

# AMENDED

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JANUARY 4, 2023**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of January 4, 2023, was called to order by Mayor Hothi at 6:33 p.m.

Present: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Absent: None

Also Present: Deputy City Manager Keys, City Attorney Magdich, and City Clerk Nashed

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Lodi Fire Mid-Management Pursuant to Government Code §54957.6 (CM)

C-3 Adjourn to Closed Session

At 6:34 p.m., Mayor Hothi adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:57 p.m.

C-4 Return to Open Session / Disclosure of Action

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

Item C-2a) was discussion and direction given, with no further reportable action.

Mayor Hothi adjourned to the Special City Council Meeting at 7:02 p.m.

Mayor Hothi adjourned from the Special City Council Meeting at 7:24 p.m.

A. Call to Order / Roll Call

The Regular City Council meeting of January 4, 2023, was called to order by Mayor Hothi at 7:24 p.m.

Present: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Absent: None

Also Present: Deputy City Manager Keys, City Attorney Magdich, and City Clerk Nashed

B. Presentations – None

- C. Consent Calendar (Reading; Comments by the Public; Council Action) All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, refer to the Notice at the beginning of this agenda.

Council Member Nakanishi made a motion, second by Council Member Khan, 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 Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

- C-1 Receive Register of Claims for December 2, 2022 through December 15, 2022 in the Total Amount of \$4,306,392.06 (FIN)

Claims were approved in the amount of \$4,306,392.06.

C-2 Approve Minutes (CLK)

The minutes of December 20, 2023 (Shirtsleeve Session) and December 27, 2023 (Shirtsleeve Session) were approved as written.

C-3 Adopt Resolution Authorizing City Manager to Award Purchase Order to California State University, Sacramento for Nine Fire Personnel to Attend Paramedic School (\$135,000) and Request Unused Funds Roll to Future Budget Years (FD)

Adopted Resolution No. 2023-02 authorizing the City Manager to award a purchase order to California State University, Sacramento for nine Fire personnel to attend paramedic school, in the amount of \$135,000, and request unused funds roll to future budget years.

C-4 Adopt Resolution Authorizing City Manager to Waive Bid Process and Approve Purchase of 2023 Ford F350 4x2 Utility Service Truck from Downtown Ford, of Sacramento (\$79,987) (PW)

Adopted Resolution No. 2023-03 authorizing the City Manager to waive the bid process and approve the purchase of a 2023 Ford F350 4x2 utility service truck from Downtown Ford, of Sacramento, in the amount of \$79,987.

C-5 Approve Specifications and Authorize Advertisement for Bids for On-Call Well and Pump Repair Project (PW)

Approved the specifications and authorized advertisement for bids for the On-Call Well and Pump Repair Project.

C-6 Accept Improvements Under Contract for 2020 Well Rehabilitation Project (PW)

Accepted the improvements under the contract for 2020 Well Rehabilitation Project.

C-7 Accept Improvements Under Contract for 2022 Downtown Concrete Cleaning (PW)

Accepted the improvements under the contract for 2022 Downtown Concrete Cleaning.

C-8 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Houston Fire Systems, of Lodi, for Hutchins Street Square Fire Panel System Upgrade (\$241,320), Authorizing City Manager to Execute Amendments to Agreement, and Appropriate Funds (\$300,000) (PW)

Adopted Resolution No. 2023-04 authorizing the City Manager to execute a Professional Services Agreement with Houston Fire Systems, of Lodi, for Hutchins Street Square Fire Panel System Upgrade, in the amount of \$241,320, authorizing the City Manager to execute amendments to the agreement, and appropriating funds in the amount of \$300,000.

C-9 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Professional Services Agreement with Global Labs, Inc., of El Dorado Hills, for Laboratory Services (\$225,000) (PW)

Adopted Resolution No. 2023-05 authorizing the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Global Labs, Inc., of El Dorado Hills, for laboratory services, in the amount of \$225,000.

C-10 Adopt Resolution Authorizing City Manager to Execute Memorandum of Understanding for Fire Training Facility Use between City of Lodi and City of Stockton for Period of January 1, 2023 through December 31, 2025 (Not To Exceed \$300,000) and Enter Into 23-1 Fire Academy (FD)

Adopted Resolution No. 2023-06 authorizing the City Manager to execute a Memorandum of Understanding for fire training facility use between the City of Lodi and the City of Stockton for the period of January 1, 2023 through December 31, 2025, in an amount not to exceed \$300,000, and enter into the 23-1 Fire Academy.

