

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 16, 2016**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of March 16, 2016, was called to order by Mayor Chandler at 6:01 p.m.

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

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, International Brotherhood of Electrical Workers, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Fire Mid-Managers, Lodi Professional Firefighters, and Unrepresented Confidential Employees; and Conference with Adele Post, Human Resources Manager, and Stephen Schwabauer, City Manager (Labor Negotiators), Regarding Unrepresented Executive Management Pursuant to Government Code §54957.6 (CM)
- b) Actual Litigation: Government Code §54956.9; Two Applications; Richard Gerlack v. City of Lodi; WCAB Case No. ADJ87897348 - 8/10/2010 and ADJ8797345 - 7/14/2009 (CM)
- c) Actual Litigation: Government Code §54956.9; Two Applications; Teresa Harris v. City of Lodi; WCAB Case No. ADJ2139177 - 12/31/2009 and ADJ7730518 - 3/24/2005 (CM)

C-3 Adjourn to Closed Session

At 6:01 p.m., Mayor Chandler adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:34 p.m.

C-4 Return to Open Session / Disclosure of Action

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

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

Items C-2 (b) and C-2 (c) were discussion and direction given with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of March 15, 2016, was called to order by Mayor Chandler at 7:00 p.m.

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

Absent: None

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

B. Presentations

B-1 Presentation from Hutchins Street Square Foundation (PRCS)

Hutchins Street Square Foundation Chairman John Ledbetter provided an update of the Foundation's recent accomplishments and future projects (filed). Mr. Ledbetter thanked the City Council, Mr. Hood, and staff for their continued support, stating that he believed the best interests of the Square are served by this public-private partnership. He did, however, share some frustrations with City rules and policies that can slow down projects and suggested the City consider compressing construction schedules, reducing fees, and working with the organization to ensure these projects that benefit the City are completed in a timely manner. Mr. Ledbetter reported that an endowment fund for the long-term stability of Hutchins Street Square was created with the Lodi Community Foundation, which has roughly \$2 million; Field and Fair Day will be held Monday, September 5, commencing with a balloon launch and followed by a pancake breakfast; the Annual Chioppino Feed was a success; and the Christmas Gala event has returned on an every-other-year basis.

B-2 Arbor Day Proclamation (PRCS)

Mayor Chandler presented a proclamation to Parks Superintendent Steve Dutra proclaiming Saturday, April 9, 2016, as Arbor Day in the City of Lodi. Mr. Dutra invited the City Council and public to attend this year's Arbor Day celebration on April 9 from 10 a.m. to 2 p.m., at Lodi Lake Park at the Kiwanis picnic area. The Parks, Recreation, and Cultural Services Department is celebrating its 75th anniversary and, in honor of this milestone, will plant 75 trees at six parks. This year's event includes many partnerships, including Tree Lodi, which will assist in facilitating the event; the Lodi Arts Commission, which will host an Arbor Day banner contest for cash awards; Pacific Coast Producers, which contributed \$2,500 toward the event; and PG&E, which donated \$5,000 toward the event.

Dylan George, Local Government Relations Representative with PG&E, reported to Council that, as discussed at a previous Shirtsleeve Session, PG&E has successfully reached agreement to address all of the trees in the franchise areas and with 100 percent of the property owners who had tree obstructions in the pipeline safety initiative project. He stated that PG&E is pleased to partner with the City on Arbor Day and that PG&E staff will be assisting in the tree planting.

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 Kuehne, and Mayor Chandler

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$4,284,208.92 (FIN)

Claims were approved in the amount of \$4,284,208.92.

C-2 Approve Minutes (CLK)

The minutes of February 23, 2016 (Shirtsleeve Session), March 1, 2016 (Shirtsleeve Session), March 2, 2016 (Regular Meeting), and March 8, 2016 (Shirtsleeve Session) were approved as written.

- C-3 Adopt Resolution Approving Purchase of Schwarze Model A7 Tornado Regenerative Air Sweeper from Municipal Maintenance Equipment, Inc., of Sacramento (\$259,064) (PW)

Adopted Resolution No. 2016-36 approving the purchase of a Schwarze Model A7 Tornado Regenerative Air Sweeper from Municipal Maintenance Equipment, Inc., of Sacramento, in the amount of \$259,064.

