

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JANUARY 7, 2015**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of January 7, 2015, was called to order by Mayor Johnson at 6:00 p.m.

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

Absent: Council Member Mounce

Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Robison

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding Lodi City Mid-Management Association, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, and Lodi Professional Firefighters Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 6:59 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:04 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Magdich disclosed the following action.

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

A. Call to Order / Roll Call

The Regular City Council meeting of January 7, 2015, was called to order by Mayor Johnson at 7:04 p.m.

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

Absent: Council Member Mounce

Also Present: City Manager Schwabauer, City Attorney Magdich, and City Clerk Robison

B. Presentations - None

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

Mayor Pro Tempore Chandler made a motion, second by Council Member 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 Kuehne, Council Member Nakanishi, Mayor Pro Tempore Chandler, and

Mayor Johnson  
Noes: None  
Absent: Council Member Mounce

C-1 Receive Register of Claims in the Amount of \$4,525,932.16 (FIN)

Claims were approved in the amount of \$4,525,932.16.

C-2 Approve Minutes (CLK)

The minutes of December 11, 2014 (Special Joint Meeting), December 16, 2014 (Shirtsleeve Session), December 16, 2014 (Special Joint Meeting), December 17, 2014 (Regular Meeting), December 23, 2014 (Shirtsleeve Session), and December 30, 2014 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Well 6R Pump Replacement Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Well 6R Pump Replacement Project.

C-4 Approve Specifications and Authorize Advertisement for Bids for Fire Station No. 3 Building Repairs (PW)

Approved the specifications and authorized advertisement for bids for Fire Station No. 3 Building Repairs.

C-5 Adopt Resolution Approving Purchase of 2014 Massey Ferguson 2635 Tractor from JM Equipment, of Manteca (\$31,098.60) and One 2014 Trimax Pegasus 493 Mower from Trimax Mowing Systems, Inc., of Griffin, Georgia (\$43,454.23) (PRCS)

Adopted Resolution No. 2015-01 approving the purchase of a 2014 Massey Ferguson 2635 tractor from JM Equipment, of Manteca, in the amount of \$31,098.60 and one 2014 Trimax Pegasus 493 mower from Trimax Mowing Systems, Inc., of Griffin, Georgia, in the amount of \$43,454.23.

C-6 Adopt Resolution Authorizing City Manager to Execute Change Order No. 7 to the 2013-2015 Tree Maintenance Contract with West Coast Arborist, Inc., of Anaheim (\$50,000) (PW)

This item was removed from the Consent Calendar by Council Member Kuehne for discussion purposes.

In response to Council Member Kuehne, Public Works Director Wally Sandelin stated he did not have a breakdown of all seven of the contract change orders; however, he stated that the nature of the changes in the past were typically to expand the scope of services. City Manager Schwabauer added that these changes were not a result of the contractor; rather, they were for additions at the City's requests, as well as for extensions of the contract.

In response to Mayor Johnson, Mr. Sandelin stated he suspected the primary reason West Coast Arborist is typically the sole bidder on these projects is that the other companies realize they cannot reasonably compete against them. Mr. Sandelin expressed his appreciation to West Coast Arborist who, for the last five years, has strung the lights on the Hospice tree in front of City Hall at no charge.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2015-02 authorizing the City Manager to execute Change Order No. 7 to the 2013-2015 Tree Maintenance Contract with West Coast Arborist, Inc., of Anaheim, in the amount of \$50,000.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Council Member Mounce

C-7 Receive Update on Emergency Condition at White Slough Water Pollution Control Facility Digesters No. 1 and No. 2 (PW)

Received an update on the emergency condition at White Slough Water Pollution Control Facility Digesters No. 1 and No. 2.

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.

Alex Aliferis spoke in support of protecting Proposition 13, stating there is a group attempting to approve a parcel tax, which would negatively impact homeowners, property tax levels, and communities. Mayor Johnson suggested he work with Council Member Mounce who is active on the League of California Cities.

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

Council Member Nakanishi announced that he attended the swearing-in ceremony for newly-elected members of San Joaquin County Board of Supervisors, Kathy Miller and Chuck Winn. Council Member Nakanishi shared Supervisor Chairman Bob Elliott's message to the public, which included the County's first structurally balanced budget in six years, agriculture being the largest industry in the county, the Board's efforts to educate legislators on the flaws of the Bay-Delta Conservation Plan and its devastating effects on the Delta, and the reconvening of the City/County Criminal Justice Task Force in an effort to strengthen public safety.

Mayor Johnson responded to citizen complaints that were received after the recent newspaper article regarding Lodi Police Department officers attending the police officer funeral in New York City. Mayor Johnson assured the public that it was appropriate for local police personnel to attend the funeral of a fellow, fallen officer and that no City funds were expended toward their attendance. Many people and agencies expressed their support by providing or donating various aspects and costs associated with this event. Further, Mayor Johnson announced that the Lodi Court is back and now open, adding that this, and the return of the Lodi District Attorney's Office, is a great benefit to this community.

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

In regard to the return of the Lodi Court, City Manager Schwabauer stated that the City will also realize benefits in the form of reduced costs in transporting people to court in Stockton, as well as travel and overtime costs associated with officers testifying in Stockton court. The convenience of testifying in Lodi also allows officers to get back to patrolling the streets much quicker. The District Attorney's Office will also be beneficial to citizens involved with witness programs and restraining orders. As an additional comment to the San Joaquin County's first balanced budget in six years, Mr. Schwabauer congratulated the City Council for adopting a balanced budget every year since the great recession.

- G. Public Hearings - None
- H. Communications - None
- I. Regular Calendar
- I-1 Review of City's Annual Financial Report (Fiscal Year 2013/14) by Macias, Gini & O'Connell, LLP (CM)

Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the City's Comprehensive Annual Financial Report (Fiscal Year 2013/14) by Macias, Gini & O'Connell, LLP. Specific topics of discussion included the auditor's opinion, status of City's financial position, highlights of financial records, single audit, and management letter. Mr. Ayers expressed his appreciation to Financial Services Manager Ruby Paiste and Supervising Accountant Wendy Corder-Dowhower for their hard work and effort on this report, adding that the report is available on the City's website.

In response to Mayor Johnson, Mr. Ayers stated that the City coordinates with two programs for business licenses: one is the data exchange with the State Franchise Tax Board, the other is an exchange with Sacramento County, the purpose of which is to compare databases to ascertain discrepancies between the agencies and close those gaps if possible by notifying businesses that a license is necessary.

In response to Council Member Nakanishi, Mr. Ayers stated that Other Post Employment Benefits has been a requirement for a number of years, but the pension liability will come forward in the next statement for Fiscal Year 2014/15.

In response to Mayor Pro Tempore Chandler, Mr. Ayers stated that the Tyler Technologies data centers are in Maine and Texas, each night a snapshot of the current system is taken and that data is stored, and can be restored, from either of those two back-up data centers.

- J. Ordinances - None
- K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:37 p.m.

ATTEST:

Jennifer M. Robison  
City Clerk