

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 2, 2014**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of April 2, 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 Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters (Excepting Human Resources Manager and Deputy City Manager) and Conference with Mayor Phil Katzakian (Labor Negotiator) Regarding City Council Appointees (Excepting Interim City Manager) Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 5:30 p.m., Mayor Katzakian adjourned the meeting to a Closed Session to discuss the above matter. Only Council Members were present for the Council Appointee discussion. The Closed Session adjourned at 6:45 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Katzakian reconvened the City Council meeting, and Interim City Attorney Magdich and Mayor Katzakian 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 April 2, 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: Interim City Manager Schwabauer, Interim City Attorney Magdich, and City Clerk Johl-Olson

B. Presentations

B-1 Sexual Assault Awareness Month Proclamation (CLK)

Mayor Katzakian presented proclamation to Lynsay Nuss, Domestic Violence Specialist with the Women's Center of San Joaquin, proclaiming the month of April 2014 as "Sexual Assault Awareness Month" in the City of Lodi.

B-2 National Volunteers Week Proclamation (PD)

Mayor Katzakian presented proclamation to Lt. Chris Jacobson proclaiming the week of April 6-13, 2014, as "National Volunteers Week" in the City of Lodi.

B-3 National Animal Control Officers Appreciation Week Proclamation (PD)

Mayor Katzakian presented proclamation to Lt. Chris Jacobson proclaiming the week of April 13-19, 2014, as "National Animal Control Officers Appreciation Week" in the City of Lodi.

B-4 National Public Safety Telecommunicators Week Proclamation (PD)

Mayor Katzakian presented proclamation to Lt. Chris Jacobson proclaiming the week of April 13-19, 2014, as "National Public Safety Telecommunicators Week" in the City of Lodi.

B-5 Library Volunteer of the Year Award (LIB)

Caitlin Casey, President of the Library Board of Trustees, presented the Library Volunteer of the Year Award to Ron Russell and Keith Lewis and a special recognition award to Library Foundation President Nanette Green.

B-6 Presentation on Lower Mokelumne River Watershed Stewardship User Guide (CD)

John Brodie with the Watershed Program gave a presentation regarding the Lower Mokelumne River Watershed Stewardship User Guide.

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

Council Member Mounce made a motion, second by Mayor Katzakian, 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 \$2,731,722.77 (FIN)

Claims were approved in the amount of \$2,731,722.77.

C-2 Approve Minutes (CLK)

The minutes of March 18, 2014 (Shirtsleeve Session), March 19, 2014 (Regular Meeting), and March 25, 2014 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Fire Station No. 2 Replacement Project (PW)

Approved the plans and specifications and authorized advertisement for bids for Fire Station No. 2 Replacement Project.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for White Slough Water Pollution Control Facility Control Building Remodel and Addition Project (PW)

Approved the plans and specifications and authorized advertisement for bids for White Slough Water Pollution Control Facility Control Building Remodel and Addition Project.

C-5 Approve Specifications and Authorize Advertisement for Bids for 2014 GrapeLine Bus Stop Improvements (PW)

Approved the specifications and authorized advertisement for bids for 2014 GrapeLine Bus Stop Improvements.

C-6 Approve Specifications and Authorize Advertisement for Bids for Kettleman Lane Bus Stop Improvements (PW)

Approved the specifications and authorized advertisement for bids for Kettleman Lane Bus Stop Improvements.

C-7 Adopt Resolution Approving Purchase of Primary Chain and Flight Collector Equipment for White Slough Water Pollution Control Facility from DC Frost Associates, Inc., of Walnut Creek (\$90,000) (PW)

Adopted Resolution No. 2014-46 approving the purchase of primary chain and flight collector equipment for White Slough Water Pollution Control Facility from DC Frost Associates, Inc., of Walnut Creek, in the amount of \$90,000.

C-8 Accept Improvements Under Contract for Ham Lane Overlay Project, Lodi Avenue to Turner Road (PW)

Accepted the improvements under contract for Ham Lane Overlay Project, Lodi Avenue to Turner Road.

C-9 Adopt Resolution Authorizing the City Manager to Execute a Contract Change Order to Professional Services Agreement with KPFF Consulting Engineers, of Roseville, for Additional Engineering Design Services at Lodi Transit Station (\$37,458) (PW)

This item was pulled for further discussion by Council Member Johnson. Mr. Johnson asked that the item be continued to a future date in light of the need for follow-up from last week's Shirtsleeve Session discussion regarding alternatives for providing public restroom facilities in the downtown area.