- C-4 Adopt Resolution Awarding Contract to Cintas Corporation No. 3, of Stockton, for Rental and Cleaning of Uniforms for Certain Field and Warehouse Employees (\$71,995) (PW)

Adopted Resolution No. 2016-37 awarding a contract to Cintas Corporation No. 3, of Stockton, for rental and cleaning of uniforms for certain field and warehouse employees, in the amount of \$71,995.

- C-5 Adopt Resolution Authorizing City Manager to Execute Agreements with the Following Entities for the Water Meter Program Phase 6 and Appropriating Funds (\$5,600,000): a) DSS Company dba Knife River Construction, of Stockton, for Construction (\$4,183,790); b) RMC Water and Environment, of Walnut Creek, for Engineering Services (\$38,880); c) Terracon, of Lodi, for Construction Testing and Inspection Services (\$500,000); and d) Henderson Brothers Company, of Lodi, for On-Call Residential Plumbing Services (\$200,000) (PW)

Adopted Resolution No. 2016-38 authorizing the City Manager to execute agreements with the following entities for Water Meter Program Phase 6 and appropriating funds in the amount of \$5,600,000: a) DSS Company dba Knife River Construction, of Stockton, for construction, in the amount of \$4,183,790; b) RMC Water and Environment, of Walnut Creek, for engineering services, in the amount of \$38,880; c) Terracon, of Lodi, for construction testing and inspection services, in the amount of \$500,000; and d) Henderson Brothers Company, of Lodi, for on-call residential plumbing services, in the amount of \$200,000.

- C-6 Accept Improvements Under Contract for Salas Park - Sports Lighting Improvements (Phase 1) (PW)

Accepted improvements under the contract for Salas Park - Sports Lighting Improvements (Phase 1).

- C-7 Accept Improvements Under Contract for White Slough Water Pollution Control Facility Digesters No. 1 and No. 2 Emergency Repairs Project (PW)

Accepted improvements under the contract for White Slough Water Pollution Control Facility Digesters No. 1 and No. 2 Emergency Repairs Project.

- C-8 Accept Improvements Under Contract for Northern Plume Monitoring Well Installation Project and Adopt Resolution Appropriating Funds (\$30,000) (PW)

Accepted improvements under the contract for Northern Plume Monitoring Well Installation Project and adopted Resolution No. 2016-39 appropriating funds in the amount of \$30,000.

- C-9 Authorize City Manager to Execute Amended Option to Lease 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 (CM)

This item was removed from the Consent Calendar at the request of a member of the public for discussion purposes.

Mike Lusk requested that Council deny this request because he believed that, other than revenue, this lease agreement does not benefit Lodi. He questioned the effect this agreement will have on the City's agreement with Northern California Power Agency (NCPA), both monetarily and on energy; why the City is indemnifying NCPA with \$10 million of lease revenue as a result of

a PG&E activity; why PG&E is not paying for the increased cost; and why the lease payments are going into the general fund, instead of the wastewater fund pursuant to Proposition 218. Mr. Lusk stated that, if bonds from the wastewater fund purchased the property, the revenue should be returned to that account, rather than the general fund.

City Manager Schwabauer clarified that the original bonds were issued for the construction of White Slough, but the acquisition of the property was funded by the general fund; not the wastewater fund. With regard to indemnifying NCPA, Mr. Schwabauer stated that PGE is unwilling to indemnify it and, without that, this project would disappear as would the potential to receive \$3.5 million a year in lease for 100 years. Staff believes it is worth receiving less lease revenue in the first few years to secure this long-term deal. The benefits from this agreement are lease revenue and NCPA's ten-year reevaluation of market value, which could result in higher rent revenue. With regard to the effect on NCPA, the agreement has the potential to cause increased transmission costs, but the indemnification and PG&E's agreement to upgrade the transmission lines in a timely fashion to prevent more losses will address the impacts.

In response to Council Member Mounce, Mr. Schwabauer stated that staff has the purchase and sale agreements and can demonstrate from where the funds originated.

In response to Mayor Chandler and Council Member Mounce, Mr. Schwabauer confirmed there was no bond issue that was paid for by the utilities and the rent would, therefore be returned to the general fund.

