

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 19, 2014**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of February 19, 2014, was called to order by Mayor Katzakian at 5:30 p.m.

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

Absent: None

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

C-2 Announcement of Closed Session

- a) Conference with Jordan Ayers, Deputy City Manager, and Adele Post, Human Resources Manager (Labor Negotiators), Regarding Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Fire Mid-Managers, and Lodi Professional Firefighters; Conference with Dean Gualco, Library Services Director, and Adele Post, Human Resources Manager (Labor Negotiators), Regarding International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6
- b) Prospective Acquisition of Real Property: Price and Terms of Payment Under Negotiation; City Negotiator, Public Works Director Wally Sandelin; Pursuant to Government Code Section 54956.8:
 1. A Portion of Property Located at 13160 North West Lane (APN 058-110-47), Negotiating Party: F&L Costa Family L.P.;
 2. A Portion of Property Located at 120 East Harney Lane (APN 058-130-24), Negotiating Party: Diane Tsutsumi and Gary & Joyce Tsutsumi 2011 Trust;
 3. A Portion of Property Located at 2601 South Stockton Street (APN 058-130-02), Negotiating Parties: Sean & Summer Varner;
 4. A Portion of Property Located at 127 East Harney Lane (APN 062-410-25), Negotiating Party: Valley Iron Works, Inc.;
 5. A Portion of Property Located at 24 Maggio Circle (APN 062-410-26), Negotiating Party: Reynolds Family, LLC;
 6. A Portion of Property Identified as APN 058-10-04, APN 058-10-05, and APN 062-010-01, Negotiating Party: Union Pacific Railroad Co.;
 7. A Portion of Property Identified as APN 058-650-01, Negotiating Party: Skinner Ranch Holdings, L.P.;
 8. A Portion of Property Identified as APN 058-100-03, Negotiating Party: FF, L.P.;
 9. A Portion of Property Located at 141 East Harney Lane (APN 062-410-35), Negotiating Party: Katherine Mikilas; and

10. A Portion of Property Located at 2538 Banyan Drive (APN 062-260-11), Negotiating Party: Sorour Partners, L.P., a California Limited Partnership

C-3 Adjourn to Closed Session

At 5:30 p.m., Mayor Katzakian 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 p.m., Mayor Katzakian reconvened the City Council meeting, and Interim City Attorney Magdich disclosed the following actions.

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

Item C-2 (b) was discussed as part of the Special City Council meeting.

A. Call to Order / Roll Call

The Regular City Council meeting of February 19, 2014, was called to order by Mayor Katzakian at 7:05 p.m.

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

Absent: None

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

B. Presentations - None

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

Council Member Mounce made a motion, second by Council Member Johnson, 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 \$3,167,592.99 (FIN)

Claims were received in the amount of \$3,167,592.99.

C-2 Approve Minutes (CLK)

The minutes of February 4, 2014 (Shirtsleeve Session), February 5, 2014 (Regular Meeting), and February 11, 2014 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for 2014-2015

Fence Repair Program, Various Locations (PW)

Approved the plans and specifications and authorized advertisement for bids for 2014-2015 Fence Repair Program, Various Locations.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Hutchins Street Square South Entrance Americans with Disabilities Act, 125 South Hutchins Street (PW)

Approved the plans and specifications and authorized advertisement for bids for Hutchins Street Square South Entrance Americans with Disabilities Act, 125 South Hutchins Street.

C-5 Adopt Resolution Awarding Contract for Wastewater Main Rehabilitation Program, Project No. 6, to Michels Corporation, of Salem, Oregon (\$1,528,314.80), and Appropriating Funds (\$1,835,000) (PW)

Adopted Resolution No. 2014-20 awarding contract for Wastewater Main Rehabilitation Program, Project No. 6, to Michels Corporation, of Salem, Oregon, in the amount of \$1,528,314.80 and appropriating funds in the amount of \$1,835,000.

C-6 Accept Improvements Under Contract for 2013 GrapeLine Bus Stop Improvements Project (PW)

Accepted the improvements under contract for 2013 GrapeLine Bus Stop Improvements Project.

C-7 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement and Extension for Landscape Maintenance Assessment District No. 2003-1 Administrative Services with NBS, of Temecula (\$13,600) (PW)

Adopted Resolution No. 2014-21 authorizing the City Manager to execute Professional Services Agreement and extension for Landscape Maintenance Assessment District No. 2003-1 administrative services with NBS, of Temecula, in the amount of \$13,600.

