

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JANUARY 15, 2014**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of January 15, 2014, was called to order by Mayor Katzakian at 6:00 p.m.

Present: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Absent: None

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl-Olson

C-2 Announcement of Closed Session

- a) Conference with Stephen Schwabauer, City Attorney, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Fire Mid-Managers, and Lodi Professional Firefighters; Conference with Stephen Schwabauer, City Attorney, and Dean Gualco, Human Resources Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Katzakian adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 6:50 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Katzakian reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following action.

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

A. Call to Order / Roll Call

The Regular City Council meeting of January 15, 2014, was called to order by Mayor Katzakian at 7:00 p.m.

Present: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Absent: None

Also Present: City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl-Olson

B. Presentations - None

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

Council Member Johnson made a motion, second by Council Member Mounce, 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 Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$3,322,332.68 (FIN)

Claims were approved in the amount of \$3,322,332.68.

C-2 Approve Minutes (CLK)

The minutes of December 17, 2013 (Shirtsleeve Session), December 18, 2013 (Regular Meeting), December 18, 2013 (Special Meeting), December 24, 2013 (Shirtsleeve Session), December 31, 2013 (Shirtsleeve Session), January 1, 2014 (Regular Meeting), January 7, 2014 (Shirtsleeve Session), and January 8, 2014 (Special Meeting) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Fire Station No. 3 Parking Lot Improvements, 2141 South Ham Lane (PW)

Approved the plans and specifications and authorized advertisement for bids for Fire Station No. 3 Parking Lot Improvements, 2141 South Ham Lane.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Lodi West Wall Replacement, 2560 Paradise Drive (PW)

Approved the plans and specifications and authorized advertisement for bids for Lodi West Wall Replacement, 2560 Paradise Drive.

C-5 Adopt Resolution Rejecting Non-Responsive Bid and Awarding Contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources, of Walnut Creek (\$344,502.50), and Appropriating Funds (\$430,000) (PW)

Adopted Resolution No. 2014-01 rejecting non-responsive bid and awarding contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources, of Walnut Creek, in the amount of \$344,502.50 and appropriating funds in the amount of \$430,000.

C-6 Adopt Resolution Awarding Contract for Lodi Public Library Phase 3 Remodel Project to Diede Construction, Inc., of Woodbridge (\$284,190), and Appropriating Funds (\$350,000) (PW)

Adopted Resolution No. 2014-02 awarding contract for Lodi Public Library Phase 3 Remodel Project to Diede Construction, Inc., of Woodbridge, in the amount of \$284,190 and appropriating funds in the amount of \$350,000.

C-7 Adopt Resolution Awarding Contract for Hutchins Street Square Pool Filtration System Upgrade Project to Pool Scene, Inc., of West Sacramento (\$84,200), and Appropriating Funds (\$90,000) (PW)

Council Member Johnson requested that the City Council be provided a detailed report on the history of repairs and related costs to the pool at Hutchins Street Square. Mr. Johnson also asked that the topic of public benefit program allocations be brought before the City Council in the near

future. Council Member Mounce requested that the full cost for replacing the pool also be included in the report.

In response to Council Member Nakanishi, Parks, Recreation and Cultural Services Director Jeff Hood stated the pool is currently open and the proposed project will require a two-week closure in late March or early April.

Council Member Johnson made a motion, second by Mayor Katzakian, to adopt Resolution No. 2014-03 awarding contract for Hutchins Street Square Pool Filtration System Upgrade Project to Pool Scene, Inc., of West Sacramento, in the amount of \$84,200 and appropriating funds in the amount of \$90,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Noes: None

Absent: None

C-8 Adopt Resolution Awarding Contract for White Slough Water Pollution Control Facility Pond Fencing Project 2013 to Stockton Fence & Material Company, of Stockton (\$49,107.50) (PW)

Adopted Resolution No. 2014-04 awarding contract for White Slough Water Pollution Control Facility Pond Fencing Project 2013 to Stockton Fence & Material Company, of Stockton, in the amount of \$49,107.50.

C-9 Adopt Resolution Authorizing Use of Remaining Recreation Donation Funds for Skate Park Repairs and Appropriating Funds (\$7,089.84) (PRCS)

Adopted Resolution No. 2014-05 authorizing use of remaining Recreation donation funds for Skate Park repairs and appropriating funds in the amount of \$7,089.84.

C-10 Accept Improvements Under Contract for Municipal Service Center Transit Vehicle Maintenance Facility Security Wall and Solar Power Phase 2 and Lodi Station Lighting Improvement Projects (PW)

Accepted the improvements under contract for Municipal Service Center Transit Vehicle Maintenance Facility Security Wall and Solar Power Phase 2 and Lodi Station Lighting Improvement Projects.

C-11 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement for Staff Support for the Public Works Department Development Services Division with SNG & Associates, Inc., of Pleasanton (\$100,000) (PW)

Adopted Resolution No. 2014-06 authorizing the City Manager to execute Professional Services Agreement for staff support for the Public Works Department Development Services Division with SNG & Associates, Inc., of Pleasanton, in the amount of \$100,000.

C-12 Adopt Resolution Authorizing the City Manager to Execute Agreement with EES Consulting, of Kirkland, Washington, for Electric Utility Rate Study Services and Appropriating Funds (\$78,560) (EU)

Adopted Resolution No. 2014-07 authorizing the City Manager to execute agreement with EES

Consulting, of Kirkland, Washington, for Electric Utility rate study services and appropriating funds in the amount of \$78,560.