Mr. Lusk stated that he believed citizens should not pay for the \$10 million indemnity to NCPA or the lease to PG&E, particularly with the argument that NCPA has a reserved right to the property. He further stated that he researched 92 years of budgets, starting in 1944, and believed that the original 302 acres of land that was purchased was charged to the sewer fund, which continued being charged to the sewer fund from the 1960s to the 1980s according to City resolutions. Each of those budget years were charged for the bond repayment by either dedicated taxes or sewer rates paid by citizens; therefore, he believed the wastewater enterprise owns the land and is entitled to the reimbursement under Proposition 218.

Mr. Schwabauer offered to meet with Mr. Lusk to review the documents.

Council Member Mounce agreed that, if Mr. Lusk is correct, the rate payers should benefit from the revenue, instead of the general fund. She asked if this agreement was time-sensitive and whether staff could confirm the matter and return at the next meeting. Mr. Schwabauer replied that it would not be an issue to delay the matter until the next meeting.

Council Member Mounce made a motion, second by Mayor Pro Tempore Kuehne, to postpone the item to consider authorizing the City Manager to execute Amended Option to Lease 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 until such a time that staff is able to verify the original purchase of the land and the associated funding source.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

C-10 Adopt Resolution Authorizing City Manager to Execute Amendment No. 1 to Professional Services Agreement with R.F. MacDonald Company, of Modesto, for Boiler Inspection, Cleaning, and Repair at White Slough Water Pollution Control Facility (\$12,725) (PW)

Adopted Resolution No. 2016-40 authorizing the City Manager to execute Amendment No. 1 to Professional Services Agreement with R.F. MacDonald Company, of Modesto, for boiler

inspection, cleaning, and repair at White Slough Water Pollution Control Facility in the amount of \$12,725.

C-11 Adopt Resolution Setting Parks, Recreation, and Cultural Services Fees (PRCS)

Adopted Resolution No. 2016-41 setting Parks, Recreation, and Cultural Services fees.

C-12 Adopt Resolution Amending Traffic Resolution No. 97-148, Establishing Travel Restriction of Commercial Vehicles over Two Axles on Pioneer Drive, Calaveras Street (Donner Drive to Murray Street), and Donner Drive (Calaveras Street to Stockton Street) (PW)

Adopted Resolution No. 2016-42 amending Traffic Resolution No. 97-148, establishing travel restriction of commercial vehicles over two axles on Pioneer Drive, Calaveras Street (Donner Drive to Murray Street), and Donner Drive (Calaveras Street to Stockton Street).

C-13 Adopt Resolution Authorizing Destruction of Certain Citywide Records in Accordance with the Government Code and the City's Records Management Policy (CLK)

Adopted Resolution No. 2016-43 authorizing destruction of certain citywide records in accordance with the Government Code and the City's Records Management Policy.

C-14 Authorize the Mayor, on Behalf of the City Council, to Send a Letter of Support for AB 1869 (Melendez): Theft: Firearms (CLK)

Authorized the Mayor, on behalf of the City Council, to send a letter of support for AB 1869 (Melendez): Theft: Firearms.

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.

Donna Phillips stated that she was a member of the now-dissolved Friends of Lodi Lake, which was a 501c3 organization that originated in 1985 for the purpose of enhancing and preserving Lodi Lake. The Friends of Lodi Lake purchased five mature trees that were transplanted from Micke Grove, and a number of the families surrounding the lake paid for the others, most of which were planted on the north side of Lodi Lake. Many of these trees were of significant size and roughly 20 to 30 years old. Ms. Phillips discovered today that the tree her family purchased was removed, as were two others, in order to benefit the construction of the boat ramp project. She requested the City replace those trees with mature trees of the same size rather than a small size and suggested the City enact an ordinance to protect trees.

Council Member Mounce apologized on behalf of the City, stating she feels the same way about the trees at the Lake and that replanting a small tree in place of a large, mature tree is not equivalent. Council Member Mounce requested the City Manager draft a tree protection ordinance to ensure this does not happen again and to allow Council the opportunity to weigh in and take responsibility for the removal of trees, especially if it is during the course of a City project.

Council Member Nakanishi concurred with Council Member Mounce's suggestion for a tree protection ordinance.

Mr. Schwabauer stated staff will return with a draft ordinance.