Public Works Director Wally Sandelin provided a brief PowerPoint presentation regarding the subject matter as outlined in the Council Communication.

In response to Council Member Mounce, Mr. Sandelin stated that, while there are existing restrooms at the transit station, the hours are limited with current operations and the proposal is to extend the facilities and the hours.

In response to Council Member Mounce, Mr. Sandelin confirmed that the Romtec facilities are similar to the open air facilities being used by Portland currently.

In response to Mayor Pro Tempore Hansen, Mr. Sandelin confirmed that City Hall restrooms are available for public use and Transportation Development Act funds are paying for the proposed project.

In response to Mayor Katzakian, Mr. Sandelin confirmed that the project stands on its own as a transit need without downtown restroom facility considerations, the design has already been approved, and the project timeline is dependent upon Council approval.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2014-49 authorizing the City Manager to execute a contract change order to Professional Services Agreement with KPFF Consulting Engineers, of Roseville, for additional engineering design services at Lodi Transit Station in the amount of \$37,458.

VOTE:

The above motion carried by the following vote:

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

Noes: Council Member Johnson

Absent: None

C-10 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement and Extensions for Geographical Information System Consulting Services with Interwest Consulting Group, of Elk Grove (\$30,000) (PW)

Adopted Resolution No. 2014-47 authorizing the City Manager to execute Professional Services Agreement and extensions for geographical information system consulting services with Interwest Consulting Group, of Elk Grove, in the amount of \$30,000.

C-11 Adopt Resolution Authorizing the City Manager to Execute Long-Term Layoff Agreement for the California-Oregon Transmission Project Between City of Lodi and Certain Members of the Transmission Agency of Northern California (EU)

Interim City Manager Schwabauer provided a brief overview of the proposed action as set forth in the Council Communication.

In response to Council Member Mounce, Mr. Schwabauer confirmed that the proposal saves approximately \$1.5 million and the City receives additional funds as well.

In response to Council Member Nakanishi, Electric Utility Director Elizabeth Kirkley stated the project is not a source of generation, it is related to transmission, the Cal-ISO balancing authority is sufficient, and there is no benefit to the City in continuing in the project.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hansen, to adopt Resolution No. 2014-50 authorizing the City Manager to execute long-term layoff agreement for the California-Oregon Transmission Project between City of Lodi and certain members of the Transmission Agency of Northern California.

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-12 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement for Transmission Grid Intertie Support with Flynn RCI, of Discovery Bay (\$225,000) (EU)

Adopted Resolution No. 2014-48 authorizing the City Manager to execute Professional Services Agreement for transmission grid intertie support with Flynn RCI, of Discovery Bay, in the amount of \$225,000.

- 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.

Vincent Sayles spoke on various items not directly related to the business of the City.

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

Council Member Nakanishi commended those involved with the Arbor Day celebration and expressed concerns regarding the maintenance and upkeep at Lodi Lake. Parks, Recreation and Cultural Services Director Jeff Hood provided additional information regarding the cutting of brush in the nature area at Lodi Lake.

Council Member Johnson suggested public comments be limited to those that fall within the City's jurisdiction. Mr. Johnson also suggested that businesses in the vicinity of construction activity on Sacramento Street be notified accordingly.

Council Member Mounce commended Public Works on its efforts to notify residents on the east side of construction activity in English and Spanish and the Animal Shelter on its efforts related to the adoption of a stray dog. She also expressed her concern regarding recent newspaper articles regarding City Council salary and benefits and suggested that the matter be agendaized for a future meeting. Council Member Mounce stated public comments should be permitted regardless of subject matter jurisdiction.

Mayor Pro Tempore Hansen reported on his attendance at Northern California Power Agency (NCPA) and San Joaquin Council of Governments (SJCOG) commission meetings. Specific topics of discussion included approval of the NCPA budget, increased energy output at the Lodi Energy Center, conditions of hydro and water storage, and the SJCOG regional report on sustainable communities.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolution Approving the Draft 2014-2018

Consolidated Plan for the Community Development Block Grant Program (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 the draft 2014-2018 Consolidated Plan for the Community Development Block Grant (CDBG) Program.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the CDBG Consolidated Plan. Specific topics of discussion included the consolidated plan process, needs assessment, the allocation process, funding availability, public service cap, recommendations for community based organizations, and City projects and services.

