

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, AUGUST 5, 2015**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of August 5, 2015, was called to order by Mayor Pro Tempore Chandler at 6:33 p.m.

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

Absent: Mayor Johnson

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

C-2 Announcement of Closed Session

- a) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California; Case No. CIV-S-00-2441 FCD JFM (CA)

C-3 Adjourn to Closed Session

At 6:33 p.m., Mayor Pro Tempore Chandler adjourned the meeting to a Closed Session to discuss the above matter. The Closed Session adjourned at 6:40 p.m.

C-4 Return to Open Session / Disclosure of Action

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

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

A. Call to Order / Roll Call

The Regular City Council meeting of August 5, 2015, was called to order by Mayor Pro Tempore Chandler at 7:00 p.m.

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

Absent: Mayor Johnson

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

B. Presentations

- B-1 Check Presentation by Tree Lodi to Parks, Recreation, and Cultural Services Department (\$7,000) (PRCS)

Parks Superintendent Steve Dutra and representatives of Tree Lodi presented a check in the amount of \$7,000 to the City to offset the Parks Division's costs associated with replanting the trees at Peterson Park. Mr. Dutra thanked the City Council; City Manager; Parks, Recreation, and Cultural Services Director; and Public Works Director for their continued support and assistance.

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

Council Member Mounce made a motion, second by Council Member Nakanishi, 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 Kuehne, Council Member Mounce, Council Member Nakanishi, and Mayor Pro Tempore Chandler

Noes: None

Absent: Mayor Johnson

C-1 Receive Register of Claims in the Amount of \$10,297,497.81 (FIN)

Claims were approved in the amount of \$10,297,497.81.

C-2 Approve Minutes (CLK)

The minutes of July 7, 2015 (Shirtsleeve Session), July 8, 2015 (Special Meeting), July 14, 2015 (Shirtsleeve Session), and July 21, 2015 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Michael David Winery Force Main Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Michael David Winery Force Main Project.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Lodi Public Library Children's Area Expansion Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Lodi Public Library Children's Area Expansion Project.

C-5 Approve Specifications and Authorize Advertisement for Bids to Procure Padmount Switches (EU)

Approved the specifications and authorized advertisement for bids to procure padmount switches.

C-6 Adopt Resolution Authorizing City Manager to Approve the Purchase of Bucket Truck from Altec Industries, Inc., of Dixon (\$155,000) (EU)

Adopted Resolution No. 2015-122 authorizing the City Manager to approve the purchase of a bucket truck from Altec Industries, Inc., of Dixon, in the amount of \$155,000.

C-7 Adopt Resolution Authorizing City Manager to Execute Purchase Order for Yeoman Return Activated Sludge Pump at White Slough Water Pollution Control Facility from Pump Repair Service Company, of San Francisco (\$31,000) (PW)

Adopted Resolution No. 2015-123 authorizing the City Manager to execute a purchase order for the Yeoman return activated sludge pump at White Slough Water Pollution Control Facility from Pump Repair Service Company, of San Francisco, in the amount of \$31,000.

C-8 Adopt Resolution Authorizing City Manager to Execute Purchase Order for Software Upgrades and Support for Supervisory Control and Data Acquisition System at the Surface Water Treatment Facility from Wonderware Norcal, of Healdsburg (\$38,000) (PW)

Adopted Resolution No. 2015-124 authorizing the City Manager to execute a purchase order for software upgrades and support for a Supervisory Control and Data Acquisition System at the Surface Water Treatment Facility from Wonderware Norcal, of Healdsburg, in the amount of \$38,000.

C-9 Adopt Resolution Awarding Contract for LED Luminaire Retrofit of Cobra Head Street Lights with Tanko Lighting, of San Francisco (\$1.3 Million) (EU)

Adopted Resolution No. 2015-125 awarding the contract for the LED luminaire retrofit of cobra head street lights with Tanko Lighting, of San Francisco, in the amount of \$1.3 million.

C-10 Adopt Resolution Approving Debt Financing with Farmers and Merchants Bank of Lodi for LED Street Light Retrofit Project (\$1.5 Million) and Authorizing City Manager and Deputy City Manager to Execute All Necessary Financing Documents (EU)

In response to Council Member Nakanishi, Deputy City Manager Jordan Ayers stated that this debt financing is related to street lights and that revenues from the State-mandated green house gas program will repay the debt.