Mike Lusk apologized to the City Manager for his comments at the March 2, 2016 Council meeting, at which he disagreed with Mr. Schwabauer on the information that was provided regarding estimated sales tax revenue. He reviewed his e-mail correspondence and realized he quoted the figure inaccurately. Further, Mr. Lusk requested an agenda item to discuss the lack of adequate staffing in the Police and Fire Departments, the full disclosure on the California Public Employees Retirement System debt, and on a proposed sales tax increase to support these items. He believed such a measure is prudent to support the City, rather than waiting for a financial crisis, and that it would be fair to all who utilize services in Lodi or purchase goods.

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

Council Member Johnson, who also serves on committees relating to commuter rail for the San Joaquin County and Altamont areas, reported that the Altamont Corridor Express (ACE) had an incident last week, in which a mud slide pushed a train off the tracks into the Alameda Creek. The incident, which left passengers stranded in the train, could have resulted in fatalities if creek levels had been high. Council Member Johnson stated that ACE staff practices regularly for disasters and works with Alameda Fire Department on what to do and not to do in various situations. He stressed the importance for Lodi to continue having table-top exercises so it is prepared should a disaster strike. Council Member Johnson wished Council Member Nakanishi well in his run for Senate. Further, Mr. Johnson reminded staff that he would still like a meeting on the possible reduction of fees on charitable contributions, pointing to the Hutchins Street Square Foundation that gives over \$500,000 a year to the Square and the Library renovation, which was charged for permit and inspection fees by the City. He would like a discussion on either reducing or waiving those fees because their volunteer efforts benefit the Lodi community.

Council Member Mounce commented on the 8,000 square-foot duplex being built in a distressed alley on the east side, stating that she would like the Planning Commission to see what it can do to prevent large, multi-family units from being built in areas on the east side that are already saturated and dense in population. A project such as this will have no room for a parking lot, the cars will congest the alley, and there will be no free-flow of traffic. Council Member Mounce stated she would like to see the building code changed to require owner-occupied developments, which would go a long way toward changing the nature on the east side from rental to owner-occupied homes. Further, Council Member Mounce reported that she attended the National League of Cities Congressional Cities Conference in Washington D.C., at which League delegates met with senators and congressional representatives to advocate on behalf of cities. She was pleased to report that over 40 packets of information relating to water, water storage, and drought issues were distributed and expressed hope that Congress will bring forth legislation that will aid in this regard. Council Member Mounce thanked Public Works for the alley improvements made to date, stating the alleys were able to absorb the recent surge in rain and she looked forward to the next ones scheduled for completion. Lastly, Council Member Mounce stated she was pleased to see so many people attending the meeting and thanked everyone for coming.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolution Approving the 2016/17 Draft Annual Action Plan for the Community Development Block Grant and the Amendment of the 2015/16 Annual Action Plan (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 Chandler called for the public hearing to consider adopting resolution approving the 2016/17 Draft Annual Action Plan for the Community Development Block Grant (CDBG) and the amendment of the 2015/16 Annual Action Plan.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the 2016/17 Draft Annual Action Plan for CDBG and the amendment of the 2015/16 Annual

Action Plan. Specific topics of discussion included Annual Action Plan process, 2016/17 recommendations for community-based organizations, 2014-18 Consolidated Plan, 2016/17 recommendations for City projects and activities, 2016/17 public service cap, 2015/16 Annual Action Plan amendment and reallocation, and 2016/17 CDBG process.

In response to Council Member Nakanishi, Mr. Wood confirmed that Public Works had a number of projects that were not shovel-ready because of other priorities, but those projects should be moving soon, and there is \$125,000 in reserve for the alley projects. To date, eight alleys have been completed, with three to four more that were to be completed with CDBG dollars; however, Public Works intends to do those alleys in conjunction with infrastructure improvements, namely the Water Meter Program.

Mayor Pro Tempore Kuehne suggested adjusting the recommended allocations slightly by taking \$1,000 from Grace & Mercy Charitable Foundation's allocation, \$2,000 from Second Harvest Food Bank, and \$12,000 from the Community Partnership for Families (CPF) allocation for the LodiGRIP program and spread the \$15,000 evenly between the Salvation Army tutoring program, Women's Center domestic violence services, and the 180 Teen Center's counseling program. Mr. Wood explained that, in the past, smaller amounts were given to a greater number of agencies, but the effectiveness of doing such small allocations and the increased administration that goes along with it comes into question.

