

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 2, 2022**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of March 2, 2022, was called to order by Mayor Chandler at 6:32 p.m.

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

Absent: None

Also Present: City Manager Schwabauer, City Attorney Magdich, and Assistant City Clerk Farris

C-2 Announcement of Closed Session

a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Lodi City Mid-Management Association, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Lodi Professional Firefighters, Lodi Fire Mid-Management, International Brotherhood of Electrical Workers, Confidential General Services, Confidential Mid-Managers, Executive Managers, and Appointed Employees Pursuant to Government Code §54957.6 (CM)

b) Public Employee Recruitment: Candidates for Council Appointed Position of City Clerk Pursuant to Government Code 54957 (HR)

C-3 Adjourn to Closed Session

At 6:32 p.m., Mayor Chandler adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 7:10 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:10, Mayor Chandler reconvened the City Council meeting, and City Attorney Magdich disclosed the following actions:

Items C-2a) and C-2b) were both discussion and direction with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of March 2, 2022, was called to order by Mayor Chandler at 7:10 p.m.

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

Absent: None

Also Present: City Manager Schwabauer, City Attorney Magdich, and Assistant City Clerk Farris

G. Public Hearings

G-1 Public Hearing to Receive and Consider Final 2020 Census Data and Obtain Input from

the Public Regarding Redrawing of Election District Boundaries (CA)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Chandler called for the public hearing to receive and consider final 2020 Census data and obtain input from the public regarding redrawing of election district boundaries.

Shalice Tilton, Senior Consultant with National Demographics Corporation, provided a PowerPoint presentation regarding draft redistricting maps. Specific topics of discussion included redistricting timeline, rules and goals, existing districts, draft maps, and proposed sequencing.

In response to Council Member Nakanishi, Ms. Tilton explained that redistricting is a balancing act and that race is one factor to be considered, but there are other factors such as areas of common interest.

City Attorney Magdich stated that no maps have been received from the public but public outreach will be continued.

Council Member Kuehne stated that his preference is the Yellow Map, with a second choice of the Orange Map. He stated that he felt the Yellow Map is most consistent with the current district boundaries.

Council Member Nakanishi also indicated support for the Yellow Map.

Council Member Khan enquired as to outreach efforts in the Pakistani community and for Urdu speakers.

City Attorney Magdich stated that the documents are available in English and Spanish, but the website has resources available for Urdu speakers. She further noted two upcoming workshops on March 10 at noon and March 18 at 5:30 p.m., which will be held in the Carnegie Forum and virtually on Zoom.

Mayor Pro Tempore Hothi inquired as to whether the maps take into consideration future planned growth. City Manager Schwabauer stated the law dictates that existing voters are considered.

Mayor Pro Tempore Hothi stated that he supports the Yellow Map.

Mayor Chandler stated that he also supports the Yellow Map, further stating that the constituents that he has spoken with also prefer the Yellow Map.

Mayor Chandler opened the public hearing for public comment.

Gabo Lizardo, a member of the public, stated that the maps were not available online. Ms. Tilton stated that the maps were available in the staff report and City Attorney Magdich stated that staff would check the website.

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

B. Presentations

B-1 Arbor Day Proclamation (PRCS)

Mayor Chandler presented a proclamation proclaiming Arbor Day in the City of Lodi to

Steve Dutra, of Tree Lodi. Mr. Dutra provided flyers to the Council (filed) promoting the Arbor Day tree planting at DeBenedetti Park on April 2, 2022.

- 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.

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

Noes: None

Absent: None

- C-1 Receive Register of Claims for January 28, 2022 through February 10, 2022 in the Total Amount of \$3,081,105.67 (FIN)

Claims were approved in the amount of \$3,081,105.67.

- C-2 Approve Minutes (CLK)

The minutes of February 8, 2022 (Special Meeting), February 8, 2022 (Shirtsleeve Session), February 15, 2022 (Special Meeting), and February 15, 2022 (Shirtsleeve Session) were approved as written.