Adopted Resolution No. 2015-126 approving debt financing with Farmers and Merchants Bank of Lodi for the LED Street Light Retrofit Project in the amount of \$1.5 million and authorizing the City Manager and Deputy City Manager to execute all necessary financing documents.

C-11 Accept Improvements Under Contract for Lodi Lake Park - Wading Pool Resurfacing Improvements (PW)

Accepted the improvements under the contract for the Lodi Lake Park - Wading Pool Resurfacing Improvements.

C-12 Accept Improvements Under Contract for Lodi Lake Storm Drain Outfall Improvement Project (PW)

Accepted the improvements under the contract for the Lodi Lake Storm Drain Outfall Improvement Project.

C-13 Adopt Resolution Approving Final Map for Sunwest Cottages, Tract No. 3858 (PW)

Adopted Resolution No. 2015-127 approving the Final Map for Sunwest Cottages, Tract No. 3858.

C-14 Adopt Resolution Authorizing City Manager to Execute Three-Year Professional Services Agreement with Lyons Security Service, Inc., of Orange, for Security Services at Hutchins Street Square and Authorizing Parks, Recreation, and Cultural Services Director to Execute Extensions (\$40,000) (PRCS)

Adopted Resolution No. 2015-128 authorizing the City Manager to execute a three-year Professional Services Agreement with Lyons Security Service, Inc., of Orange, for security services at Hutchins Street Square and authorizing the Parks, Recreation, and Cultural Services Director to execute extensions in the amount of \$40,000.

C-15 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with ICF Jones & Stokes, Inc., of Sacramento, for Lodi Lake Park Grant Applications (\$73,891) and Appropriating Funds (PRCS)

Adopted Resolution No. 2015-129 authorizing the City Manager to execute a Professional Services Agreement with ICF Jones & Stokes, Inc., of Sacramento, for Lodi Lake Park grant applications in the amount of \$73,891 and appropriating funds.

C-16 Adopt Resolution Approving City Payment of Central Valley Regional Water Quality Control Board Oversight Costs for PCE Cleanup Program and Appropriating Funds (\$220,000) (PW)

Adopted Resolution No. 2015-130 approving City payment of the Central Valley Regional Water Quality Control Board oversight costs for the PCE cleanup program and appropriating funds in the amount of \$220,000.

C-17 Adopt Resolution Declaring City Council's Support of the Mokelumne Watershed Interregional Sustainability Evaluation Program (PW)

Adopted Resolution No. 2015-131 declaring the City Council's support of the Mokelumne Watershed Interregional Sustainability Evaluation Program.

C-18 Authorize the Mayor, on Behalf of the City Council, to Send a Letter of Opposition for AB 278 (Hernandez): District-Based Municipal Elections (CLK)

Authorized the Mayor, on behalf of the City Council, to send a letter of opposition for AB 278 (Hernandez): District-Based Municipal Elections.

C-19 Receive Update on Emergency Condition at White Slough Water Pollution Control Facility Digesters No. 1 and No. 2 (PW)

Received update on emergency condition at White Slough Water Pollution Control Facility Digesters No. 1 and No. 2.

C-20 Report on Emergency Air Conditioning Equipment Replacement at White Slough Water Pollution Control Facility (PW)

Received report on the emergency air conditioning equipment replacement at White Slough Water Pollution Control Facility.

C-21 Adopt Resolution Declaring Intention to Annex Territory to Community Facilities District No. 2007-1 (Public Services) and to Levy a Special Tax to Pay for Certain Public Services (Annexation No. 3) and Setting a Public Hearing for September 16, 2015 (PW)

Adopted Resolution No. 2015-132 declaring intention to annex territory to Community Facilities District No. 2007-1 (Public Services) and to levy a special tax to pay for certain public services (Annexation No. 3) and setting a public hearing for September 16, 2015.

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.

Bob Bechill expressed concern about the overwhelming increase in transients in Lodi, stating that Lawrence Park is overrun with homeless individuals; the downtown and major shopping areas are affected by aggressive panhandling; and crimes, especially petty theft, have increased significantly. He stated he no longer recommends downtown as a destination because of this growing problem and recounted an incident where a transient became aggressive toward him. He urged the City to make this issue its highest priority by compelling the Police Department to strictly enforce laws relating to loitering, dumpster diving, and panhandling and urging the Homelessness Solutions Committee (HSC) to present its final report as soon as possible in order to immediately take action on its recommendations.

