

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, OCTOBER 21, 2015**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of October 21, 2015, was called to order by Mayor Johnson at 6:15 p.m.

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

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 (Labor Negotiator); Compensation and Benefits for Executive Management; and Conference with Adele Post, Human Resources Manager and Jordan Ayers, Deputy City Manager (Labor Negotiators); Compensation and Benefits for Council Appointees; Pursuant to Government Code §54957.6

b) Conference with Adele Post, Human Resources Manager, and Jordan Ayers, Deputy City Manager (Labor Negotiators), Regarding AFSCME General Services and Maintenance & Operators; Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:15 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:46 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:00 p.m., Mayor Johnson reconvened the City Council meeting, and the following actions were disclosed.

In regard to Item C-2(a), Deputy City Manager Jordan Ayers reported that the portion relating to Council Appointees was discussion only with no reportable action.

In regard to Item C-2(b), City Attorney Magdich reported that the item was discussion only with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of October 21, 2015, was called to order by Mayor Johnson at 7:00 p.m.

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

Absent: None

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

B. Presentations

B-1 National Friends of the Library Week Proclamation (LIB)

Mayor Johnson presented a proclamation to Frank Kooger with the Library Board of Trustees and Susan Hye with Friends of the Lodi Library proclaiming October 18-24, 2015, as National Friends of the Library Week in Lodi.

B-2 Leadership Lodi Certificates of Appreciation (LIB)

In recognition of their hard work and fundraising efforts for the Lodi Public Library Children's Area Redesign project, Mayor Johnson presented certificates of appreciation to the following 2015 Leadership Lodi class participants: Carmen Bais, Sierra Brucia, Srey Kho, Carlene Miller, Lynsay Nuss, Paula O'Keefe, Pam Schneider, Jonell Steckman, Jennifer Winn, and Jen Young. The group raised \$53,000 through donations and sponsors, which is the most raised by a single class in the Leadership Lodi program's 25-year history.

*NOTE: The following class members were unable to attend - April Berg, Becky Clinkenbeard, Daniel Kramer, Mickie Nuss, Courtney Sandison, and Andrew Stroud.*

B-3 Domestic Violence Awareness Month Proclamation (CLK)

Mayor Johnson presented a proclamation to Melissa Amos, Youth Shelter Manager with the Women's Center of San Joaquin Youth and Family Services, and Lita Wallach, Board of Directors President, proclaiming the month of October 2015 as Domestic Violence Awareness Month in Lodi. Ms. Amos announced that the 2nd Annual Night of Remembrance Vigil will take place on October 22, 2015, in recognition of Domestic Violence Awareness Month.

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

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

Noes: None

Absent: None

C-1 Receive Register of Claims in the Amount of \$10,573,099.60 (FIN)

Claims were approved in the amount of \$10,573,099.60.

C-2 Approve Minutes (CLK)

The minutes of September 15, 2015 (Shirtsleeve Session), September 16, 2015 (Regular Meeting), September 22, 2015 (Shirtsleeve Session), September 22, 2015 (Special Meeting), September 29, 2015 (Shirtsleeve Session), September 29, 2015 (Special Meeting), October 6, 2015 (Shirtsleeve Session), October 7, 2015 (Regular Meeting), and October 13, 2015 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Water Well Abandonment Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Water Well Abandonment Project.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Animal Shelter Interior Improvements (PW)

Approved the plans and specifications and authorized advertisement for bids for the Animal Shelter Interior Improvements Project.

C-5 Approve Plans and Specifications and Authorize Advertisement for Bids for Municipal Utility Services Transit Bus Wash Project (PW)

Approved the plans and specifications and authorized advertisement for bids for the Municipal Utility Services Transit Bus Wash Project.

C-6 Approve Specifications and Authorize Advertisement for Bids to Procure 35 MVA 60/12 kV Power Transformer (EU)

Approved the specifications and authorized advertisement for bids to procure 35 MVA 60/12 kV power transformer.

C-7 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Bagley Enterprises, Inc., of Lodi, for Designated Operator Duties, Maintenance, and Repairs of City Municipal Utilities Services Fuel Island, and Authorizing Public Works Director to Execute Extension (\$30,000) (PW)

Adopted Resolution No. 2015-179 authorizing the City Manager to execute a Professional Services Agreement with Bagley Enterprises, Inc., of Lodi, for designated operator duties, maintenance, and repairs of the City Municipal Utilities Services fuel island, and authorizing the Public Works Director to execute an extension, in the amount of \$30,000.