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.

John Slaughterback spoke in regard to his concern about field irrigation and developer impact fees.

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

Council Member Mounce requested a discussion about the proposed round-about in the Sargent Road development project and a review of the developer fee program.

Council Member Nakanishi congratulated City Manager Bartlam on his employment with the City of Chino Hills and City Attorney Schwabauer on his appointment as Interim City Manager.

Mayor Pro Tempore Hansen reported on his recent attendance at the San Joaquin Council of Governments meeting and specifically discussed the habitat plan, One Voice trip, and grade separation project.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolution Approving an Amendment of the 2013/14 Action Plan to Accommodate the Reallocation of Community Development Block Grant Funds and Appropriating Funds (\$62,885) (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider adopting resolution approving an amendment of the 2013/14 Action Plan to accommodate the reallocation of Community Development Block Grant funds and appropriating funds in the amount of \$62,885.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding an amendment to the Annual Action Plan. Specific topics of discussion included sources of reallocation, uses of reallocation, public review and comment, and requested action.

In response to Mayor Pro Tempore Hansen, Mr. Bartlam stated the ramp from the field level to the plaza level was not completed because the funding from the outside sources did not come to fruition and the costs increased from the original estimate.

In response to Mayor Pro Tempore Hansen, Mr. Bartlam stated the City Hall Annex is the old public safety building and the Americans with Disabilities Act improvements are needed on the second floor.

In response to Council Member Nakanishi, Mr. Bartlam stated the cost for the additional ramp was approximately \$250,000 and the funding shortage was \$200,000.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2014-08 approving an amendment of the 2013/14 Action Plan to accommodate the reallocation of Community Development Block Grant funds and appropriating funds in the amount of \$62,885.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katakian

Noes: None

Absent: None

H. Communications

H-1 Appointments to the Lodi Animal Advisory Commission, Lodi Senior Citizens Commission, Personnel Board of Review, San Joaquin County Mosquito and Vector Control District, and Site Plan and Architectural Review Committee and Re-Post for Remaining Vacancies on Lodi Animal Advisory Commission (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to make the following appointments and direct the City Clerk to re-post for the following remaining vacancies:

APPOINTMENTS:

Lodi Animal Advisory Commission

Linda Castelanelli, term to expire December 31, 2016

Senior Citizens Commission

Jill Hernandez, term to expire December 31, 2017

Pat Hill, term to expire December 31, 2017

Personnel Board of Review

Ed Miller, term to expire January 1, 2017

Bill Russell, term to expire January 1, 2017

Jim Schweickardt, term to expire January 1, 2017

San Joaquin County Mosquito and Vector Control District

Jack Fiori, term to expire December 31, 2017

Site Plan and Architectural Review Committee

John Della Monica, Jr., term to expire January 1, 2018

POSTINGS:

Lodi Animal Advisory Commission

Two Vacancies, terms to expire December 31, 2016

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor

Pro Tempore Hansen, and Mayor Katzakian
Noes: None
Absent: None

H-2 Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to approve cumulative Monthly Protocol Account Report through December 31, 2013.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Noes: None

Absent: None

I. Regular Calendar

- I-1 Take the Following Actions: a) Adopt Resolutions Approving One Time 2014 Adjustments to Executive Management Statement of Benefits, Approving 2014 Memorandum of Understanding with the Maintenance and Operators Unit, General Services Unit, and Mid-Management, Approving Benefit Modifications for Confidential Employees, and Appropriating Funds (\$647,869); and b) Adopt Resolution Approving One Time 2014 Benefit Modifications to Council Appointees and Appropriating Funds (\$13,138)

City Attorney Schwabauer provided a brief overview of the proposed resolution approving one-time adjustment for the maintenance and operators, general services, mid-management, and confidential employees as set forth in the staff report. Deputy City Manager Jordan Ayers provided a brief overview of the similar resolution applicable to Council appointees as set forth in the staff report.

In response to Ed Miller, Mr. Bartlam provided an explanation of the excess one-time funds available above the reserve target, the salary reductions taken by City employees over the last several years, and the one-time payment in recognition of past concessions.

Council Member Mounce expressed her concern about "me too" clauses. Council Member Nakanishi stated he will not be voting in favor of the proposed action because of his concern regarding "me too" clauses.

In response to Council Member Nakanishi, Mr. Ayers provided a brief explanation of the medical benefit and cost available to employees and their dependents. Mr. Bartlam confirmed that the City does not have retiree medical benefits.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2014-09 approving 2014 Memorandum of Understanding with the City of Lodi Mid-Management Association; adopt Resolution No. 2014-10 approving one time 2014 Adjustments to Executive Management Statement of Benefits and benefit modifications for Confidential Employees; adopt Resolution No. 2014-11 approving 2014 MOU with AFSCME (Maintenance and Operators and General Services Units); and appropriating funds in the amount of \$647,869.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hansen, and

Mayor Katzakian
Noes: Council Member Nakanishi
Absent: None

Council Member Mounce made a motion, second by Mayor Katzakian, to adopt Resolution No. 2014-12 approving one time 2014 benefit modifications to Council Appointees and appropriating funds in the amount of \$13,138.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Hansen, and Mayor Katzakian

Noes: None

Absent: None

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:10 p.m.

ATTEST:

Randi Johl-Olson
City Clerk