

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MAY 2, 2012**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of May 2, 2012, was called to order by Mayor Mounce at 6:00 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Absent: Mayor Pro Tempore Nakanishi

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

C-2 Announcement of Closed Session

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

b) Conference with Steve Schwabauer, City Attorney (Labor Negotiator), Regarding Police Mid-Managers, Lodi Police Officers Association, and Lodi Police Dispatchers Association Pursuant to Government Code §54957.6

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:45 p.m.

C-4 Return to Open Session / Disclosure of Action

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

Items C-2 (a) and C-2 (b) were discussion only with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of May 2, 2012, was called to order by Mayor Mounce at 7:00 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Absent: Mayor Pro Tempore Nakanishi

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

B. Presentations

B-1 For the Health of It Proclamation

Mayor Mounce presented a proclamation to Michael Perry, representing Lodi Memorial Hospital, proclaiming Saturday, May 12, 2012, as "For the Health of It" day in the City of Lodi.

B-2 National Letter Carrier Food Drive Day Proclamation

Mayor Mounce presented a proclamation to Stacy Kermgard with the United States Post Office proclaiming Saturday, May 12, 2012, as "National Letter Carrier Food Drive Day" in the City of Lodi.

B-3 Peace Officers Memorial Month Proclamation (PD)

Mayor Mounce presented a proclamation to Police Chief Mark Helms proclaiming the month of May 2012 as "Peace Officers' Memorial Month" in the City of Lodi.

B-4 National Public Works Week Proclamation (PW)

Mayor Mounce presented a proclamation to Compliance Engineer Kathryn Garcia proclaiming the week of May 20 - 26, 2012, as "National Public Works Week" in the City of Lodi.

B-5 Bike to Work Day Proclamation (PW)

Mayor Mounce presented a proclamation to Mike Swearingen, Senior Regional Planner for San Joaquin Council of Governments, proclaiming May 15, 2012, as "Bike to Work Day" in the City of Lodi.

B-6 Presentation Regarding Youth Energy Summit (EUD)

Rob Lechner, Manager of Customer Service and Programs, gave a presentation regarding the Youth Energy Summit.

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

Council Member Johnson made a motion, second by Council Member Katzakian, to approve the following items hereinafter set forth in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Noes: None

Absent: Mayor Pro Tempore Nakanishi

C-1 Receive Register of Claims in the Amount of \$4,102,157.27 (FIN)

Claims were approved in the amount of \$4,102,157.27.

C-2 Approve Minutes (CLK)

The minutes of April 17, 2012 (Shirtsleeve Session), April 17, 2012 (Special Meeting), April 18, 2012 (Regular Meeting), and April 24, 2012 (Shirtsleeve Session) were approved as written.

C-3 Accept the Quarterly Investment Report as Required by Government Code Section 53646 and the City of Lodi Investment Policy (CM)

Accepted the quarterly investment report as required by Government Code Section 53646 and the City of Lodi Investment Policy.

C-4 Accept Quarterly Report of Purchases Between \$10,000 and \$20,000 (CM)

Accepted the quarterly report of purchases between \$10,000 and \$20,000.

C-5 Approve Plans and Specifications and Authorize Advertisement for Bids for City Hall Carport and Public Safety Building Jail Roof and Gutter Replacement Project (PW)

Approved the plans and specifications and authorized advertisement for bids for City Hall Carport and Public Safety Building Jail Roof and Gutter Replacement Project.

C-6 Approve Plans and Specifications and Authorize Advertisement for Bids for Fire Station No. 3 Standby Generator (PW)

Approved the plans and specifications and authorized advertisement for bids for Fire Station No. 3 standby generator.

C-7 Approve Specifications and Authorize Advertisement for Bids for 800 Tons of Asphalt Materials for Fiscal Year 2012/13 (PW)

Approved the specifications and authorized advertisement for bids for 800 tons of asphalt materials for fiscal year 2012/13.

C-8 Approve Specifications and Authorize Advertisement for Bids for Procurement of Biosolids Dewatering Polymer at White Slough Water Pollution Control Facility (PW)

Approved the specifications and authorized advertisement for bids for procurement of biosolids dewatering polymer at White Slough Water Pollution Control Facility.

C-9 Adopt Resolution Authorizing the City Manager to Execute Improvement Deferral Agreement for 33 East Tokay Street (PW)

Adopted Resolution No. 2012-48 authorizing the City Manager to execute Improvement Deferral Agreement for 33 East Tokay Street.

