and Appropriate Funds (\$77,494.80) (PD)

Adopted Resolution No. 2020-53 authorizing purchase of self-contained breathing apparatus masks and tanks from Bauer Compressors, of Livermore, and gas masks from Adamson Police Products, of Livermore, and appropriating funds in the amount of \$77,494.80.

- C-7 Adopt Resolution Authorizing Purchase of Maintenance Connection Annual Licensing, Support, and Hosting Fees for Asset Management Software from Accruent, LLC, of Austin, Texas (\$25,494) (PW)

Adopted Resolution No. 2020-54 authorizing purchase of maintenance connection annual licensing, support, and hosting fees for asset management software from Accruent, LLC, of Austin, Texas, in the amount of \$25,494.

C-8 Adopt Resolution Selecting State Route 99/Harney Lane Interchange Reconstruction Project as Project Nomination for San Joaquin Council of Governments' One Voice Trip (\$5,440,000) (PW)

Adopted Resolution No. 2020-55 selecting State Route 99/Harney Lane Interchange Reconstruction Project as project nomination for San Joaquin Council of Governments' One Voice Trip, with project value of \$5,440,000.

C-9 Adopt Resolution Authorizing City Manager to Execute Amendment No. 3 to Professional Services Agreement with Stantec Consulting Services, Inc., of Rancho Cordova, for Additional Project Management Services of Final Phase of Assessment Grant for Hazardous Substances and Petroleum Brownfields, Extend Consulting Agreement Expiration Date to June 30, 2020, and Increase Contract by \$7,499.71 (CM)

Adopted Resolution No. 2020-56 authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement with Stantec Consulting Services, Inc., of Rancho Cordova, for additional project management services of final phase of assessment grant for hazardous substances and petroleum brownfields, extending consulting agreement expiration date to June 30, 2020, and increasing contract by \$7,499.71.

C-10 Adopt Resolution Authorizing City Manager to Execute Amendment No. 1 to Professional Services Agreement with United Site Services, Inc., of California (\$15,000) (PRCS)

Adopted Resolution No. 2020-57 authorizing the City Manager to execute Amendment No. 1 to Professional Services Agreement with United Site Services, Inc., of California, in the amount of \$15,000.

C-11 Adopt Resolution Approving Acquisition, Implementation and Ongoing Maintenance of New Integrated Library System Fee for Fiscal Year 2019/2020 (\$28,945.59) (LIB)

Adopted Resolution No. 2020-58 approving acquisition, implementation and ongoing maintenance of new Integrated Library System Fee for Fiscal Year 2019/2020, in the amount of \$28,945.59.

C-12 Appoint Lysay Nuss to Lodi Improvement Committee; Post for Vacancies on Lodi Improvement Committee and Site Plan and Architectural Review Committee; and Post for Expiring Terms on Greater Lodi Area Youth Commission (Adult Advisors and Student Members), Library Board of Trustees, Lodi Arts Commission, and Planning Commission (CLK)

Made the following appointment and directed the City Clerk to post for the following vacancies:

APPOINTMENT:

Lodi Improvement Committee
Lysay Nuss (Term to expire March 1, 2023)

POSTINGS:

Lodi Improvement Committee
Doug Bojack (Term to expire March 1, 2021)

Site Plan and Architectural Review Committee

John Della Monica (Term to expire January 1, 2022)

Greater Lodi Area Youth Commission (Adult Advisors)
Jean Powell (Term to expire May 31, 2020)
Jennifer Phillips-Lorentzen (Term to expire May 31, 2020)

Greater Lodi Area Youth Commission (Student Members)
Benjamin Gobel (Term to expire May 31, 2020)
Morgan Orlando (Term to expire May 31, 2020)
Jordyn Hummel (Term to expire May 31, 2020)
Brandon Duran (Term to expire May 31, 2020)
Rayleen Salgado (Term to expire May 31, 2020)
Jasmine Shukla (Term to expire May 31, 2021)
Kevin Armknecht (Term to expire May 31, 2021)
Arriana Galvan (Term to expire May 31, 2021)

Library Board of Trustees
David Main (Term to expire June 30, 2020)

Lodi Arts Commission
Catherine Metcalf (Term to expire July 1, 2020)

Planning Commission
Crystal Hicks (Term to expire June 30, 2020)

C-13 Receive for File the Following Reports and Financial Statements Submitted by The Pun Group, LLP and the Finance Department for Fiscal Year 2018-2019 Including Single Audit Report, Agreed-upon Procedures for Gann Limit, and Agreed-upon Procedures for National Transit Database (CM)

Received for file the following reports and financial statements submitted by The Pun Group, LLP, and the Finance Department for Fiscal Year 2018-2019 including Single Audit Report, Agreed-upon Procedures for Gann Limit, and Agreed-upon Procedures for National Transit Database.

C-14 Accept Monthly Protocol Account Report Through February 29, 2020 (CLK)

Accepted Monthly Protocol Account Report through February 29, 2020.

C-15 Authorize City Clerk to Grant Request for Leave to Present Late Claim, by D. Michael Spurgeon, Pursuant to Government Code Section 911.6(a) (CA)

Authorized City Clerk to grant Request for Leave to Present Late Claim by D. Michael Spurgeon, Pursuant to Government Code Section 911.6(a).