- C-3 Accept Quarterly Report of Purchases between \$10,000 and \$20,000 (FIN)

Accepted Quarterly Report of Purchases between \$10,000 and \$20,000.

- C-4 Accept Quarterly Investment Report as Required by City of Lodi Investment Policy (FIN)

Accepted Quarterly Investment Report as required by City of Lodi Investment Policy.

- C-5 Adopt Resolution Authorizing Purchase of Focus Laser Scanner and Scene Software Subscription from ZNET Tech, LLC, of Hacienda Heights (\$49,396) (PD)

Adopted Resolution No. 2022-49 authorizing the purchase of Focus laser scanner and scene software subscription from ZNET Tech, LLC, of Hacienda Heights, in the amount of \$49,396.

- C-6 Adopt Resolution Authorizing City Manager to Waive Bid Process and Purchase Traffic Control Equipment from Econolite Systems, Inc., of Anaheim (\$75,050) (PW)

Adopted Resolution No. 2022-50 authorizing the City Manager to waive the bid process and purchase traffic control equipment from Econolite Systems, Inc., of Anaheim, in the amount of \$75,050.

- C-7 Approve Specifications and Authorize Advertisement for Bids for 2021/2022 Pavement

Resurfacing Project (PW)

Approved specifications and authorized advertisement for bids for 2021/2022 Pavement Resurfacing Project.

- C-8 Approve Plans and Specifications and Authorize Advertisement for Bids for Stormwater Trash Collection Project – Phase 3 (2022) and Adopt Resolution Authorizing City Manager to Award Contract to Lowest Responsive Bidder (\$400,000) and Execute Change Orders (\$40,000) (PW)

Approved plans and specifications and authorized advertisement for bids for Stormwater Trash Collection Project - Phase 3 (2022) and adopted Resolution No. 2022-51 authorizing the City Manager to award a contract to the lowest responsive bidder in an amount not to exceed \$400,000, and execute change orders in an amount not to exceed \$40,000.

- C-9 Adopt Resolution Authorizing City Manager to Execute Professional Services Agreement with Safety-Kleen, Inc., of Salida, for Hazardous Waste Disposal (\$50,000) (PW)

Adopted Resolution No. 2022-52 authorizing the City Manager to execute a Professional Services Agreement with Safety-Kleen, Inc., of Salida, for hazardous waste disposal, in the amount of \$50,000.

- C-10 Adopt Resolution Authorizing City Manager to Execute Two-Year Professional Services Agreement with Valley Outdoor Advertising, of Lodi, for Electric Utility Advertising Services (\$42,000) (EU)

Adopted Resolution No. 2022-53 authorizing the City Manager to execute a two-year Professional Services Agreement with Valley Outdoor Advertising, of Lodi, for Electric Utility advertising services, in the amount of \$42,000.

- C-11 Adopt Resolution Authorizing City Manager to Execute Amendment No. 2 to Extend Measure K Renewal Cooperative Agreement with San Joaquin Council of Governments for GrapeLine Operations Revenue for Fiscal Year 2021/22 (\$400,000) (PW)

Adopted Resolution No. 2022-54 authorizing the City Manager to execute Amendment No. 2 to extend the Measure K Renewal Cooperative Agreement with San Joaquin Council of Governments for GrapeLine operations revenue for Fiscal Year 2021/22, in the amount of \$400,000.

- C-12 Adopt Resolution Authorizing City Manager to Execute Reimbursement Agreement with Cherokee Memorial Park, Inc., for Outside City Wastewater Service at 14165 Beckman Road (PW)

This item was pulled from the agenda at the request of staff.

- C-13 Adopt Resolution Authorizing City Manager to Appropriate Funds for Purchase of 2014 Chevrolet Traverse from Transit Division (\$15,505) (PRCS)

Adopted Resolution No. 2022-55 authorizing the City Manager to appropriate funds for the purchase of a 2014 Chevrolet Traverse from the Transit Division, in the amount of \$15,505.