C-8 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Marine Science Institute, of Redwood City, for Lower Mokelumne River Watershed Education Legacy Project Field Trips, and Authorizing Public Works Director to Execute Extensions (\$30,000) (PW)

Adopted Resolution No. 2015-180 authorizing the City Manager to execute a Professional Services Agreement with Marine Science Institute, of Redwood City, for Lower Mokelumne River Watershed Education Legacy Project field trips, and authorizing the Public Works Director to execute extensions, in the amount of \$30,000.

C-9 Adopt Resolution Authorizing City Manager to Execute California Department of Transportation Harney Lane Overhead Agreement No. 75GS6126 (PW)

Adopted Resolution No. 2015-181 authorizing the City Manager to execute California Department of Transportation Harney Lane Overhead Agreement No. 75GS6126.

C-10 Adopt Resolution Approving Annual Shared Automation Fee Structure for the Agreement Between the City of Stockton and Sirsi Corporation Integrated Library System and Approving Cost Sharing Fee for Fiscal Year 2015/16 (\$25,476) (LIB)

Adopted Resolution No. 2015-182 approving the annual shared automation fee structure for the agreement between the City of Stockton and Sirsi Corporation Integrated Library System and approving the cost-sharing fee for Fiscal Year 2015/16, in the amount of \$25,476.

C-11 Adopt Resolution Authorizing City Manager to Execute Agreement and Approve Proposed Expenditure Program for Lodi's Share of the 2015 Edward Byrne Memorial Justice Assistance Grant (\$19,784) (PD)

Adopted Resolution No. 2015-183 authorizing the City Manager to execute an agreement and approving proposed expenditure program for Lodi's share of the 2015 Edward Byrne Memorial Justice Assistance Grant, in the amount of \$19,784.

C-12 Adopt Resolution Designating Voting Delegate and Voting Alternate for Future League of California Cities and National League of Cities Annual Business Meetings; Repealing

Resolution No. 96-138; and Directing the City Clerk to Update the City Council Protocol Manual (CLK)

Adopted Resolution No. 2015-184 designating the Voting Delegate and Voting Alternate for future League of California Cities and National League of Cities annual business meetings; repealing Resolution No. 96-138; and directing the City Clerk to update the City Council Protocol Manual.

C-13 Rescind Resolution No. 2014-181 and Approve Resolution Authorizing Issuance of Procurement Cards to Specified Positions (CM)

Rescinded Resolution No. 2014-181 and approved Resolution No. 2015-185 authorizing the issuance of procurement cards to specified positions.

C-14 Receive Update on Emergency Condition at Grape Bowl (PRCS)

Received update on the emergency condition at the Grape Bowl.

C-15 Set Public Hearing for November 4, 2015, to Consider Adopting Resolution Setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2016 (CD)

Set a public hearing for November 4, 2015, to consider adopting a resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2016.

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.

April Morse commented on the two meetings with the City Manager regarding Electric Utility rates and concerns, stating that the answers provided from staff were unclear and confusing. She questioned why Lodi's utility rates were significantly higher than other communities; why Lodi compared itself to El Dorado Hills and Beverly Hills when Lodi's median income is significantly lower than both cities; why Lodi compared itself to PG&E after staff cautioned against doing so; and why the City cannot accommodate requests to change a bill due date. Ms. Morse thanked staff for taking the time to answer questions and help citizens understand this issue, but she requested that a formal hearing before Council be scheduled to discuss the rates and concerns brought up by citizens and to arrive at a solution.

Mayor Johnson stated that staff will get back to her with a response.

Kip Gies expressed support for Ms. Morse's suggestion to hold a formal hearing on this matter.