Council Member Mounce expressed her concerns about effectively notifying the targeted population of the availability of programs in both English and Spanish.

In response to Council Member Hansen, Mr. Wood provided an overview of the Salvation Army tutoring and mentoring program and its applicability to meeting the needs in the target area. Mr. Wood confirmed the proposed program must track grades, attendance, etc.

In response to Council Member Hansen, Mr. Wood stated that, with respect to the handicap ramp at Hutchins Street Square, the proposed funding helps to start the design and partial construction but it does not cover the project in its entirety. A brief discussion ensued regarding balancing the 60%-40% split for City projects and community based organizations, providing additional details in the future regarding how funding will be spent, the allocation of funds to City projects based on three-year projections, and project estimates.

In response to Council Member Mounce, Public Works Director Wally Sandelin stated the \$106,000 is for construction as the design is done in-house.

In response to Mayor Katzakian, Mr. Wood stated the Department of Housing and Urban Development did not find any issue with the graffiti abatement program because it is 100% located in the target area while the spay and neuter program is applicable to low-income residents anywhere in the City.

In response to Council Member Nakanishi, Mr. Wood stated the Fair Housing Agency benefits residents in the target area and throughout the City by providing housing counseling services.

In response to Mayor Katzakian, Mr. Wood stated the Fair Housing Agency annual budget is approximately \$200,000.

In response to Council Member Nakanishi, Mr. Wood confirmed that staff does keep track of spay and neuter statistics as a CDBG program.

The following individuals spoke in support of CDBG allocation for their preferred programs and activities:

Curt Juran
Joaquin Hernandez
Maria Rosado
Dale Gillespie
Jacob Steele
Roberta Silveta
Yogi Patel

Council Member Mounce made a motion, second by Mayor Katzakian, to adopt Resolution No. 2014-51 approving the draft 2014-2018 Consolidated Plan for the Community Development Block Grant Program with the amendment for the \$1,500 allocation to the mobile farmer's market.

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. Communications

H-1 Post for Expiring Terms and Vacancies on the Greater Lodi Area Youth Commission and Lodi Improvement Committee (CLK)

Council Member Mounce made a motion, second by Mayor Pro Tempore Hansen, to direct the City Clerk to post for the following expiring terms and vacancies:

Greater Lodi Area Youth Commission

Adult Advisors:

Nicole Grauman, term to expire May 31, 2014

Jaime Watts, term to expire May 31, 2014

Student Appointees:

Chrissy Dodd, term to expire May 31, 2014

Hayden Johnson, term to expire May 31, 2014

Madison Litton, term to expire May 31, 2014

Miranda O'Mahony, term to expire May 31, 2014

Emily Yamane, term to expire May 31, 2014

Lodi Improvement Committee

Timothy Litton, term to expire March 1, 2014

Robert Takeuchi, term to expire March 1, 2015

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 Appointment to the Lodi Animal Advisory Commission and Re-Post for Remaining Vacancy (CLK)

Council Member Mounce made a motion, second by Mayor Pro Tempore Hansen, to make the following appointments and re-post for remaining vacancy:

APPOINTMENTS:

Lodi Animal Advisory Commission

Richard Vasquez, term to expire December 31, 2016

POSTINGS:

Lodi Animal Advisory Commission

One Vacancy, term 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

I. Regular Calendar - None

J. Ordinances

J-1 Adopt Ordinance No. 1893 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Section 17.68.20, 'Restrictions on Nonconforming Uses and Structures,' by Adding Paragraph A-6 Allowing Existing Industrial Uses to Expand Use and Structures Within the Mixed Use Corridor" (CLK)

Council Member Mounce made a motion, second by Council Member Nakanishi, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1893 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Section 17.68.20, 'Restrictions on Nonconforming Uses and Structures,' by Adding Paragraph A-6 Allowing Existing Industrial Uses to Expand Use and Structures Within the Mixed Use Corridor," which was introduced at a regular meeting of the Lodi City Council held March 19, 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

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 10:00 p.m.

ATTEST:

Randi Johl-Olson
City Clerk