- C-14 Adopt Resolution Amending Traffic Resolution No. 97-148 by Approving a Multi-Way Stop Control at Guild Avenue and Turner Road (PW)

Adopted Resolution No. 2022-56 amending Traffic Resolution No. 97-148 by approving a multi-way stop control at Guild Avenue and Turner Road.

C-15 Adopt Resolution Approving City of Lodi Pay Schedule Dated March 2, 2022 (HR)

Adopted Resolution No. 2022-57 approving the City of Lodi pay schedule dated March 2, 2022.

C-16 Rescind Resolution 2021-18 and Adopt Resolution Authorizing Issuance of Procurement Cards to Specified Positions (ISD)

Rescinded Resolution No. 2021-18 and adopted Resolution No. 2022-58 authorizing the issuance of procurement cards to specified positions.

C-17 Adopt Resolution Authorizing City Manager to Execute Agreement for Legal Services with Jones Hall, a Professional Law Corporation, of San Francisco, for Bond Counsel Services in Connection with Refinancing of Outstanding Lease Payment Obligation and Financing of Outstanding Lease Payment Obligation and Financing of Capital Improvements (Not to Exceed \$101,500) (CA)

This item was pulled at the request of Council Member Nakanishi for more information.

City Manager Schwabauer provided background information regarding the past service of Chris Lynch and the importance of the service provided by bond counsel.

Council Member Nakanishi made a motion, second by Mayor Pro Tempore Hothi, to adopt Resolution No. 2022-59 authorizing the City Manager to execute an Agreement for Legal Services with Jones Hall, a Professional Law Corporation, of San Francisco, for bond counsel services in connection with refinancing of outstanding lease payment obligation and financing of outstanding lease payment obligation and financing of capital improvements, in an amount not to exceed \$101,500.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

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 Kuehne commented on the Fire Department golf tournament coming up on May 9th.

Council Member Khan thanked the Police Department for their quick action on the gun violence on the Eastside and recognized the efforts of the departments involved in the cleanup with Caltrans.

Mayor Chandler also commented on the recent homeless cleanup near Highway 99, recognizing the efforts of Police Chief Brucia and the multiple agencies involved. He further commented on the recent Lodi High ribbon cutting, his recent tour of the Lodi Lake project, and the upcoming Lodi Rotary Shrimp Mania.

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

None.

G. Public Hearings (Continued)

G-2 Public Hearing to Consider Adopting Resolution Amending Requirements and Procedures for Review of Growth Allocation Applications (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 Chandler called for the public hearing to consider adopting a resolution amending requirements and procedures for review of Growth Allocation applications.

Community Development Director John Della Monica provided a PowerPoint presentation regarding Growth Allocation process changes. Specific topics of discussion included current process, proposed process, examples of development character submittals, land use concept maps, parcel configuration by housing type, architectural characteristics, open space concepts and amenities, primary project entry features, circulation analysis concepts, development standards compliance, and staff recommendation.

In response to Council Member Nakanishi, Mr. Della Monica confirmed that the developer submits a request for Growth Allocations, along with plans.

Council Member Kuehne stated that he is pleased that Council will have the opportunity to see the project first, rather than at the final step.

Council Member Khan stated that he thinks it is a great idea and that it will give the public a chance to voice their opinion early in the planning.

Mayor Chandler noted that the development community wants to maintain the year-round access to Growth Allocations.

Mayor Chandler opened the public hearing for public comment.

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

Council Member Kuehne made a motion, second by Council Member Khan, to adopt Resolution No. 2022-60 amending requirements and procedures for review of Growth Allocation applications.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

G-3 Adopt Resolutions and Authorize Documents and Actions Regarding the Financing for the