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

Council Member Mounce provided the following reports on the meetings she attended: 1) guest speaker at a recent meeting of the Mark Club, at which she addressed the challenges facing the City Council; 2) meeting of the FaceBook group, Citizens Against the City of Lodi's Electric Utility Rates & Charges, at which there was a low turn-out, but she expressed hope that the next meeting would generate a larger crowd and vowed that she will continue to elicit answers from the City; 3) guest speaker at today's meeting of the Lodi Republican Women; and 4) the League of California Cities Annual Conference in San Jose, at which she was sworn in as the League's 1st Vice President of the Executive Board, adding that her Presidency next year will be the first for

Lodi since 1952. Council Member Mounce requested the City Manager respond to a recent e-mail from a citizen who was concerned about the removal of trees near St. Anne's Church. Ms. Mounce explained that trees marked with a blue "X" are slated for trimming, while those with a white "X" are to be removed, and she encouraged the public to call the City if they have questions. Council Member Mounce commented on the recent legislation regarding marijuana, stating the City has a short timeline to create a local ordinance on medical use of marijuana and it is likely the next election will result in legislation on recreational marijuana. City Attorney Magdich responded Lodi currently has regulations in place on marijuana dispensaries and cultivation, but staff will come back to Council with an item relating to mobile dispensaries. Council Member Mounce thanked the FaceBook group for bringing forth their concerns and making Council aware of the issues. She stated some of the issues are currently being addressed, such as the recently-approved energy audit and the upcoming meeting regarding rate restructuring, and she asked the group to have patience while the City works to address its other concerns relating to finance charges and the billing cycle. Council Member Mounce suggested a five- to seven-member citizens commission be created to advise Council on issues and solutions relating to Electric Utility and requested the matter be brought back to Council for a vote. She stated she believed April Morse and Susan Rabusin would be ideal members as they were instrumental in bringing this issue to the forefront.

Council Member Kuehne concurred with Council Member Mounce's suggestion of a citizens advisory group.

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

None.

G. Public Hearings

G-1 Public Hearing to Consider Unmet Transit Needs in Lodi (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 Johnson called for the public hearing to consider unmet transit needs in Lodi.

Transportation Manager Paula Fernandez provided a presentation regarding unmet transit needs in Lodi. Specific topics of discussion included the requirement for San Joaquin Council of Governments (SJCOG) to conduct an annual assessment of the transit system prior to allocation of Local Transportation Funds, the public hearing process throughout the County, and receipt of comments. Ms. Fernandez stated that this public hearing notice was posted on buses, at the transit station, and at City Hall, as well as on the website, and free rides to the hearing were offered. She requested that Council conduct the public hearing to receive testimony on unmet transit needs and introduced the representatives in attendance from SJCOG, MV Transportation, and the City.

In response to Council Member Kuehne, Ms. Fernandez stated there is a requirement for the transit operator to meet a certain number of passengers on the bus per hour and that effort is made to create routes that will ensure several customers on a bus at a time. She stated the City has not researched other options, such as Uber or Lyft, because the goal is to encourage the public to utilize the fixed-route system. In further response, Ms. Fernandez stated she received no comments this year on unmet needs, but she shared the request for service to the Moose Lodge in Acampo as an example of a past comment.

In response to Council Member Nakanishi, Ms. Fernandez explained the \$3 million transit operation is not funded by the general fund, stating its sources of funding come from the Federal Transportation Act fund, Local Transportation Fund, and revenue from fares and its solar system. She stated additional funding will soon come from bus advertisements.

Council Member Mounce stated she has received comments regarding the need for a bus stop at the Sikh Temple on Armstrong Road and Harney Lane, which is in the jurisdiction of the Regional

Transportation District. Ms. Fernandez stated the attending SJCOG representative can receive that unmet transit need comment for the record.

Mayor Johnson opened the public hearing for public comment.

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

Council Member Mounce complimented staff for providing a great service and for taking care of the concerns expressed by the Weavers, who are typically vocal about the transit system.

In response to Council Member Kuehne, Ms. Fernandez stated the bus advertisements will be displayed very soon, which will generate additional revenue.

There was no action necessary on this item.

G-2 Public Hearing to Consider Adopting Resolution Approving Planning Commission's Recommendation to Authorize 22 Low-Density Residential Growth Management Allocations for Vintner Square Subdivision (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 Johnson called for the public hearing to consider adopting a resolution approving the Planning Commission's recommendation to authorize 22 low-density residential growth management allocations for the Vintner Square Subdivision.