C-11 Adopt Resolution Approving Impact Mitigation Fee Program Annual Report for Fiscal Year 2021/22 (FIN)

This item was pulled by Mayor Pro Tempore Craig.

Mayor Pro Tempore Craig stated that she will be reaching out to the Lodi Arts Commission to gain a detailed understanding of the Art in Public Places fee and its impact.

Mayor Pro Tempore Craig made a motion, second by Council Member Khan, to adopt Resolution No. 2023-07 approving the Impact Mitigation Fee Program Annual Report for Fiscal Year 2021/22.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

C-12 Notice Regarding Unmet Conditions to Apply for Mobile Library Grant for Fiscal Year 2023-2024 Approved by Library Board of Trustees (Information Only) (LIB)

Received the notice regarding unmet conditions to apply for the mobile library grant for Fiscal Year 2023-2024 approved by the Library Board of Trustees (information only).

C-13 Post for Expiring Term on Lodi Improvement Committee and Vacancy on Site Plan and Architectural Review Committee and Re-Post for Vacancy on San Joaquin Council of Governments Citizens' Advisory Committee (CLK)

This item was pulled by Mayor Pro Tempore Craig.

Mayor Pro Tempore thanked Community Development Director John Della Monica and staff for their contributions while she served on the Site Plan and Architectural Review Committee.

Mayor Pro Tempore Craig made a motion, second by Council Member Khan, to direct the City Clerk to post for the following vacancies:

Lodi Improvement Committee

Lynsay Nuss - Term to expire March 1, 2023

Site Plan & Architectural Review Committee

Lisa Craig - Term to expire January 1, 2026

San Joaquin Council of Governments Citizens' Advisory Committee

Richard Blackston - Term to expire January 1, 2023

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

C-14 Set Public Hearing for January 18, 2023, to Consider Resolution Adopting and Implementing Collection of San Joaquin County Facilities Fees, CEQA Determination: Exempt per Section 15061(b)(3) of CEQA Guidelines, 2022 (CD)

Set a public hearing for January 18, 2023, to consider a resolution adopting and implementing the collection of San Joaquin County Facilities Fees.

C-15 Set Public Hearing for January 18, 2023, to Receive Annual Report of Available Growth Allocations and Consider Adopting Resolution Revising Growth Management Program Procedures to Allow Issuing Growth Allocations for Projects on Land Not Yet Annexed (CD)

Set a public hearing for January 18, 2023, to receive the Annual Report of Available Growth Allocations and consider adopting a resolution revising Growth Management Program procedures to allow issuing Growth Allocations for projects on land not yet annexed.

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.

None.

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

Council Member Nakanishi thanked the street sweepers for their hard work.

Public Works Director Swimley thanked Public Works staff for their tireless work during the storms.

Mayor Pro Tempore Craig announced the passing of Bill Meehleis.

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

Deputy City Manager Keys thanked all the City of Lodi staff and crews working non-stop to keep residents safe during the storms.

G. Public Hearings

G-1 Public Hearing to Consider and Waive First Reading of an Ordinance Amending Lodi Municipal Code Title 15 – Buildings and Construction, to Reenact Chapter 15.66 – County Facilities Fees, to Replace the Previously Repealed Chapter that Expired June 14, 2012, CEQA Determination: Exempt per Section 15061(b)(3) of the CEQA Guidelines, 2022 (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 Hothi called for the public hearing to consider and waive the first reading of an ordinance amending Lodi Municipal Code Title 15 – Buildings and Construction - to reenact Chapter 15.66, "County Facilities Fees," to replace the previously repealed chapter that expired June 14, 2012, CEQA Determination: Exempt per Section 15061(b)(3) of the CEQA Guidelines, 2022.

Community Development Director John Della Monica introduced City Planner Cynthia Marsh and provided a PowerPoint presentation regarding the proposed ordinance. Specific topics of discussion included existing regulations and the proposed amendment.

Mayor Hothi opened the public hearing for public comment.