C-8 Authorize City Manager to Execute Option to Lease Agreement and Associated Ground Lease with Pacific Gas and Electric Company for the Location of a Compressed Air Energy Storage Facility at White Slough Water Pollution Control Facility (CA)

Authorized the City Manager to execute Option to Lease Agreement and associated Ground Lease with Pacific Gas and Electric Company for the location of a compressed air energy storage facility at White Slough Water Pollution Control Facility.

C-9 Adopt Resolution Delegating Authority to Change Banking Signature Cards to Treasurer (CM)

In response to Council Member Nakanishi, Deputy City Manager Jordan Ayers provided an overview of the proposed streamlined process to authorize changes to the signature cards.

Mayor Pro Tempore Hansen made a motion, second by Mayor Katzakian, to adopt Resolution No. 2014-23 delegating authority to change banking signature cards to Treasurer.

VOTE:

The above motion carried by the following vote:

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

Noes: Council Member Mounce, and Council Member Nakanishi

Absent: None

C-10 Adopt Resolution Setting Park Fees (PRCS)

Adopted Resolution No. 2014-22 setting Park fees.

C-11 Set Public Hearing for March 19, 2014, to Consider Pre-Approved Proposition 218 Consumer Price Index Based Annual Adjustment to Rates for Solid Waste Collection (PW)

Set public hearing for March 19, 2014, to consider 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.

None.

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

Council Member Mounce expressed her concern about the lighting challenges on the east side of the City, and Electric Utility Director Elizabeth Kirkley stated the utility and Police Department staff are working together to resolve the concern.

Council Member Johnson suggested that staff look into options to waive the permit fees for the Library Foundation for the expansion project in light of their monetary contribution to the project. Interim City Manager Schwabauer stated the Community Development Department is self-funded and relies on permit fees for its existence but he will look into options as suggested.

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

None.

G. Public Hearings - None

H. Communications

H-1 Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Mayor Katzakian, to approve the cumulative Monthly Protocol Account Report through January 31, 2014.

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 Adopt Resolution Approving Fiscal Year 2013/14 Mid-Year Budget Adjustments (CM)

Deputy City Manager Jordan Ayers provided a PowerPoint presentation regarding the mid-year budget review. Specific topics of discussion included the General Fund overview, departmental variances, and fund overviews for water, wastewater, electric utility, community development, streets, and parks, recreation and cultural services.

In response to Council Member Hansen, Mr. Ayers and Interim City Manager Schwabauer confirmed that reserves will not be utilized for mid-year adjustments.

In response to Council Member Hansen, Police Chief Mark Helms stated he currently has four vacancies and provided an overview of the timing and process for police officer recruitments. A brief discussion ensued regarding the need to effectively recruit officers to ensure vacancies are filled in a timely manner.

In response to Mayor Katzakian, Chief Helms stated the City of Stockton is significantly increasing the number of police officers it is hiring, making the process even more competitive for surrounding agencies.

In response to Council Member Johnson, Chief Helms stated that, while the City of Lodi has picked up candidates from the academy as trainees, the City has not looked into full sponsorship due to cost considerations.

In response to Council Member Nakanishi, Chief Helms stated police officer recruitments are difficult to compare in Stockton and Lodi because there is a difference in salary, incentives, and other benefits between the two agencies.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2014-24 approving fiscal year 2013/14 mid-year budget adjustments.

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-2 Provide Direction to Staff Regarding Proposition 218 Notice Process (CM)

Interim City Manager Schwabauer provided a brief overview of the need for additional direction in light of the mailing challenges presented by Pre-Sort for the revised and translation Proposition 218 materials.

In response to Council Member Mounce, Mr. Schwabauer stated individuals protesting as renters do not need to provide an assessor parcel number for their protest to be counted.

In response to Council Member Hansen, Mr. Schwabauer stated the cost has increased significantly because the translated materials increased the total number of pages by eight pages and the entire packet no longer fits in the existing utility envelope.

The City Council provided general direction to send out the Proposition 218 notices separately

from the utility billing.

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:55 p.m.

ATTEST:

Randi Johl-Olson
City Clerk