Senior Planner Craig Hoffman provided a PowerPoint presentation regarding growth management allocations for the Vintner Square Subdivision. Specific topics of discussion included request for 22 low-density residential units, vicinity map, subdivision map, planned development guidelines, growth allocation, environmental review, and recommendation.

Council Member Mounce stated the public should understand that Lodi has a 2 percent growth rate, but unused allocations are banked and could be applied to future developments. Mr. Hoffman explained that, since 1991, Lodi has historically grown lower than 1 percent; in 2012, Council expired a number of growth allocations; in 2013/14, the growth rate was well below the average in spite of the number of large developments that year; and 2015 is still below by almost 5,000 units. In further response, Mr. Hoffman stated there is no set policy on the expiration of available allocations, but staff will return to Council in 2016 to expire additional units because 5,000 units is more than Lodi needs in excess. Mr. Schwabauer added the Housing Element requires a policy to encourage affordable housing and expiring allocations must be done carefully so as to ensure no impact on the affordable housing policy.

In response to Council Member Nakanishi, Mr. Hoffman stated he would provide the growth rate data for Stockton and the other cities in San Joaquin County.

In response to Council Member Kuehne, Mr. Hoffman stated the developer has three different house plans, each with multiple elevations, and confirmed the developer was previously granted 35 growth allocations in 2004, which remain unused and will be added to the 22 units in this request for a total of 57 units spread over 9 acres.

Mayor Johnson opened the public hearing for public comment.

Chris Conklin, Vice President of the Grupe Company and project applicant, reported Grupe and Geweke are working together on this project and requested Council approve the recommended growth management allocations.

In response to Mayor Pro Tempore Chandler, Mr. Conklin estimated land development would begin in early 2016 and house construction would occur in mid-2016, with the homes placed on the market in late 2016 or early 2017. He stated the homes would range from 2,000 to 2,500 square feet and that the lots are smaller, ranging from 4,000 square feet to 8,000 square feet for lots in the cul-de-sac. With regard to pricing, he stated it would depend on the market at the time,

but he estimated the homes would be sold in the \$300,000 to \$400,000 range. Mr. Conklin stated these homes are smaller than many of the homes in recent developments and will be priced lower so as not to compete with them.

In response to Council Member Nakanishi, Mr. Conklin stated he was unsure how homes in the other developments are doing, but he believed they were selling.

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

Mayor Pro Tempore Chandler made a motion, second by Council Member Kuehne, to adopt Resolution No. 2015-186 approving the Planning Commission's recommendation to authorize 22 low-density Residential Growth Management Allocations for the Vintner Square Subdivision.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H. Communications

H-1 Appointment to the Lodi Senior Citizens Commission and Post for Expiring Terms on the Lodi Senior Citizens Commission (CLK)

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

APPOINTMENT:

Lodi Senior Citizens Commission

Julie Whiteley, term to expire December 31, 2016

POSTINGS:

Lodi Senior Citizens Commission

Two Expiring Terms, terms to expire December 31, 2015

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I. Regular Calendar

I-1 Provide Direction Regarding Lawrence Park Operations (PRCS)

Parks, Recreation, and Cultural Services Director Jeff Hood provided a PowerPoint presentation regarding Lawrence Park operations. Specific topics of discussion included Lawrence Park history, park pros and cons, drug use and crime at the park, goal for the park, potential dog park project, and Council input.

In response to Mayor Pro Tempore Chandler, Mr. Hood stated fencing to separate the large and small dog areas would likely cost \$22,000 and potential funding sources could include contributions from Police Department related organizations, the Grape Festival, businesses along Lockeford Street, the American Legion, and grants.

Council Member Kuehne stated he was vacillating on this issue because he would like to see the park be a safe, family-friendly park, but, at the same time, he does not want this effort to result in pushing the homeless to other locations. In addition, Mr. Kuehne stated he believed the Homeless Solutions Committee (HSC) should be provided an opportunity to implement its short- and long-term goals, which may rectify the problem at Lawrence Park, before moving forward with a dog park. Council Member Kuehne stated that, of the three parks on the east side of town -- Lawrence, Hale, and Blakely -- two of the parks are well utilized and he does not wish to see Lawrence Park closed off to children. He suggested effort be made to make it a multi-use park that would also include a playground and gathering area, adding that a diagram would be helpful for Council to visualize the proposed concept. Mr. Hood responded the proposal is to retain the restrooms and playground and that the dog park would encompass two-thirds of the park, which would include an area for Police canine training purposes. He added the purpose is to make Lawrence Park attractive to and safe for children and families, but to also make it a destination for others.