Acquisition, Design and Construction of Capital Improvements: (a) Hold a Noticed Public Hearing; (b) Adopt Resolution of the City Council of the City of Lodi Making Findings and Approving Documents and Official Actions Relating to the Proposed Issuance by the Lodi Public Financing Authority of Lease Revenue Bonds to Refinance Outstanding Lease Revenue Bonds and Provide Financing for Acquisition and Construction of Capital Improvements, Including an Animal Shelter and Parks and Playground Improvements and Upgrades, and (c) Adopt Resolution of Board of Directors of the Lodi Public Financing Authority Authorizing the Issuance and Sale of Lease Revenue Bonds to Refinance Outstanding Lease Revenue Bonds and Provide Financing for Acquisition and Construction of Capital Improvements, Including an Animal Shelter and Parks and Playground Improvements and Upgrades, and Approving Related Documents and Official Action (CA)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Chandler called for the public hearing of a joint meeting with the Lodi City Council and the Lodi Public Financing Authority to consider adopting resolutions and authorizing documents and actions regarding the financing for the acquisition, design and construction of Capital Improvements: (a) hold a noticed public hearing; (b) adopt a resolution of the City Council of the City of Lodi making findings and approving documents and official actions relating to the proposed issuance by the Lodi Public Financing Authority of lease revenue bonds to refinance outstanding lease revenue bonds and provide financing for acquisition and construction of capital improvements, including an animal shelter and parks and playground improvements and upgrades, and (c) adopt a resolution of Board of Directors of the Lodi Public Financing Authority authorizing the issuance and sale of lease revenue bonds to refinance outstanding lease revenue bonds and provide financing for acquisition and construction of capital improvements, including an animal shelter and parks and playground improvements and upgrades, and approving related documents and official action.

Deputy City Manager Andrew Keys provided a PowerPoint presentation regarding 2022 lease revenue bonds. Specific topics of discussion included background, overview, estimated financing structure, estimated financing results, recommended actions, summary of financing documents, and next steps.

Council Member Kuehne stated that this process has been going on for the past month, thanked staff for their efforts, and expressed his support for the proposed changes.

Council Member Nakanishi expressed support for refinancing while rates are low.

In response to Mayor Chandler, City Attorney Magdich stated the tracts noted in the paperwork are the land upon which Fire Station 2 and the Police Department are located.

Mayor Chandler opened the public hearing for public comment.

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

Council Member Kuehne made a motion, second by Mayor Pro Tempore Hothi, to adopt Resolution No. 2022-61 of the City Council of the City of Lodi making findings and approving documents and official actions relating to the proposed issuance by the Lodi Public Financing Authority of lease revenue bonds to refinance outstanding lease revenue bonds and provide financing for acquisition and construction of capital improvements, including an animal shelter and parks and playground improvements and upgrades.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

Council Member Kuehne made a motion, second by Mayor Pro Tempore Hothi, to adopt Resolution No. LPFA2022-03 of the Board of Directors of the Lodi Public Financing Authority authorizing the issuance and sale of lease revenue bonds to refinance outstanding lease revenue bonds and provide financing for acquisition and construction of capital improvements, including an animal shelter and parks and playground improvements and upgrades, and approving related documents and official action.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H. Regular Calendar

H-1 Adopt Resolution Approving Fiscal Year 2021/22 Mid-Year Budget Adjustments (ISD)

Deputy City Manager Andrew Keys provided a PowerPoint presentation regarding the mid-year budget report. Specific topics of discussion included fund overview for revenue and expenditures, personnel requests, major requests by fund, and action requested.

In response to Council Member Kuehne, Mr. Keys stated there have been additional Workers' Compensation claims and payouts and confirmed that the City is self-insured for the first \$250,000.

Council Member Nakanishi and Mayor Chandler both expressed support of the added positions in public safety.

Lisa Craig, a member of the public, shared her support for the proposed Planner position and stated that a business development staff liaison for the building process would be helpful.

Council Member Nakanishi made a motion, second by Mayor Pro Tempore Hothi, to adopt Resolution No. 2022-62 approving Fiscal Year 2021/22 mid-year budget adjustments.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H-2 Adopt Resolution Approving Final Budget Allocation and Spending Plan for City of Lodi's Use of Federal American Rescue Plan Act of 2021 Funding (ISD)

Deputy City Manager Andrew Keys provided a PowerPoint presentation regarding the final budget allocation and spending plan for Federal American Rescue Plan Act of 2021 (ARPA)

funding. Specific topics of discussion included background, current ARPA projects, Treasury Department's final rule, revenue loss, vaccine incentive program, reallocation of funds, utility debt relief program, and requested action.

