

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, FEBRUARY 4, 2015**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of February 4, 2015, was called to order by Mayor Johnson at 6:00 p.m.

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

Absent: None

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

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 6:54 p.m.

C-4 Return to Open Session / Disclosure of Action

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

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

A. Call to Order / Roll Call

The Regular City Council meeting of February 4, 2015, was called to order by Mayor Johnson at 7:00 p.m.

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

Absent: None

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

B. Presentations - None

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

Mayor 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 Kuehne, Council Member Mounce, Council Member Nakanishi, Mayor

Pro Tempore Chandler, and Mayor Johnson

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$6,011,209.33 (FIN)

Claims were approved in the amount of \$6,011,209.33.

C-2 Approve Minutes (CLK)

The minutes of January 6, 2015 (Shirtsleeve Session), January 6, 2015 (Special Meeting), January 7, 2015 (Regular Meeting), January 13, 2015 (Shirtsleeve Session), January 20, 2015 (Shirtsleeve Session), January 20, 2015 (Special Meeting), and January 21, 2015 (Regular Meeting) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for White Slough Water Pollution Control Facility Farm Irrigation Improvements - Phase 1 (PW)

Mayor Johnson removed this item from the Consent Calendar for discussion purposes.

In response to Mayor Johnson, Public Works Director Wally Sandelin stated that any spill of partially treated wastewater onto the ground constitutes a reportable offense and the City is required to advise the State Regional Board. Mr. Sandelin stated that staff is proposing to enclose the pipes underground, rather than patching the deteriorated areas, because it would eliminate the risk of spills or overflows and this technique is becoming the new practice and may ultimately be a requirement. In further reply, Mr. Sandelin stated that the spills have been a combination of operator error as well as issues with the integrity of the concrete lining. Mayor Johnson expressed his opposition to spending \$400,000 to replace the entire system and believed patching the problematic areas was more prudent, adding that Woodbridge Irrigation District (WID) seems to have no issues with repairing its system.

In response to Council Member Mounce, Mr. Sandelin stated that WID does not transport wastewater. In further response, Mr. Sandelin stated that the facility is over 50 years old and that the new practice of undergrounding the system will likely be a requirement in the near future; therefore, it made sense to move toward that technology now. He stated this action is for specifications only at this time and that the plans are on the conservative side in terms of design. Mr. Sandelin further replied that the City has reported all of the last six spills; that no fine was assessed, partly because the City assured the Board it was moving toward a design/construction project to move the system underground; that fines are typically \$10,000 per day; and that staff time for reporting spills is minimal. Council Member Mounce stated she would support the request, but stressed that all cost-controlling measures be taken during the bid process to ensure a less costly project.

In response to Council Member Kuehne, Mr. Sandelin stated the design includes removing the existing concrete channel, installing PVC replacement pipe in the ground, and backfilling with dirt.

In response to Council Member Nakanishi, Mr. Sandelin stated that his preference would be the staff recommendation to replace the system because the City will be made to eventually move in that direction. City Manager Schwabauer added that, within the next one or two permit cycles, the State Water Board is very likely to order the City to encapsulate its conveyance system.

Council Member Kuehne agreed this was a high-dollar project; however, the City will inevitably be made to do this and it made sense to do it now.

Council Member Mounce made a motion, second by Mayor Pro Tempore Chandler, to approve the plans and specifications and authorize advertisement for bids for White Slough Water Pollution Control Facility Farm Irrigation Improvements - Phase 1.

VOTE:

The above motion carried by the following vote:

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

Noes: Mayor Johnson

Absent: None

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Henry Glaves Park Pump Station Improvements Project (PW)

Approved plans and specifications and authorized advertisement for bids for Henry Glaves Park Pump Station Improvements Project.

C-5 Adopt Resolution Awarding Contract for 2015 GrapeLine Bus Stop Accessibility and Shelter Improvements to Sierra National Construction, Inc., of Carmichael (\$282,692) (PW)

Adopted Resolution No. 2015-03 awarding the contract for the 2015 GrapeLine Bus Stop Accessibility and Shelter Improvements to Sierra National Construction, Inc., of Carmichael, in the amount of \$282,692.

