

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 20, 2012**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of June 20, 2012, was called to order by Mayor Mounce at 6:50 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 6:50 p.m., Mayor Mounce adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:55 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 June 20, 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 Presentation to Captain Dan Williams with the Lodi Salvation Army

Mayor Mounce presented a Resolution of Appreciation to Captains Dan and Kim Williams with the Lodi Salvation Army in gratitude for their service to the Lodi community.

B-2 2012 National Dump the Pump Day Proclamation (PW)

Mayor Mounce presented a proclamation to Paula Fernandez, Transportation Manager, and Jeff Kohlhepp, General Manager with MV Transportation, proclaiming June 21, 2012, as "2012 National Dump the Pump Day" in the City of Lodi.

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, **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 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 \$5,256,171.41 (FIN)

Claims were approved in the amount of \$5,256,171.41.

C-2 Approve Minutes (CLK)

The minutes of June 5, 2012 (Shirtsleeve Session) and June 6, 2012 (Regular Meeting) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for the City Hall Parking Lot Reconstruction Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the City Hall Parking Lot Reconstruction Project.

C-4 Approve Specifications and Authorize Advertisement for Bids for Surface Water Treatment and Well Facilities Chemical Supply Contracts (PW)

Approved the specifications and authorized advertisement for bids for surface water treatment and well facilities chemical supply contracts.

C-5 Adopt Resolution Rejecting All Bids, Approving Plans and Specifications and Authorizing Re-Advertisement for Bids for Well 6R Granular Activated Carbon Treatment System (PW)

Adopted Resolution No. 2012-90 rejecting all bids, approving the plans and specifications and authorizing re-advertisement for bids for Well 6R granular activated carbon treatment system.

C-6 Adopt Resolution Authorizing the City Manager to Execute Purchase Order with Econolite Group, Inc., of San Leandro, for Three Traffic Signal Controllers/Cabinets (\$37,122) (PW)

Adopted Resolution No. 2012-91 authorizing the City Manager to execute purchase order with Econolite Group, Inc., of San Leandro, for three traffic signal controllers/cabinets in the amount of

\$37,122.

- C-7 Adopt Resolution Authorizing the City Manager to Execute Contract with Chrisp Company, of Fremont, for Extruded Thermoplastic Lane Line Marking for Various City Streets for Fiscal Year 2012/13 (\$73,185.90) (PW)

Adopted Resolution No. 2012-92 authorizing the City Manager to execute contract with Chrisp Company, of Fremont, for extruded thermoplastic lane line marking for various City streets for fiscal year 2012/13 in the amount of \$73,185.90.

- C-8 Adopt Resolution Authorizing the City Manager to Execute Contract for 2012 Streets Crack Sealing with Graham Contractors, Inc., of San Jose (\$79,216.02) (PW)

Adopted Resolution No. 2012-93 authorizing the City Manager to execute contract for 2012 Streets Crack Sealing with Graham Contractors, Inc., of San Jose, in the amount of \$79,216.02.

- C-9 Adopt Resolution Authorizing the City Manager to Execute Contracts for Fiscal Year 2012/13 with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for Downtown Cleaning (\$46,686.00), Transit Facility Cleaning (\$38,456.50), and Hutchins Street Square Landscape Maintenance (\$27,625.13) (PW)

Adopted Resolution No. 2012-94 authorizing the City Manager to execute contracts for fiscal year 2012/13 with United Cerebral Palsy of San Joaquin, Amador, and Calaveras Counties, of Stockton, for downtown cleaning in the amount of \$46,686.00, transit facility cleaning in the amount of \$38,456.50, and Hutchins Street Square landscape maintenance in the amount of \$27,625.13.

- C-10 Adopt Resolution Authorizing the City Manager to Execute Two-Year Professional Services Agreement (\$39,840) and to Execute Agreement Extensions with Crop Production Services, of Stockton, for White Slough Water Pollution Control Facility Land Application Area Monitoring (PW)

Adopted Resolution No. 2012-95 authorizing the City Manager to execute a two-year professional services agreement in the amount of \$39,840 and to execute agreement extensions with Crop Production Services, of Stockton, for White Slough Water Pollution Control Facility land application area monitoring.

- C-11 Adopt Resolution Authorizing the City Manager to Execute One-Year Extension of Contract with Republic ITS, of Novato, for Traffic Signal Preventive Maintenance and Repair Program for Fiscal Year 2012/13 (\$17,819) (PW)

Adopted Resolution No. 2012-96 authorizing the City Manager to execute a one-year extension of contract with Republic ITS, of Novato, for Traffic Signal Preventive Maintenance and Repair Program for fiscal year 2012/13 in the amount of \$17,819.