Council Member Mounce stated she would like to see Lawrence Park have multiple uses with an assortment of people utilizing it, similar to Hale Park, and this proposal from staff and the Recreation Commission works toward that goal by creating a mixed-use park and adding a Police presence. She expressed support for the concept.

Council Member Nakanishi expressed support for turning Lawrence Park into a facility that families can enjoy and children can walk by safely, stating he was pleased to see that the playground would remain. He further stated the issue of homelessness is a regional matter that should be addressed countywide.

Mr. Hood stated that staff's main focus is the crime at Lawrence Park and safety of the maintenance workers who encounter syringes and drugs on a daily basis, as well as the safety of children who walk to and from school past the restrooms where much of the illegal activities take place.

Mayor Johnson agreed there is a problem at Lawrence Park, but he believed this was not the correct solution and that the public was not demanding another dog park in town, especially at Lawrence Park. Other attempts at correcting the situation at the park, such as removing the picnic tables and barbecues, have only moved the homeless further into the park. Mayor Johnson stated that he rarely sees the canine training area utilized and suggested an unused space near the Armory might be ideal for training purposes. He stated he would like Lawrence Park to be reclaimed so the community can utilize it safely, children can walk to school without witnessing illegal activity, and the benches can ultimately be returned.

Kip Gies stated he resides near Lawrence and Hale Parks and pointed out that, even though both parks have transient problems, the situation for Lawrence Park differs from Hale Park because it is surrounded by the Grape Festival, Armory, and abandoned railroad tracks, whereas, Hale Park is surrounded by homes. He believed the location of Lawrence Park is incompatible with the surroundings and suggested liquidating the park and commissioning it for a different purpose, such as additional land for the Grape Festival or American Legion.

Interim Police Chief Tod Patterson stated the number one complaint he hears from east side residents is about Lawrence Park and the increased enforcement efforts by the Police Department have not eliminated the problem. The benches at the park were dilapidated to the point of causing injuries, and maintenance workers deal with unsanitary and dangerous conditions on a daily basis. Chief Patterson stated he supports any effort to rectify the situation and the dog park appears to be a positive solution because it expands the dog park area, while still encouraging a park atmosphere. Chief Patterson stated Mark Armstrong with the Lodi Grape Festival supports the proposal and has indicated that groups are often interested in hosting dog shows, which could be accommodated at that location. Ideally, a security system and lighting would benefit the area, and Chief Patterson expressed hope that organizations, such as the Lodi Police Foundation, could rally behind this endeavor with fundraising assistance.

Council Member Mounce stated she supports the recommendation of staff, the Recreation

Commission, and the Police Chief of transforming Lawrence Park into a multiuse facility and she felt confident the families surrounding the area would return once the park was safe.

Council Member Kuehne believed the proposal was an inappropriate use for the park, stating the City's consultant made it clear that additional dog parks were unnecessary and unwanted. He suggested staff further review the community survey and develop a new proposal that would serve the needs addressed by the public. Mr. Hood pointed out that Lawrence Park is an existing, designated dog park, to which Council Member Kuehne responded that it is unused in that capacity. Council Member Kuehne reported the HSC is currently working on one of its long-term solutions of creating a day center for the homeless, which he believed would greatly reduce the number of homeless who frequent the park, and he believed the Committee should be given the opportunity to try.

Mayor Pro Tempore Chandler agreed the Committee should be given time to implement its goals, but because it could be a lengthy process, he concurred with the idea of turning Lawrence Park into a mixed-use facility in the interim.

Council Member Mounce questioned if the American Legion has considered purchasing a portion of the park for off-street parking, to which Mr. Hood responded that it has; however, this is a deed-restricted location and any parking lot project would need to be a joint effort.

Mayor Johnson stated he would support an alternative concept after staff reviews the consultant's data from the study and survey that would better address the community's needs and suggested staff return to Council with an improved concept.

Council Member Kuehne stated he has heard from the community about the lack of pickleball and handball courts, as well as horseshoe pits, adding he would be more inclined to support a proposal that better addressed the community's needs.