In response to Council Member Mounce, Interim Public Works Director Charlie Swimley stated that the Water Meter Program will commence on the east side as part of Phases 7 and 8, beginning in 2017.

Mayor Chandler opened the public hearing for public comment.

Dale Gillespie, representing the LOEL Foundation, reported that its Meals on Wheels Program will begin on April 4 and that the memorandum of understanding with the County was signed for it to provide the needs assessment for candidates for the program at no charge. Mr. Gillespie expressed appreciation for the City's support of this program.

Council Member Johnson questioned if this allocation will rejuvenate the program and get it back to the level of success it once had, to which Mr. Gillespie responded that, to date, 37 candidates have qualified for the program through the assessment process, but he anticipates further applications will be submitted before April 4 and, before too long, the program will once again be greater than 100 candidates. He stated the program will initially include three hot meals each week, along with the County's frozen meals a couple times during the week.

In response to Council Member Nakanishi, Mr. Gillespie stated that hot meals are prepared in the LOEL kitchen, which was made possible with past CDBG allocations, and it has the capacity to serve over 300 meals at a time. He estimated the cost of a hot meal at roughly \$7.

Meredith Baker with CPF expressed support for the allocation toward the LodiGRIP program, stating that it has been revolutionary in making changes in youths' lives and their families' lives. She stated that last year's allocation funded 15 percent of the case manager's time; however, it did not provide funding for follow-up with youth, which is a critical step. This allocation will provide funding for 50 percent of the case manager's time and 20 percent for follow-up, and she reported that CPF also received a grant for \$20,000 for Lodi to fund stipends for the youth participants. Ms. Baker stated this program provides a safe structure and environment for the participants, which enables them to become involved, employed, and tax-paying citizens, all of which bring revenue back to Lodi.

Mike Mallory with Second Harvest Food Bank expressed support for its funding request, stating the agency covers eight counties and provides hundreds of pounds of food for its Brown Bag, Food 4 Thought, and Food Assistance programs. He stated that Second Harvest Food Bank has a commitment to Lodi and devotes significant funding to the community to help seniors and children, adding that Grace and Mercy Charitable Foundation now acquires its food products from its agency instead of from Sacramento.

Elida Esparza, with the aid of a translator, questioned which east side alleys will be improved first, stating that the location in which she resides was not mentioned in the materials. Mr. Wood stated that the alley adjacent to her property north of Hale Park will be improved in conjunction with Phase 6 of the Water Meter Program; not with CDBG funding. Staff will get back to Ms. Esparza with a timeframe on when that project will commence. Ms. Esparza further requested that the crosswalk on Cherokee Lane and Elm Street be improved with flashing lights to better assist and protect handicapped individuals.

Rehana Zaman expressed support for the alley projects, stating it is unpleasant living next to an alley because the potholes are extremely large, which cause rain water to collect and yards to flood. Many of the residents are on a limited income and cannot afford to fix the problem, and she hoped this project will move forward.

Maria Rosado with the California Human Development Agency expressed appreciation that many from the east side community attended and are participating in this meeting and for Mr. Wood's concept of asset-based community development (ABCD), which looks at the positives versus the negatives. Ms. Rosado stated that, despite the issues of blight, low employment, and taxes on the east side, there are many assets in that part of town, especially the residents who work long, hard hours to further the wine industry and maintain Lodi's trees, and they should be assured proper living conditions.

Council Member Mounce concurred with Ms. Rosado, stating that east side residents work tirelessly at industries that are vital to Lodi's economy; they fight crime, drugs, and blight in the area; and they are multicultural with much to contribute. In response to Council Member Mounce, Mr. Swimley clarified that the Water Meter Program will systematically go through each alley that has a main, but only those that require a main to be sized or relocated will be improved. Those alleys that are not improved with the project will be done through the CDBG program.

Joaquin Hernandez, with the aid of a translator, expressed support for improvements to the east side alleys and Cherokee Lane crosswalks, stating the area is dangerous for pedestrians and he routinely sees elderly or entire families trying to cross the street. In light of the Flint, Michigan water problems, Mr. Hernandez questioned if Lodi's water pipes have been inspected, particularly because of the chemicals that are used at vineyards that can seep into the ground and ultimately into the water system. With regard to speed bumps and the argument against installing them because they may cause problems to emergency vehicles, Mr. Hernandez stated that Stockton has figured a way to make it work and suggested Lodi reconsider the issue.