City Manager Schwabauer explained that Council is limited on what it can discuss at this meeting, as the matter of homelessness was not agendaized; however, at the request of Council Member Nakanishi, Mr. Schwabauer stated that the HSC is discussing this matter and will come forward

with recommendations. Until then, the Lodi Police Department has made significant effort to increase downtown patrols, including paying overtime. Unfortunately, staffing issues and injuries has negatively impacted the number of officers available to patrol the streets, but the Chief is committed to re-establishing the level of patrol as quickly as possible. Additionally, the Police Department conducted Operation Hope for the Homeless with a focus on social services and removal of encampment sites.

Council Member Kuehne stated he serves on the HSC, adding that the committee now meets weekly due to the importance of this issue and is diligently working to present a thorough, comprehensive report.

Susan Rabusin announced that she started a Facebook group called Citizens Against Lodi Electric Utilities Rates and Charges, which has a following of over 600 individuals and provides an opportunity for citizens to question and investigate their utility bills. Many people have reported bills that have doubled or tripled from June to July. She expressed concern that citizens are encouraged to contact the City if there are questions about a bill; however, staff responds that customers are unable to read their bill correctly, that they are confused by the water meter, or that it was an unusually hot month. The group feels they do not receive adequate service or response from Lodi Electric. Ms. Rabusin expressed hope that the City will work with this group to address its concerns; that Lodi's rates will become more in-line with SMUD's rates; and that customer service is improved to better assist residents with their utility bill questions.

Mayor Pro Tempore Chandler suggested it would be beneficial for the group to meet with Electric Utility staff to hear an explanation of the utility bill, receive guidance on how to save energy, and to view comparisons of costs with other communities.

Council Member Nakanishi suggested a town hall meeting to educate the public on how Lodi Electric operates.

Council Member Mounce agreed with the idea of a town hall meeting and further suggested that Council meet with Electric Utility staff to review Lodi's tiered rate structure, stating that the tiers could be structured more like PG&E's. Council Member Mounce stated she joined the Facebook group and has reviewed the posts and comments. With regard to upgrading homes to be more energy efficient, Council Member Mounce pointed out that many residents are renters and are unable to make improvements to their homes. She suggested a program to assist renters, as well as incentives for landlords to upgrade their properties.

Pam Summer expressed concern about the homeless individuals who sleep on the bus benches in front of Victory Center and leave rubbish in the area.

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

Council Member Nakanishi announced that 72 block parties were held at last night's annual National Night Out event and he attended three of the parties, including one hosted by the son of former East Side Improvement Committee member, Eileen St. Yves, who is continuing her advocacy for the east side. Council Member Nakanishi encouraged neighborhoods to form Neighborhood Watch groups and participate in next year's event.

Council Member Mounce, who serves as the 2nd Vice President on the Executive Board of the League of California Cities, reported on its recent meeting to discuss transportation issues in California, stating there is a bill moving through legislation that may garner support that would greatly assist cities with respect to transportation, streets, and roads by providing needed funding. Council Member Mounce thanked Council for supporting the opposition letter on AB 278 regarding district-based municipal elections, explaining that Lodi is not large enough to have elections by district and that opposition of this bill promotes local control for municipalities. With regard to the homeless situation, Council Member Mounce stated this is not a unique problem to Lodi; however, she firmly believes that Lodi offers valuable programs to assist individuals in becoming productive citizens of the community, but those who choose not to accept help should locate to another community.

Mayor Pro Tempore Chandler reported that he serves on the Northern California Power Agency and announced that he was nominated to serve on its Executive Committee.

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

City Manager Schwabauer extended an invitation to meet privately with Ms. Rabusin and her Facebook members to discuss their electric utility bill concerns; however, he declined her invitation to join the Facebook group, explaining that it is not the most appropriate venue to discuss the matter. Mr. Schwabauer further explained that SMUD has a significant percentage of hydroelectric power, which is the basis for its rate structure, and its size and economy of scale help spread its costs. The hydroelectric power allows SMUD to have lower rates; however, this could negatively affect SMUD when it is required to have a 50 percent renewable standard portfolio as hydroelectric will not be included.

