

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, MARCH 7, 2023**

A. Call to Order / Roll Call

The Special City Council meeting of March 7, 2023, was called to order by Mayor Hothi at 7:03 a.m.

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

Absent: None

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

B. Regular Calendar

B-1 Provide Direction to Staff Regarding Vacant Seat on the City Council (CA)

City Manager Schwabauer provided a presentation regarding the vacant seat District 4 City Council seat. Specific topics of discussion included the three options available for Council: hold a special election, use an appointment process to fill the vacancy, or leave the seat vacant by doing nothing.

Public Comment

Ria Jones, a member of the public, spoke in favor of holding a special election.

Gina (no last name given), a member of the public, spoke in favor of appointing the candidate receiving the second highest number of votes in the 2020 election, Ramon Yepez.

Ramon Yepez, a member of the public, spoke about election fraud, the inaction of the District Attorney's office, opposition to holding an election, and the need for the appointment of a candidate with the support of District 4.

Monica Valenzuela, a member of the public, spoke in favor of appointing Ramon Yepez.

Council Member Bregman stated his support for holding a special election.

Discussion ensued with Mayor Pro Tempore Craig, City Manager Schwabauer, and City Attorney Magdich regarding the appointment of the candidate with the second highest number of votes, a November special election, resolution of split votes with a four-member Council, in-person voting/election standards, and criteria for the appointment process, including public involvement.

Discussion ensued with Council Member Nakanishi and City Attorney Magdich regarding former Council Member Khan's arrest and action of the Council.

Council Member Nakanishi reviewed the options available and stated his support for doing nothing.

City Manager Schwabauer clarified that doing nothing is a statutorily inferable option.

Discussion ensued with Mayor Pro Tempore Craig and City Manager Schwabauer regarding Council's Code of Ethics, the need for an engaged public process, and the time frame for an appointment process.

Mayor Hothi expressed his support for an appointment process similar to the one used by Lodi Unified School District to fill a recent vacancy.

Council Member Nakanishi stated his preference to appoint a candidate who will not run in the next election.

In response to Council Member Bregman, City Attorney Magdich verified that it is not an option to appoint a member now and then hold a special election in November.

Mayor Pro Tempore Craig made a motion, second by Council Member Nakanishi, to adopt the appointment process for filling the vacant District 4 City Council seat.

VOTE:

The above motion carried by the following vote:

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

Noes: None

Abstentions: Council Member Bregman

Absent: None

C. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:36 a.m.

ATTEST:

Olivia Nashed  
City Clerk