C-10 Adopt Resolution Authorizing the City Manager to Execute Contract for Citywide Tree Survey 2012 with West Coast Arborists, Inc., of Anaheim (\$19,275), and Appropriating Funds (\$22,000) (PW)

Adopted Resolution No. 2012-49 authorizing the City Manager to execute contract for Citywide Tree Survey 2012 with West Coast Arborists, Inc., of Anaheim, in the amount of \$19,275, and appropriating funds in the amount of \$22,000.

C-11 Adopt Resolution Authorizing the City Manager to Execute Amendment No. 1 to Professional Services Agreement with R.F. McDonald Company, of Modesto, for Repair of Boiler at White Slough Water Pollution Control Facility (\$11,495) (PW)

Adopted Resolution No. 2012-50 authorizing the City Manager to execute Amendment No. 1 to professional services agreement with R.F. McDonald Company, of Modesto, for repair of boiler at White Slough Water Pollution Control Facility in the amount of \$11,495.

- C-12 Adopt Resolution Authorizing the City Manager to Enter into a Letter of Agreement Between the City of Lodi and Holz Rubber Company for the Sale of Designated Municipal Electric Distribution Facilities (\$54,678) (EUD)

Adopted Resolution No. 2012-51 authorizing the City Manager to enter into a letter of agreement between the City of Lodi and Holz Rubber Company for the sale of designated municipal electric distribution facilities in the amount of \$54,678.

- C-13 Adopt Resolution Approving the Agreement Between the City of Lodi and Spare Time Inc., dba Twin Arbors Athletic Club, for Summer Swim League Program (PRCS)

Adopted Resolution No. 2012-52 approving the agreement between the City of Lodi and Spare Time Inc., dba Twin Arbors Athletic Club, for Summer Swim League Program.

- C-14 Adopt Resolution Approving the Master Lease Agreement with the Lodi Grape Festival and National Wine Show Association for Use of Various Festival Ground Facilities (\$21,000) (PRCS)

Adopted Resolution No. 2012-53 approving the master lease agreement with the Lodi Grape Festival and National Wine Show Association for use of various Festival ground facilities in the amount of \$21,000.

- C-15 Adopt Resolution Approving the Renewal of the Shared Automation Fee Structure for the Agreement Between the Cities of Stockton and Lodi for the Sirsi, Corp., Integrated Library System (\$31,400.82) (LIB)

Adopted Resolution No. 2012-54 approving the renewal of the Shared Automation Fee Structure for the Agreement between the cities of Stockton and Lodi for the Sirsi, Corp., Integrated Library System in the amount of \$31,400.82.

- C-16 Adopt Resolution Authorizing the Lodi Public Library to Participate with City of Richmond's Literacy for Every Adult Project (LEAP) in Implementation of the Learner Web-California (LIB)

Adopted Resolution No. 2012-55 authorizing the Lodi Public Library to participate with City of Richmond's Literacy for Every Adult Project (LEAP) in implementation of the Learner Web-California.

- 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. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Captain Dan Williams of the Lodi Salvation Army spoke in regard to the completion of the single-family shelter project and his transfer to Alameda County, stating he has enjoyed his stay in Lodi.

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

Council Member Johnson reported on his attendance at the Lodi Visitors and Conference Bureau

luncheon, stating tourism is doing well despite the challenging economic conditions. Mr. Johnson also commended Interim Parks, Recreation and Cultural Services Director Jeff Hood and Deputy City Attorney Janice Magdich for their efforts when filling in during difficult times.

Council Member Hansen reported on his attendance at a meeting with UC Davis students regarding the Climate Action Plan, the Highway 12 Task Force meeting regarding the updated plan and strategies, and the Northern California Power Agency conference in Washington D.C.

Mayor Mounce reported on her attendance at Legislative Action Days in Sacramento with the League of California Cities and invited everyone to participate in the Relay for Life to be held on June 2, 2012, at the Lodi Grape Festival.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Adopting Resolutions Approving the Final 2012/13 Action Plan for the Community Development Block Grant Program and the Section 108 Loan Guarantee Program Application (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 Mounce called for the public hearing to consider adopting resolutions approving the Final 2012/13 Action Plan for the Community Development Block Grant (CDBG) Program and the Section 108 Loan Guarantee Program Application.

Neighborhood Services Manager Joseph Wood provided a brief PowerPoint presentation regarding the CDBG Action Plan. Specific topics of discussion included the annual allocation process and amount, 2012/13 CDBG funding availability, public hearing process, Section 108 authorization, Grape Bowl renovation project application, and proposed adoption of recommended resolutions.

In response to Mayor Mounce, Mr. Wood stated unfortunately additional funding cannot be added to the spay and neuter program as requested by a public comment at the current time due to the public service cap but there may be an opportunity to reallocate unused funds later in the year.