- C-12 Adopt Resolution Authorizing the City Manager to Execute One-Year Extension of Contract with TruGreen LandCare, of Rancho Cordova, for Maintenance of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for Fiscal Year 2012/13 (\$24,949.60) (PW)

Adopted Resolution No. 2012-97 authorizing the City Manager to execute a one-year extension of contract with TruGreen LandCare, of Rancho Cordova, for maintenance of Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for fiscal year 2012/13 in the amount of \$24,949.60.

- C-13 Adopt Resolution Authorizing the City Manager to Execute One-Year Extension of Contract with Jeff Case Construction, of Galt, for Curb, Gutter, and Sidewalk Replacement (\$150,000) (PW)

Adopted Resolution No. 2012-98 authorizing the City Manager to execute a one-year extension of contract with Jeff Case Construction, of Galt, for curb, gutter, and sidewalk replacement in the amount of \$150,000.

- C-14 Adopt Resolution Authorizing the City Manager to Execute One-Year Extension of Contract with Holt of California, of West Sacramento, for Standby Generator Maintenance and Repair (\$38,316) (PW)

Adopted Resolution No. 2012-99 authorizing the City Manager to execute a one-year extension of contract with Holt of California, of West Sacramento, for standby generator maintenance and repair in the amount of \$38,316.

- C-15 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Neil O. Anderson & Associates, of Lodi, for Construction Testing and Inspection Services (\$100,000) (PW)

Adopted Resolution No. 2012-100 authorizing the City Manager to execute a professional services agreement with Neil O. Anderson & Associates, of Lodi, for construction testing and inspection services in the amount of \$100,000.

- C-16 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Y & C Transportation Consultants, Inc., of Sacramento, for Design of the Ham Lane and Harney Lane Traffic Signal and Lighting Project (\$36,260) and Appropriating Funds (\$55,000) (PW)

This item was pulled for further discussion by Council Member Hansen.

In response to Council Member Hansen, Public Works Director Wally Sandelin confirmed the accelerated time period for the project, which will allow construction to commence in October or November of this year.

Council Member Hansen made a motion, second by Council Member Johnson, to adopt Resolution No. 2012-105 authorizing the City Manager to execute a professional services agreement with Y & C Transportation Consultants, Inc., of Sacramento, for design of the Ham Lane and Harney Lane Traffic Signal and Lighting Project in the amount of \$36,260 and appropriating funds in the amount of \$55,000.

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-17 Adopt Resolution Authorizing the City Manager to Execute Contract and to Execute Contract Extensions with West Coast Arborist, of Anaheim, for Tree Maintenance for Fiscal Year 2012/13 (\$72,900) (PW)

Adopted Resolution No. 2012-101 authorizing the City Manager to execute contract and to

execute contract extensions with West Coast Arborist, of Anaheim, for tree maintenance for fiscal year 2012/13 in the amount of \$72,900.

C-18 Adopt Resolution Authorizing the City Manager to Execute Contract with George Reed, Inc., of Modesto, for 800 Tons of Asphalt Materials for Fiscal Year 2012/13 (\$57,701) (PW)

Adopted Resolution No. 2012-102 authorizing the City Manager to execute contract with George Reed, Inc., of Modesto, for 800 tons of asphalt materials for fiscal year 2012/13 in the amount of \$57,701.

C-19 Adopt Resolution Authorizing the City Manager to Execute Contract for 2012 Utility Frame and Cover Adjustment Project, Various Locations, with Teichert Construction, of Roseville (\$183,690), and Appropriating Funds (\$20,000) (PW)

Adopted Resolution No. 2012-103 authorizing the City Manager to execute contract for 2012 Utility Frame and Cover Adjustment Project, Various Locations, with Teichert Construction, of Roseville, in the amount of \$183,690 and appropriating funds in the amount of \$20,000.

C-20 Adopt Resolution Authorizing the Hiring of Firefighters from the Displaced Firefighter List Pursuant to Government Code Section 53270 (HR)

Adopted Resolution No. 2012-104 authorizing the hiring of firefighters from the Displaced Firefighter List pursuant to Government Code Section 53270.

C-21 Adopt Resolution Approving Contract with Lodi Unified School District to Provide After School Staff Support for the Bridge Program at 13 Locations During Fiscal Year 2012/13 (\$573,980) and Appropriating Funds (\$156,612) (PRCS)

This item was pulled for further discussion by Council Member Hansen.

In response to Council Member Hansen, City Manager Rad Bartlam confirmed that the Bridge Program is funded by State grants and the City recovers 100% of its costs to administer the program. Mr. Bartlam stated the School District does not charge rent for facilities with this program.

Council Member Hansen made a motion, second by Council Member Katzakian, to adopt Resolution No. 2012-106 approving contract with Lodi Unified School District to provide after school staff support for the Bridge Program at 13 locations during fiscal year 2012/13 in the amount of \$573,980 and appropriating funds in the amount of \$156,612.