Council Member Nakanishi stated that Lodi is responsible for its water and has one of the cleanest water systems in California, adding that well water is tested routinely. He explained that river water passes through many filter systems and a small amount of chlorine is added; the City spent millions of dollars on a clean water system to remove sedimentation and chemicals.

Cecilia Mendoza with Salvation Army expressed support for its tutoring and mentoring program, which is much needed for children and their families, and requested Council consider its CDBG funding request to keep the program open.

There being no further public comments, Mayor Chandler closed the public hearing.

Council Member Johnson commended Mr. Wood for the amount of effort that goes into creating the list of possible items for consideration of CDBG funding, stating there are many deserving entities that should be funded. He questioned if anyone has met with the east side community to receive input on the residents' issues and priorities and suggested it be coordinated with CPF or California Human Development Agency. Mr. Wood stated that California Human Development Agency assisted staff with community outreach efforts to discuss establishing the CDBG priority needs and 90 percent of the goals and needs that were established came from those meetings and their suggestions.

Mayor Pro Tempore Kuehne suggested installation of a pedestrian crossing sign at

Cherokee Lane and Elm Street. Mr. Kuehne expressed support for all of the programs asking for funding and reiterated his suggestion to take \$1,000 from Grace and Mercy, \$2,000 from Second Harvest Food Bank, and \$12,000 from CPF to spread evenly to Salvation Army, Women's Center, and 180 Teen Center.

In response to Council Member Mounce, Mr. Wood stated that, during the reallocation phase in September, any unused funds from this and previous years will be available for the unfunded programs. Council Member Mounce stated she was not in support of adjusting the allocations and trusted staff will fund those programs when the reallocation phase comes back in September.

Mr. Wood clarified that the allocation for Grace and Mercy is a bricks and mortar project, which cannot be moved into the public services category. Mayor Pro Tempore Kuehne then suggested taking only \$2,000 from Second Harvest and \$12,000 from CPF to be split three ways.

Council Member Nakanishi stated that much effort went into compiling this list to meet the requirements and he was uncomfortable with changing it at the dais in piecemeal fashion. He believed the funding could be addressed during the reallocation phase, with which Mayor Chandler concurred.

Council Member Mounce made a motion, second by Council Member Johnson, to adopt Resolution No. 2016-44 approving the 2016/17 Draft Annual Action Plan for the Community Development Block Grant and the amendment of the 2015/16 Annual Action Plan.

VOTE:

The above motion carried by the following vote:

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

Noes: Mayor Pro Tempore Kuehne

Absent: None

RECESS

At 9:15 p.m., Mayor Chandler called for a recess, and the City Council meeting reconvened at 9:22 p.m.

G-2 Public Hearing to Consider Resolution Adopting Pre-Approved Proposition 218 Consumer Price Index-Based Annual Adjustment to Rates for Solid Waste Collection (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Chandler called for the public hearing to consider resolution adopting pre-approved Proposition 218 Consumer Price Index (CPI)-based annual adjustment to rates for solid waste collection.

Interim Public Works Director Charlie Swimley provided a PowerPoint presentation regarding the pre-approved Proposition 218 CPI-based annual adjustment to rates for solid waste collection. Specific topics of discussion included contract terms, CPI rate adjustment factor, and example rate changes.

Mayor Chandler opened the public hearing for public comment.

There being no public comments, Mayor Chandler closed the public hearing.

Mayor Pro Tempore Kuehne made a motion, second by Council Member Johnson, to adopt Resolution No. 2016-45 adopting pre-approved Proposition 218 Consumer Price Index-based annual adjustment to rates for solid waste collection.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Kuehne, and Mayor Chandler
Noes: None
Absent: None

H. Communications

H-1 Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to approve the monthly Protocol Account Report through February 29, 2016.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Council Member Mounce, Council Member Nakanishi, Mayor Pro Tempore Kuehne, and Mayor Chandler
Noes: None
Absent: None

I. Regular Calendar - None

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 9:24 p.m.

ATTEST:

Jennifer M. Ferraiolo
City Clerk