In response to Council Member Hansen, Deputy Public Works Director Charlie Swimley stated six rounds of handicap retrofits will cost approximately \$96,000 and the City is also able to use some transit funds for Americans with Disabilities Act improvements in addition to the CDBG funds.

In response to Mayor Mounce, Mr. Wood stated the interest rate for the Section 108 Loan Program amounts to less than 3%.

Mayor Mounce opened the public hearing and receiving no comments closed the public hearing.

Council Member Hansen made a motion, second by Council Member Katzakian, to adopt Resolution No. 2012-56 approving the Final 2012/13 Action Plan for the Community Development Block Grant Program and Resolution No. 2012-57 approving the Section 108 Loan Guarantee Program Application.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Noes: None

Absent: Mayor Pro Tempore Nakanishi

H. Communications

H-1 Post for Expiring Terms and Vacancies on the Library Board of Trustees, Lodi Animal Advisory Commission, Lodi Arts Commission, Planning Commission, and San Joaquin County Commission on Aging (CLK)

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

Library Board of Trustees

Frankie Paul Kooger, term to expire June 30, 2012

Caitlin Casey, term to expire June 30, 2012

Lodi Animal Advisory Commission

VACANT, term to expire December 31, 2013

VACANT, term to expire December 31, 2014

VACANT, term to expire December 31, 2014

Lodi Arts Commission

Ben Burgess, term to expire July 1, 2012

Nancy Carey, term to expire July 1, 2012

Sandi Walker-Tansely, term to expire July 1, 2012

Teri Turrentine, term to expire July 1, 2013

Rosa Flores-Alcaraz, term to expire July 1, 2015

Planning Commission

Wendel Kiser, term to expire June 30, 2012

Randall Heinitz, term to expire June 30, 2012

San Joaquin County Commission on Aging

Terri Whitmire, term to expire June 30, 2012

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Noes: None

Absent: Mayor Pro Tempore Nakanishi

I. Regular Calendar

I-1 Receive Report Regarding Fourth of July at the Lake Event Planning and Adopt Resolution Setting Special Shelter Rental Rate of \$500 (PRCS)

Mayor Pro Tempore Nakanishi was present for this item.

Interim Parks, Recreation and Cultural Services Director Jeff Hood provided a brief PowerPoint presentation regarding the planned Fourth of July event at Lodi Lake and the proposed shelter rental rate. Specific topics of discussion included the proposed plan at Lodi Lake for the Fourth of

July festivities including hours of operation for swimming and rentals, food vendors and concessions, picnic shelter rental rate of \$500 based on Commission discussion and approval, and the recommended action to approve the same.

In response to Council Member Hansen, Mr. Hood stated the vendors are charged \$150 to participate and there will be additional vendors this year due to public feedback for additional food items.

In response to Council Member Hansen, Mr. Hood stated if both shelter areas rent for \$500 each a profit of \$1,000 could be made to offset some of the event costs. Mr. Hood stated if the shelters do not rent for \$500, they will be available on a first come, first serve basis as done in previous years.

In response to Council Member Johnson, Mr. Hood stated staff can mark off surrounding lawn area adjacent to the shelter area if needed to indicate the rental space boundaries.

In response to Mayor Mounce, Mr. Hood stated the reservation area will be clearly marked with signs, relevant City department representatives indicated enforcement was a non-issue, and the rental location and amount will be advertised through the press, on the City's web page, and through social media.

In response to Council Member Hansen, Mr. Hood stated the fireworks show costs typically come out of special events budget and the cost and length of the actual show will be similar to previous years.

Council Member Hansen made a motion, second by Council Member Katzakian, to adopt Resolution No. 2012-58 setting special shelter rental rate of \$500.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J. Ordinances

J-1 Adopt Ordinance No. 1858 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.20 - Electrical Service - by Repealing and Reenacting Section 13.20.175, 'Schedule ECA - Energy Cost Adjustment,' in its Entirety" (CLK)

Mayor Pro Tempore Nakanishi was present for this item.

Council Member Hansen made a motion, second by Council Member Katzakian, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1858 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.20 - Electrical Service - by Repealing and Reenacting Section 13.20.175, 'Schedule ECA - Energy Cost Adjustment,' in its Entirety," which was introduced at a regular meeting of the Lodi City Council held April 18, 2012.

VOTE:

The above motion carried by the following vote:

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

Noes: Mayor Mounce  
Absent: None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:00 p.m., in memory of Richard Koenig, who passed away on March 22, 2012; Bill Wick, who passed away on April 19, 2012; and Terry Whiteside, who passed away on April 19, 2012.

ATTEST:

Randi Johl  
City Clerk