No Council action was taken on this matter.

I-2 Introduce Ordinance to Include a Procedure in the Zoning Code to Allow a Reasonable Accommodation Request for Persons with Disabilities Seeking Equal Access to Housing Under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the Application of Zoning Laws and Other Land Use Regulations (CD)

Senior Planner Craig Hoffman provided a presentation regarding the Zoning Code amendment to allow a reasonable accommodation request for persons with disabilities seeking equal access to housing. Specific topics of discussion included update of the Housing Element, proposed modification to Zoning Code to provide a procedure for reasonable accommodations for those with disabilities to the Federal Fair Housing Act, and examples of modifications or exceptions to the rules, standards, or practices relating to housing or housing-related facilities. Mr. Hoffman reported this recommendation was unanimously approved by the Planning Commission and following Council approval, the amendment would be added to the Zoning Code in order to submit the Housing Element to Council for final approval.

Council Member Mounce made a motion, second by Council Member Kuehne, to introduce Ordinance No. 1916 to include a procedure in the Zoning Code to allow a Reasonable Accommodation Request for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of Zoning laws and other land use regulations.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I-3 Adopt Resolution Amending Section 7(b) of City Manager's Employment Agreement

City Manager Schwabauer left the dais at 8:37 p.m. and returned after the conclusion of Item I-3.

Deputy City Manager Jordan Ayers reported this request is to amend the provision in the City Manager's contract that the City Manager will be the highest-paid City employee based on salary and benefits to instead being the highest-paid City employee by base salary only. Mr. Ayers stated that there is no change in the City Manager's salary as a result of this proposal.

Council Member Kuehne made a motion, second by Council Member Mounce, to adopt Resolution No. 2015-187 amending Section 7(b) of the City Manager's Employment Agreement.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I-4 Ratification of Employment Agreement Entered into Between City Manager Stephen Schwabauer and Chief of Police Tod B. Patterson (CM)

City Manager Schwabauer provided a report on the employment agreement with Chief of Police Tod Patterson. Specific topics of discussion included salary of \$169,950; six-month severance payment for termination without cause; one-time uniform allowance consistent with other Police Department mid-managers; vehicle for work-related usage; one-time benefits of longevity pay and cash-out of Holiday Leave due to the fact that Interim Chief Patterson worked for the majority of the year under his current Memorandum of Understanding and has earned these benefits; and the same benefits under the Executive Management Statement of Benefits. Mr. Schwabauer expressed his utmost respect for Interim Chief Patterson, stating he is community oriented with a high customer service approach when carrying out his duties and functions and he was honored to recommend him as City of Lodi's Chief of Police.

The City Council concurred with the recommendation and expressed its wholehearted support for Chief Patterson.

Police Lieutenant Chris Jacobson, President of the Lodi Police Mid-Managers Association, expressed the Department's support for Interim Chief Patterson, stating that he is caring and trusting of his Department and feels confident that Lodi will benefit from his leadership.

Interim Chief Patterson thanked everyone for their kind comments and Council for its support. He stated customer service is extremely important to him and he will strive to ensure transparency for the citizens of Lodi. He plans to bring forward ideas, such as body cameras and improvements to policies, that will make the Lodi Police Department a greater force. Interim Chief Patterson assured the public that security and safety of Lodi and its citizens is of utmost importance to the Department. He stated he was honored and humbled to be a part of such a great Department and recognized former Chiefs Larry Hansen and David Main for their guidance and support.

Council Member Mounce made a motion, second by Council Member Kuehne, to ratify the Employment Agreement entered into between City Manager Stephen Schwabauer and Chief of Police Tod B. Patterson.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J. Ordinances

J-1 Ordinance No. 1915 Entitled, "An Ordinance of the Lodi City Council Levying and Apportioning the Special Tax in Territory Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 3)" (CLK)

Council Member Mounce made a motion, second by Mayor Pro Tempore Chandler, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1915 Entitled, "An Ordinance of the Lodi City Council Levying and Apportioning the Special Tax in Territory Annexed to Community Facilities District No. 2007-1 (Public Services) (Annexation No. 3)" which was introduced at a regular meeting of the Lodi City Council held September 16, 2015.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:51 p.m.

ATTEST:

Jennifer M. Ferraiolo  
City Clerk