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

Council Member Khan made a motion, second by Mayor Pro Tempore Craig, to introduce Ordinance No. 2014 amending Lodi Municipal Code Title 15 – Buildings and Construction - to reenact Chapter 15.66, "County Facilities Fees," to replace the previously repealed chapter that expired June 14, 2012.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

H. Regular Calendar

H-1 Assign and Confirm Annual Appointment of City Council Members on Various Boards, Committees, and Commissions (CLK).

City Clerk Nashed provided a brief report regarding annual appointments for City Council members service on various boards, committees, and commissions.

Council discussion ensued regarding Council Member interests on serving on various City and County boards, commissions, and committees.

Mayor Pro Tempore Craig made a motion, second by Council Member Bregman, to make the following appointments:

Appoint Mayor Hothi as delegate and Council Member Bregman as alternate on Northern California Power Agency (NCPA), and subsequent appointments to the City of Lodi Risk Oversight Committee.

Appoint Council Member Khan as delegate and Mayor Pro Tempore Craig as alternate on San Joaquin Council of Governments (SJCOG).

Appoint Council Member Khan as representative on San Joaquin County Abandoned Vehicle Abatement Service Authority.

Appoint Mayor Pro Tempore Craig as delegate and Mayor Hothi as alternate on San Joaquin Partnership.

Appoint Mayor Hothi and Council Member Bregman as representatives on the Lodi 2x2 Committee.

Appoint Mayor Pro Tempore Craig as representative on the San Joaquin Regional Rail Commission.

Appoint Council Member Bregman as alternate on the San Joaquin County Solid Waste Management Task Force.

Reappoint Public Works Director Swimley as delegate and Water Plant Superintendent Khars as alternate on San Joaquin County Flood Control and Water Conservation District - Water Advisory Commission.

Appoint Mayor Hothi as voting delegate and Mayor Pro Tempore Craig as alternate on the San Joaquin Valley Special City Selection Committee.

Appoint Mayor Hothi as delegate and Mayor Pro Tempore Craig as alternate on the League of California Cities Central Valley Division Executive Committee.

Confirm Council Member Nakanishi as delegate and Public Works Director Swimley as alternate on Eastern San Joaquin Groundwater Joint Powers Authority.

Confirm Council Member Nakanishi as delegate on Northeastern San Joaquin County Groundwater Banking Authority.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

H-2 Adopt Resolution Authorizing City Manager to Execute Agreement for Property Tax Allocation Upon Annexation with County of San Joaquin (ISD)

Deputy City Manager Keys provided a report regarding an agreement for property tax allocation with San Joaquin County. Specific topics of discussion included the previous agreement with San Joaquin County, which expired in 2011, the update of the Municipal Services Review and Sphere of Influence documents, interest by landowners to annex into the City of Lodi, the split of tax allocations between the City of Lodi and County of San Joaquin, and annexation impacts on City resources.

Council discussion ensued with Deputy City Manager Keys and Community Development Director Della Monica regarding impacts of annexation on City resources versus County resources, tax sharing agreements between San Joaquin County and other cities within the same jurisdiction, opposition to annexation, and types of land use to be annexed.

Council Member Khan made a motion, second by Council Member Nakanishi, to adopt Resolution No. 2023-08 authorizing the City Manager to execute an agreement for property tax allocation upon annexation with the County of San Joaquin.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

I. Ordinances – None

J. Reorganization of the Following Agency Meetings:

Deputy City Manager Keys and City Clerk Nashed introduced the item regarding the reorganization of the following agencies: Lodi Public Improvement Corporation, Industrial Development Authority, Lodi Financing Corporation, and Lodi Public Financing Authority.

Council Member Nakanishi made a motion, second by Mayor Pro Tempore Craig, to adopt Resolution No. LPIC2023-01 reorganizing the officers of the Lodi Public Improvement Corporation, Resolution No. IDA-47 reorganizing the officers of the Industrial Development Authority, Resolution No. LFC-34 reorganizing the officers

of the Lodi Financing Corporation, and Resolution No. LPFA2023-01 reorganizing the officers of the Lodi Public Financing Authority.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Bregman, Council Member Khan, Council Member Nakanishi, Mayor Pro Tempore Craig, and Mayor Hothi

Noes: None

Absent: None

K. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:04 p.m.

ATTEST:

Olivia Nashed  
City Clerk