In response to Mayor Pro Tempore Hothi, City Manager Schwabauer stated that the unutilized funds would not be enough to pay for the repaving at Lodi Lake, but that project is slated for funding through one-time revenue.

In response to Council Member Kuehne, City Manager Schwabauer stated that staff was presenting the opportunity for Council to either request addition options or keep the funds in the utility.

In response to Council Member Khan, Deputy City Manager Keys stated that a project must be under contract by December 2024 and the funds must be spent by December 2025, so the timing might not be adequate for homeless/affordable housing projects.

Council Member Nakanishi and Mayor Chandler both expressed their desire to have staff present a list of appropriate projects.

Council Member Kuehne made a motion, second by Council Member Nakanishi, to adopt Resolution No. 2022-63 approving the final budget allocation and spending plan for City of Lodi's use of Federal American Rescue Plan Act of 2021 funding.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

H-3 Provide Direction on Charging for Fourth of July Event (PRCS)

Parks, Recreation and Cultural Services Director Christina Jaromay provided a PowerPoint presentation regarding cost recovery for the Fourth of July event. Specific topics of discussion included costs of the event, fee proposal, and cost recovery.

Mayor Pro Tempore Hothi stated that he does not support fees for the public to attend; the budget is in good shape and there was a recent utility rate increase.

Council Member Kuehne expressed his support of the fees, citing the need for maintenance.

Council Member Nakanishi concurred with Mayor Pro Tempore Hothi, stating even in bad fiscal times, the City has not charged for the event.

Council Member Khan stated he would not oppose a partial fee but the event is a gift to the citizens and the budget is in good shape.

Council Member Kuehne stated the event is attended by more Stocktonians than Lodi citizens.

Mayor Chandler stated he had been neutral, but now favored shelving the idea until next year.

Mayor Pro Tempore Hothi made a motion, second by Council Member Nakanishi, to leave the fee structure for the Fourth of July event as it is.

VOTE:

The above motion carried by the following vote:

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

Noes: Council Member Kuehne

Absent: None

H-4 Introduce Ordinance Amending Lodi Municipal Code Title 13 – Public Services – by Repealing and Reenacting Chapter 13.16, “Solid Waste,” in Its Entirety (PW)

Public Works Management Analyst Rebecca Areida-Yadav provided a PowerPoint presentation regarding the introduction of an ordinance amending Lodi Municipal Code Title 13 for solid waste. Specific topics of discussion included reasons for ordinance, ordinance revisions, and implementation schedule.

In response to Council Member Nakanishi, Public Works Director Charlie Swimley stated staff would provide more details on cost at the upcoming Shirtsleeve Session.

Mayor Pro Tempore Hothi made a motion, second by Mayor Chandler, to introduce Ordinance No. 1994 amending Lodi Municipal Code Title 13 - Public Services - by repealing and reenacting Chapter 13.16, "Solid Waste," in its entirety.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

I. Ordinances

I-1 Adopt Ordinance No. 1993 Entitled, “An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 15 – Buildings and Construction – by Amending Sections of Chapter 15.20, ‘Fire Code,’ to Reflect the Current Code Citation Numbers” (CLK)

Council Member Kuehne made a motion, second by Council Member Nakanishi, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1993 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 15 - Buildings and Construction - by Amending Sections of Chapter 15.20, 'Fire Code,' to Reflect the Current Code Citation Numbers," which was introduced at a regular meeting of the Lodi City Council held February 16, 2022.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Absent: None

J. Adjournment

There being no further business to come before the City Council, the meeting was adjourned

at 9:23 p.m., in honor of the brave citizens of the Ukraine.

ATTEST:

Pamela M. Farris
Assistant City Clerk