G. Public Hearings

G-1 Public Hearing to Consider Reduction of Special Taxes and Annual Index for Community Facilities District No. 2007-1 (CM)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pro Tempore Chandler called for the public hearing to consider reduction of special taxes and annual index for Community Facilities District (CFD) No. 2007-1.

City Manager Schwabauer explained that in 2007, Lodi established the CFD for all new residences built within the City, which was set at \$600 per residence per year and indexed at the greater of 5 percent or Consumer Price Index (CPI). As indexed today, the fee would be \$840 per residence per year, which is significant, especially in light of how drastically the economy changed after 2007. The homebuilders who are constructing these new homes requested the City provide a measure of relief by reducing the fee. In exchange for reducing the fee to \$500 and an indexing of the greater of 2 percent or CPI, the developers agreed to waive their vested rights to reduce their development impact fees on a sliding scale between three and four years. There are several items on the agenda relating to this matter. Public Hearing G-1 is the public hearing regarding the reduction in the fee; no action is required at this time, and staff will return at the next Council meeting to set a date for the election, at which the landowners will vote. The second public hearing, G-2, is to consider three development agreements, and the third public hearing, G-3, is to annex two new properties into the CFD.

Mayor Pro Tempore Chandler opened the public hearing for public comment.

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

There was no Council action required on this matter.

G-2 Public Hearing to Consider Approving Development Agreements for the Reynolds Ranch, Rose Gate, and Van Ruiten Ranch Subdivisions and Introduce Ordinances Adopting the Development Agreements to Reduce Community Facilities District Special Taxes and Waiving Vesting Map Rights (CM)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pro Tempore Chandler called for the public hearing to consider approving development agreements for the Reynolds Ranch, Rose Gate, and Van Ruiten Ranch subdivisions and introduce ordinances adopting the development agreements to reduce Community Facilities District (CFD) special taxes and waiving vesting map rights.

City Manager Schwabauer explained that this action relates to Public Hearing G-1 and is action to approve the development agreements with Van Ruiten Ranch, Rose Gate, and Reynolds Ranch subdivisions to waive their vested rights to the reduced impact fees.

Council Member Mounce expressed appreciation to the involved parties for agreeing to an arrangement that is mutually beneficial to all, as it was never the City's intention to extend the vested map reduction for future years.

Mayor Pro Tempore Chandler opened the public hearing for public comment.

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

Council Member Mounce made a motion, second by Council Member Kuehne, to introduce Ordinance No. 1908 adopting the development agreement for the Reynolds Ranch Subdivision; Ordinance No. 1909 adopting the development agreement for the Rose Gate Subdivision; and Ordinance No. 1910 adopting the development agreement for the Van Ruiten Ranch Subdivision, which will reduce Community Facilities District special taxes and waive vesting map rights.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

G-3 Public Hearing to Receive Input and Consider Adoption of a Resolution Calling an Election to Submit to the Qualified Electors the Question of Levying a Special Tax within the Area Proposed to be Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2); and a Resolution Declaring the Results of the Special Election and Ordering the Annexation of Territory to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2); and Introduce an Ordinance Levying and Apportioning the Special Tax in Territory Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2) (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 Pro Tempore Chandler called for the public hearing to consider adoption of a resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District (CFD) No. 2007-1 (Public Services) (Annexation No. 2); and a resolution declaring the results of the special election and ordering the annexation of territory to CFD No. 2007-1 (Public Services) (Annexation No. 2); and introduce an ordinance levying and apportioning the special tax in territory annexed to CFD No. 2007-1 (Public Services) (Annexation No. 2).

City Manager Schwabauer explained that this action relates to Public Hearings G-1 and G-2 and is action to annex new land, located on Tienda Drive and Kettleman Lane near the senior facility, into the CFD at the reduced rate proposed for the other developments.

In response to Council Member Nakanishi, Mr. Schwabauer explained that CFD votes can be handled in two ways: 1) all parties can waive time and vote on the issue immediately, similar to this item; or 2) absent the waivers, wait the full three-month period to vote, as is the case for the reduced assessment on Public Hearing G-1.