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-22 Authorize Acceptance of Memorial Bench, Tree, and Plaque Donations at Lodi Lake Park (PRCS)

Authorized acceptance of memorial bench, tree, and plaque donations at Lodi Lake Park.

C-23 Set Public Hearing for August 1, 2012, to: a) Consider Resolution Approving Master Plans for Water, Wastewater, Storm Drainage, and Bicycle; b) Certify the Negative Declaration

as Adequate Environmental Documentation for the Master Plans for the Water, Wastewater, Storm Drainage, and Bicycle; c) Consider Resolution Approving Impact Mitigation Fee Program Report; and d) Consider Resolution Approving Impact Mitigation Fee Program Schedule of Fees (PW)

Set public hearing for August 1, 2012, to: a) Consider resolution approving Master Plans for Water, Wastewater, Storm Drainage, and Bicycle; b) certify the Negative Declaration as adequate environmental documentation for the Master Plans for the Water, Wastewater, Storm Drainage, and Bicycle; c) Consider resolution approving Impact Mitigation Fee Program Report; and d) Consider resolution approving Impact Mitigation Fee Program Schedule of Fees.

C-24 Set Public Hearing for August 1, 2012, Regarding Termination of Southwest Gateway and Westside Project Development Agreements with Frontier Community Builders, Inc. (CM)

Set public hearing for August 1, 2012, regarding termination of Southwest Gateway and Westside Project Development Agreements with Frontier Community Builders, Inc.

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.

None.

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

Council Member Hansen reported on his attendance at the American Public Power Association conference and San Joaquin Council of Governments meeting and specifically discussed a potential negative affect on public marketing agencies' ability to control costs and the status of Phase II improvements to Highway 12.

Mayor Mounce reported on her attendance at the ribbon cutting event for the Salvation Army's Hope Harbor project and invited the public to attend the Vintage Sports Grill grand opening on June 21, 2012, and Taco Truck Cook Off on June 30, 2012.

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

G. Public Hearings

G-1 Public Hearing to Consider Resolution Adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2012/13, and Ordering the Levy and Collection of Assessments (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 Mounce called for the public hearing to consider resolution adopting Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2012/13, and ordering the levy and collection of assessments.

Junior Engineer Chris Boyer provided a brief presentation regarding the proposed assessment for the landscape and maintenance district as set forth in the staff report.

In response to Council Members Johnson and Hansen, Mr. Boyer stated the assessment has decreased because the reserve amount is sufficient in comparison to the actual assessment amount and there is no escalator because the service is bid every two years.

Council Member Hansen made a motion, second by Council Member Katzakian, to adopt Resolution No. 2012-107 adopting the Final Engineer's Annual Levy Report for Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1, Fiscal Year 2012/13, and ordering the levy and collection of assessments.

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 Appointment to the Lodi Senior Citizens Commission (CLK)

Mayor Mounce made a motion, second by Council Member Hansen, to make the following appointment:

Lodi Senior Citizens Commission

Sandy Beglau, term to expire December 31, 2013

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-2 Monthly Protocol Account Report (CLK)

Mayor Mounce made a motion, second by Council Member Hansen, to approve the cumulative Monthly Protocol Account Report through May 31, 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 Introduce Ordinance Amending Lodi Municipal Code Chapter 12.12 - Parks - by Repealing and Reenacting Article V, "Skate Parks," In Its Entirety (CA)

City Attorney Schwabauer provided a brief presentation of the proposed amendments to the

ordinance as set forth in the staff report and specifically discussed previous insurance requirements and the history of the skate park.

In response to Mayor Mounce, Interim Parks, Recreation and Cultural Services Director Jeff Hood stated the materials and equipment at the skate park are more durable and will be sufficient for skate board and bicycle use.

In response to Council Member Johnson, Mr. Schwabauer stated he has not received any citizen complaints.

In response to Council Member Johnson, Mr. Hood stated the vandalism concerns still exist but are general in nature and not specific to the use or apparatus at the skate park.

In response to Council Member Hansen, Mr. Hood stated the webcam at the downtown theater still exists but is not operating currently due to some technological changes. Mr. Hood also provided an overview of new cameras obtained by Parks and Recreation that can be installed and used at various locations in the City, including the skate park. Council Member Johnson and Mayor Mounce suggested the use of the new cameras be based on the greatest priority locations such as Hale Park.

Council Member Katzakian made a motion, second by Council Member Johnson, to introduce Ordinance No. 1860 amending Lodi Municipal Code Chapter 12.12 - Parks - by repealing and reenacting Article V, "Skate Parks," in its entirety.

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

J. Ordinances - None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:50 p.m.

ATTEST:

Randi Johl
City Clerk