C-6 Adopt Resolution Authorizing: 1) The Non-Competitive Purchase of Musco Sports Lighting Components and Installation to Musco Lighting, of Oskaloosa, Iowa, for the Salas Park Sports Lighting Upgrade (\$219,984); 2) Appropriation of \$225,000 from Parks Capital Fund; and 3) Acceptance of a \$32,500 Gift from the Boosters of Boys/Girls Sports Over Five Years (PRCS)

This item was pulled from the agenda and will be brought back at the February 18, 2015, City Council meeting.

C-7 Accept Improvements Under Contract for Turner Road Surface Improvements Project, Loma Drive to Pleasant Avenue (PW)

Accepted improvements under the contract for the Turner Road Surface Improvements Project, Loma Drive to Pleasant Avenue.

C-8 Accept Improvements Under Contract for Stockton Street Offsite Improvements (PW)

Accepted improvements under the contract for Stockton Street Offsite Improvements.

C-9 Adopt Resolution Accepting Public Improvements at 2311 Cochran Road (Westwind Drive to 250 Feet East of Westwind Drive) (PW)

Adopted Resolution No. 2015-04 accepting the public improvements at 2311 Cochran Road (Westwind Drive to 250 Feet East of Westwind Drive).

C-10 Adopt Resolution Approving Appropriation for Harney Lane Grade Separation Right-of-Way Acquisition (\$239,100) (PW)

Adopted Resolution No. 2015-05 approving an appropriation for the Harney Lane Grade Separation right-of-way acquisition in the amount of \$239,100.

C-11 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 the White Slough Water Pollution Control Facility Digesters No. 1 and No. 2.

C-12 Adopt Resolution Approving Bylaw Changes for the Greater Lodi Area Youth Commission (CLK)

Adopted Resolution No. 2015-06 approving the bylaw changes for the Greater Lodi Area Youth Commission.

C-13 Receive Biennial Report Regarding AB1234 Mandatory Ethics Training (CLK)

Received the biennial report regarding AB1234 mandatory ethics training.

C-14 Receive Report Regarding Boards, Committees, and Commissions (CLK)

Received a report regarding the boards, committees, and commissions.

C-15 Adopt Resolution Selecting Grape Bowl Improvements Phase 4 as Project Nomination for San Joaquin Council of Governments' One Voice Trip (PW)

Adopted Resolution No. 2015-07 selecting the Grape Bowl Improvements Phase 4 as the project nomination for the San Joaquin Council of Governments' One Voice trip.

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.

Wendy Conte presented a letter and petition signed by 62 downtown merchants regarding lack of police presence, increase in vagrants and homeless individuals, drug activity in the alleys, increase in trash, and lack of maintenance and lighting in downtown Lodi. Ms. Conte urged everyone, including business owners, employees, residents, Council, and press, to all work together toward finding a viable solution for dealing with these growing concerns. She further suggested that research be done to see how other destination communities are handling these problems and to see if Lodi could implement similar practices. The submitted materials included suggestions to consider for alley maintenance, the Elm Street storage units, and vacant buildings. Ms. Conte requested that the interested downtown business owners be regularly informed of progress, actions, and discussions, and she further submitted a letter on behalf of herself as a citizen living in the downtown area regarding the deplorable conditions.

Each of the Council Members commended Ms. Conte and the business owners for their collaborative effort and sensible approach to working toward a common solution and also provided individual comments: 1) Mayor Pro Tempore Chandler questioned if security cameras could be deployed to track vagrant activities; 2) Council Member Kuehne stated that he has heard an overwhelming majority of people express a desire to return the tree lights; 3) Council Member Mounce stated that Council asked the City Manager and Police Chief to put together an action plan, which will be forthcoming in the near future; 4) Council Member Nakanishi also stated that there will be a Shirtsleeve Session soon to discuss this topic; suggested staff research other communities and ordinances that could be implemented; and stated that the City could likely address the code enforcement issue and police presence, however, funding is a concern.