Mayor Pro Tempore Chandler opened the public hearing for public comment.

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

Council Member Mounce made a motion, second by Council Member Kuehne, to adopt Resolution No. 2015-133 calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2).

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

Council Member Mounce made a motion, second by Council Member Nakanishi, to adopt Resolution No. 2015-134 declaring the results of the special election and ordering the annexation of territory to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2).

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

Council Member Mounce made a motion, second by Council Member Kuehne, to introduce Ordinance No. 1911 levying and apportioning the special tax in territory annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 2).

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

G-4 Public Meeting to Allow Public Testimony Regarding the Proposed Lodi Tourism Business Improvement District Assessment; Adopt Resolution of Intention to Disestablish the Existing Lodi Tourism Business Improvement District; and Introduce an Ordinance Disestablishing the Existing Lodi Tourism Business Improvement District (CM)

Mayor Pro Tempore Chandler called for the public meeting to allow public testimony regarding the proposed Lodi Tourism Business Improvement District (LTBID) assessment; adopt resolution of intention to disestablish the existing LTBID; and introduce an ordinance disestablishing the existing LTBID.

Business Development Manager Adam Brucker provided a presentation regarding the proposed Lodi Tourism Business Improvement District Assessment. Specific topics of discussion included actions taken at the July 15, 2015, meeting to establish the new district and request San Joaquin County consent to add the area known as Flag City to the district and noticing requirements to all lodging owners in the district regarding the 45-day protest period. Mr. Brucker explained that the first portion of this item is to accept public testimony, after which no further action on the establishment of the new district is necessary until the public hearing. Additionally, the second portion of this item is to take the initial steps to disestablish the existing District by adopting a resolution of intention and introducing an ordinance. Council will take final action at its September 2, 2015, meeting following the 45-day protest period. Mr. Brucker confirmed that the San Joaquin County Board of Supervisors will vote on its consent to add Flag City prior to Council's meeting on September 2.

Mayor Pro Tempore Chandler opened the public hearing for public comment.

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

Council Member Mounce made a motion, second by Council Member Kuehne, to adopt Resolution No. 2015-135 of Intention to disestablish the existing Lodi Tourism Business Improvement District.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

Council Member Kuehne made a motion, second by Council Member Nakanishi, to introduce Ordinance No. 1912 disestablishing the existing Lodi Tourism Business Improvement District.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

H. Communications

H-1 Appointments to the Greater Lodi Area Youth Commission (Adult Advisors), Planning Commission, and San Joaquin County Commission on Aging; and Post for Vacancies on the Lodi Senior Citizens Commission and Lodi Arts Commission (CLK)

Council Member Mounce made a motion, second by Council Member Kuehne, to make the following appointments and direct the City Clerk to post for the following vacancies:

Appointments:

Greater Lodi Area Youth Commission (Adult Advisors)

Elizabeth Mazzeo, term to expire May 31, 2018

Anne Siegfried, term to expire May 31, 2018

Daniel Valdez, term to expire May 31, 2018

Planning Commission

Steven Hennecke, term to expire June 30, 2019

David Kirsten, term to expire June 30, 2019

San Joaquin County Commission on Aging

Teresa Whitmire, term to expire June 30, 2018

Posting:

Lodi Senior Citizens Commission

One Vacancy, term to expire December 31, 2016

Lodi Arts Commission

One Vacancy, term to expire July 1, 2017

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

I. Regular Calendar

I-1 Adopt Resolution Adding One Full-Time Management Analyst Position to be Shared Between the Fire and Parks, Recreation, and Cultural Services Departments and Deleting One Part-Time Management Analyst Position Within the Fire Department and Revising Appropriations (\$66,200) (CM)

Human Resources Manager Adele Post provided a presentation regarding the addition of one full-time Management Analyst position to be shared between the Fire Department at 60 percent and Parks, Recreation, and Cultural Services Department at 40 percent and the deletion of one part-time Management Analyst position in the Fire Department.

In response to Council Member Mounce, Ms. Post confirmed that the individual currently filling the part-time position is eligible to participate in the recruitment for the new full-time position.