C-16 Set Public Hearing for April 15, 2020 to Consider Adopting Resolution Approving Draft 2020-21 Annual Action Plan; and Set Public Hearing for May 6, 2020 to Consider Adopting Resolution Approving Final 2020-21 Annual Action Plan for Community Development Block Grant (CDBG) Program (CD)

Set public hearing for April 15, 2020 to consider adopting resolution approving Draft 2020-21 Annual Action Plan; and set public hearing for May 6, 2020 to consider adopting resolution approving Final 2020-21 Annual Action Plan for Community Development Block Grant (CDBG) Program.

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.

Ashley Goldlist provided an email comment (filed) before the Council meeting which was provided to Council Members regarding placing a moratorium on rent increases and price gouging on water utilities during the coronavirus crisis.

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

Council Member Mounce stated she participated in an informative conference call with the White House today and would defer to the City Manager on the reporting of details.

Mayor Pro Tempore Nakanishi reminded the public about safety measures to prevent the spread of the coronavirus.

Mayor Kuehne reported on a conference call today with the Governor's office regarding homelessness and the coronavirus, and reminded the public to stay calm but to take the warnings and directives about the coronavirus seriously.

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

City Manager Schwabauer stated that this afternoon the City issued a joint press release with Lodi Unified School District, Adventist Health/Lodi Memorial Hospital, and the Chamber of Commerce which was an effort to show that all sectors of the city, including businesses, are advocating for the public to follow the advice of the State and federal government. He further stated that today Council and staff participated in a conference call with the staff of the President of the United States, Vice President Mike Pence, and representatives of the various departments of the administration; the most encouraging was the presentation from the Small Business Administration regarding the release of funding for small businesses and that grants should be funded within weeks.

G. Public Hearings – None

H. Regular Calendar

H-1 Adopt Resolution Approving Revisions to the City Manager's Employment Contract Amending Compensation and Increasing the Employee's Contribution of the Employer's Normal Contribution of CalPERS (Cost-Sharing)

Deputy City Manager Keys provided a presentation regarding amendment of the City Manager's employment contract. Specific topics of discussion included salary 17% below average and 18% below median among 16 surveyed cities; compensation increase similar to other employees and to provide some equity with comparable cities; increases of 7.3% effective January 2020, 1% effective July 2020, 5% effective January 2021 and January 2022; 1% CalPERS cost-sharing effective July 2020, January 2021, and January 2022; and cost of \$40,000 over three years with \$24,000 from General Fund.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-59 approving revisions to the City Manager's employment contract amending compensation and increasing the employee's contribution of the employer's normal contribution of CalPERS (cost-sharing).

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

H-2 Adopt Resolution Approving Revisions to the City Attorney's Employment Contract Amending Compensation and Increasing the Employee's Contribution of the Employer's Normal Contribution of CalPERS (Cost-Sharing)

Deputy City Manager Keys provided a presentation regarding amendment of the City Attorney's employment contract. Specific topics of discussion included salary 22% below average and 23% below median per survey of comparable cities; salary increase of 9% effective January 2020, 1% effective July 2020, 5% effective January 2021 and January 2022; 1% CalPERS cost-sharing effective July 2020, January 2021, and January 2022; and cost of \$40,000 with \$13,750 from the General Fund.

Corey Jones, member of the public, stated that law enforcement and emergency medical services personnel deserve the same salary adjustments.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-60 approving revisions to the City Attorney's employment contract amending compensation and increasing the employee's contribution of the employer's normal contribution of CalPERS (cost-sharing).

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

H-3 Adopt Resolution Approving Revisions to the Salary and Increasing the Employee's Contribution of the Employer's Normal Contribution of CalPERS (Cost-Sharing) for the City Clerk

Deputy City Manager Keys provided a presentation regarding revisions to the salary and increase to the employee's contribution of the employer's normal contribution of CalPERS (cost-sharing) for the City Clerk. Specific topics of discussion included salary 15% below average and 16% below median of surveyed cities; 5% adjustment effective March 23, 2020; 1% CalPERS cost share effective July 2020, January 2021, and January 2022; and cost of \$6,900 with \$4,900 out of General Fund.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-61 approving revisions to the salary and increasing the employee's contribution of the employer's normal contribution of CalPERS (cost-sharing) for the City Clerk.

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

H-4 Adopt Resolution Approving Revisions to Compensation and Benefits for Confidential

General Services Employees and Revisions to Compensation for the Position of Deputy City Attorney for the Period January 1, 2020 through December 31, 2022 (CM)

Deputy City Manager Keys provided a presentation regarding revisions to compensation and benefits for Confidential General Services employees and revisions to compensation for the Deputy City Attorney. Specific topics of discussion included compensation and benefits for Confidential General Services employees being adjusted prior to AFSCME contract approval; 1% salary adjustment retroactive to January 13 rather than effective in July; provision for medical insurance premium protection for lower pay scale; salary range for position of Deputy City Attorney significantly below market; sliding step adjustment with elimination of lowest two steps and addition of two top steps; and cost of \$53,000 with \$32,000 from General Fund.

Corey Jones, member of the public, stated that in times of national/county/city emergencies raises should be put on hold and raises should only be in emergency services.

Council Member Chandler made a motion, second by Mayor Pro Tempore Nakanishi, to adopt Resolution No. 2020-62 approving revisions to compensation and benefits for Confidential General Services employees and revisions to compensation for the position of Deputy City Attorney for the period January 1, 2020 through December 31, 2022.

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

I. Ordinances – None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:18 p.m.

ATTEST:

Pamela M. Farris
Assistant City Clerk