David Claxton, owner of French at Heart, stated he understood the City had funding for additional police officers and suggested Council do what it can to get those positions filled and potentially fund an officer on an interim basis to provide downtown policing. Mr. Claxton further requested that Council put this item formally on a future agenda so it can take action.

Judy Hendeby requested enhanced security near the Catholic church on West Walnut Street, particularly at night. With the street being closed off, a greater number of people are congregating and sleeping there. She further expressed support for the tree lighting in the downtown area.

Colleen Brown, owner of Beauty of the Beast pet salon, suggested the City also look into the drug users who live in the housing above the businesses. They have code enforcement issues, such as air conditioners hanging by their cords and odors, and also accost and steal from people.

Alex Aliferis stated the homeless problem is getting worse, many are drug users, and he is discovering that many are coming to Lodi from other communities. He believed that research needs to be done to see from where these people are coming, what their issues are, and if the local churches and non-profits can get more involved.

Police Chief Mark Helms stated the Lodi Police Department is aware of and concerned about the situation downtown and introduced Lieutenant Shad Canestrino who is the district commander for the downtown area. He assured the public that the Department is working to mitigate the affect of the staffing losses downtown, adding that officers are sent to the area for a few hours at a time as well as for large events because of the changes in the demographics in that area. Chief Helms stated that there will be a study session soon to discuss this problem and strongly cautioned that no one give the homeless money or feed them because that only promotes the problem. Currently, the City does not have cameras in the downtown area, with the exception of the parking garage, and suggested there needs to be a public/private partnership where all parties pitch in to help on security. Chief Helms pointed to Proposition 47, regarding reduced criminal penalties, and prison realignment as contributing factors to the increase in this problem.

City Manager Schwabauer responded to an earlier comment regarding police officer funding, stating that the City currently has vacant but funded positions in the Police Department and the Chief is diligently trying to fill those vacancies, but without much luck.

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

Council Member Kuehne reported on his recent training opportunities and meetings, including the League of California Cities New Mayors and Council Members Academy in Sacramento, the Northern California Power Agency 101 session in Sacramento, and San Joaquin Council of Governments board meeting in Stockton.

Council Member Nakanishi was pleased to report that former San Joaquin County Supervisor Ken Vogel informed him that funding has been committed for the Veterans clinic in French Camp.

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

None.

G. Public Hearings - None

H. Communications - None

I. Regular Calendar

I-1 Adopt Resolution Adding One Senior Police Administrative Clerk and Deleting One Police Records Clerk II Within the Police Department (CM)

Human Resources Manager Adele Post provided a presentation regarding the request to add one Senior Police Administrative Clerk and delete one Police Records Clerk II within the Police Department, stating that the position would be assigned in the Records Division and would be providing journey level work. The difference in salary is 6.6 percent, and the additional cost to fund the lead position is \$2,700 annually.

Council Member Mounce made a motion, second by Council Member Kuehne, to adopt Resolution No. 2015-08 adding one Senior Police Administrative Clerk and deleting one Police Records Clerk II within the Police Department.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

- I-2 Adopt Resolution Approving the Classification and Salary Range of Public Works Management Analyst and Approving the Reclassification of One Management Analyst to Public Works Management Analyst and Approve an Increase to the Salary Range of Supervising Budget Analyst (CM)

Human Resources Manager Adele Post provided a presentation regarding the classification and salary range of Public Works Management Analyst, reclassification of one Management Analyst to Public Works Management Analyst, and the increase to the salary range of Supervising Budget Analyst. Based upon the salary study, it was concluded that the Management Analyst in Public Works was performing functions at a higher level than what is described in the job description and, therefore, a classification and salary adjustment was recommended. The new salary for the Public Works Management Analyst would cause compaction with the Supervising Budget Analyst position, which is within this same series, and it was recommended that the salary for this position be increased to allow for a 7 percent differential between the two classifications.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2015-09 approving the classification and salary range of Public Works Management Analyst, approving the reclassification of one Management Analyst to Public Works Management Analyst, and approving an increase to the salary range of Supervising Budget Analyst.

VOTE:

The above motion carried by the following vote:

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

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 7:53 p.m.

ATTEST:

Jennifer M. Ferraiolo  
City Clerk