Council Member Mounce made a motion, second by Council Member Kuehne, to adopt Resolution No. 2015-136 adding one full-time Management Analyst position to be shared between the Fire and Parks, Recreation, and Cultural Services Departments and deleting one part-time Management Analyst position within the Fire Department and revising appropriations in the amount of \$66,200.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

I-2 Adopt Resolution Adding One Maintenance Worker I Position in the Wastewater Division and One Maintenance Worker III Position in the Streets Division and Deleting One Wastewater Plant Operator Position and One Streets Supervisor Position Within the Public Works Department (CM)

Human Resources Manager Adele Post provided a presentation regarding the addition of one Maintenance Worker I position in the Wastewater Division and one Maintenance Worker III position in the Streets Division and deleting one Wastewater Plant Operator position and one Streets Supervisor position within the Public Works Department, stating this adjustment will result in a cost savings of \$53,000, split between the two divisions, and improve operations within the department.

Council Member Kuehne made a motion, second by Mayor Pro Tempore Chandler, to adopt Resolution No. 2015-137 adding one Maintenance Worker I position in the Wastewater Division and one Maintenance Worker III position in the Streets Division and deleting one Wastewater Plant Operator position and one Streets Supervisor position within the Public Works Department.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

I-3 Introduce Ordinance Amending Lodi Municipal Code Title 15 - Buildings and Construction - by Adding Chapter 15.19, "Expedited Permit Process for Small Residential Rooftop Solar Systems" (CD)

City Manager Schwabauer provided a presentation regarding the ordinance adding Lodi Municipal Code Chapter 15.19, Expedited Permit Process for Small Residential Rooftop Solar Systems, explaining that the State enacted a law requiring municipalities to streamline the process for applications to construct rooftop solar systems and grant the building permit within a

three-day period.

In response to Council Member Kuehne, Mr. Schwabauer stated there are two possible catalysts for this law: 1) some municipalities may be slowing the process with bureaucratic red tape; and 2) solar companies may be pushing the expedited process to avoid customers changing their minds about solar purchases. In response to Mr. Schwabauer, Building Official Dennis Canright estimated that eight customers to date have withdrawn their rooftop solar system permits and that he typically issues refunds each month.

Council Member Mounce expressed support for the checklist requirement, adding it was her desire that every department use checklists to track the progress of projects. In response to Council Member Mounce, Rates & Resources Manager Melissa Cadek confirmed that the City, through the net metering law, buys back solar energy at the end of the year that customers create at the retail rate less 3 percent for public benefits.

In response to Council Member Nakanishi, Mr. Schwabauer stated there is an inadequate amount of solar energy produced in Lodi to supply its full load, and he doubted there ever would be enough; however, he believed that, moving forward, the City will see an increase in solar energy. Further, Mr. Schwabauer confirmed that solar is costly to buy back from customers because the City buys back the energy at the retail rate, not wholesale, and the customer does not contribute toward the operation and maintenance costs of the City's distribution system. In addition, utilities will be required to meet the 50 percent renewable portfolio standard, which is green energy that costs half that of natural gas. In further response, Mr. Schwabauer stated that solar energy is roughly 1.5 times higher in cost.

In response to Council Member Mounce, Mayor Pro Tempore Chandler stated that Northern California Power Agency is working to earn credit for hydroelectric energy because it is renewable.

Council Member Kuehne pointed out that it is not solely municipally-owned utilities that face this problem and that investor-owned utilities, such as PG&E and SMUD, will also be required to meet these standards.

Council Member Mounce made a motion, second by Council Member Kuehne, to introduce Ordinance No. 1913 amending Lodi Municipal Code Title 15 - Buildings and Construction - by adding Chapter 15.19, "Expedited Permit Process for Small Residential Rooftop Solar Systems."

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

J. Ordinances

J-1 Ordinance No. 1907 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 15 - Buildings and Construction - by Repealing and Re-Enacting Chapter 15.65, 'San Joaquin County Regional Transportation Impact Fee,' in its Entirety" (CLK)

Council Member Mounce made a motion, second by Council Member Kuehne, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1907 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 15 - Buildings and Construction - by Repealing and Re-Enacting Chapter 15.65, 'San Joaquin County Regional Transportation Impact Fee,' in its Entirety," which was introduced at a regular meeting of the Lodi City Council held July 15, 2015.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: Mayor Johnson

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:09 p.m.

ATTEST:

Jennifer M. Ferraiolo
City Clerk